Ukraine

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In January 2014, after weeks of protests triggered by President Viktor Yanukovych's decision not to sign an Association Agreement with the European Union (EU), the parliament adopted a package of harsh laws that aimed to criminalize the demonstrations. The situation culminated in a pitched battle between police and protesters for control of Kyiv's main square, Maidan Nezalezhnosti (Independence Square), resulting in the death of more than 100 demonstrators. Despite their losses to police gunfire, the "Euromaidan" protesters held their ground, and the government began to lose control over parts of the country that were sympathetic to the opposition.

On February 21, Yanukovych signed a political accord calling for early elections later that year and a restoration of the 2004 constitution, which would shift many of his powers back to the parliament. However, protesters insisted on his immediate departure, his security forces withdrew from the city center, and he soon fled the capital, ultimately going into self-imposed exile in Russia. Many of the president's closest allies, including members of parliament, also absconded. The remaining deputies voted to remove him from office and set a presidential election for May. The move was not strictly in conformity with the constitution, partly because the charter required 338 votes in the 450-seat parliament for impeachment; the motion received only 328.

Immediately after Yanukovych left, Russia—which strongly opposed the protests and closer ties between Ukraine and Europe—invaded the country. Using a combination of Russian troops from its naval base in Sevastopol, special forces, Cossacks, and some local supporters, the Kremlin quickly captured the Crimean Peninsula and annexed it to the Russian Federation in mid-March.

As in Crimea, many residents of the eastern Donetsk and Luhansk regions did not support the overthrow of the Yanukovych government, but the areas showed few signs of armed insurrection until Russian operatives began working with local allies to set up separatist entities called the Donetsk People's Republic and the Luhansk People's Republic. These armed groups attempted to expand their control over a much wider swath of eastern and southern Ukraine that Russian president Vladimir Putin called "Novorossiya" (New Russia). Although the Ukrainian military was quickly overwhelmed in Crimea, it eventually began to push back the combination of Russian and separatist fighters in Donetsk and Luhansk, aided by battalions of volunteers.

In late August, facing the imminent defeat of the separatist forces, Putin dispatched regular Russian troops into eastern Ukraine while publicly denying their presence. Ukrainian forces were driven back some distance after taking heavy casualties, and a September 5 cease-fire adopted by negotiators in Minsk left the separatists in control of portions of Donetsk and Luhansk, their capital cities, and part of the border region. Despite the agreement, fighting continued along the cease-fire line. At year's end, the country remained divided into three parts: a Kyiv-controlled mainland, Crimea under de facto Russian jurisdiction, and parts of Donetsk and Luhansk ruled by the Russian-backed separatists.

In a concession to the separatists, the government in Kyiv approved legislation in October that gave the eastern regions a special status for three years, providing a greater degree of local self-government and setting local elections for December. Rather than comply with the Ukrainian law, the separatists held their own elections on November 2. The voting was widely criticized for extensive irregularities and did not win international recognition. The national government subsequently moved to rescind the special status law.

Meanwhile, the authorities in Kyiv had held early presidential and parliamentary elections in May and October. The voting was widely regarded as free and fair despite the de facto exclusion of the occupied territories. Wealthy businessman and former cabinet minister Petro Poroshenko won the presidency, and his electoral bloc led the parliamentary voting. After weeks of negotiations, a new coalition cabinet was formed in December, with Arseniy Yatsenyuk—in office since late February—retaining the premiership. The group included a number of young, Western-educated figures, including three who held U.S., Lithuanian, and Georgian citizenship prior to their appointments.

In keeping with the goals of the Euromaidan protests and in response to the Russian invasion, the new authorities in Kyiv worked to build closer ties with Europe and the United States. In March Ukraine signed the political components of the Association Agreement with the EU, then concluded the economic portion in June, though the latter was not set to take effect until the end of 2015 as a concession to Russia. At the end of December, Poroshenko signed a law dropping the country's nonaligned status, raising the possibility of joining the North Atlantic Treaty Organization (NATO) in the future.

Russia cut off natural gas supplies to Ukraine in June amid a pricing dispute, but the flow resumed at the end of the year following an agreement in which Ukraine agreed to pay debts claimed by Russia. Moscow also blocked many of Ukraine's exports during 2014. The conflict as a whole seriously strained Ukraine's already weak economy and state budget.

Political Rights and Civil Liberties:

Political Rights: 25 / 40 (+5) [Key]

A. Electoral Process: 9 / 12 (+1)

The president is elected to a maximum of two five-year terms. Although the next scheduled election was set for 2015, the Ukrainian parliament called a snap election for May 25 after Yanukovych fled the country. In voting that was largely considered free and fair by international observers, Poroshenko won a decisive 54.7 percent of the overall vote and majorities in regions across the country. Voting did not take place in Crimea and some districts in the east due to the Russian occupation and ongoing separatist fighting. Former prime minister Yuliya Tymoshenko, freed from politically motivated imprisonment in February, placed a distant second with 12.8 percent.

Yanukovych in 2010 had overseen the restoration of the 1996 constitution, which featured a dominant presidency, but a 386–0 vote by the parliament on February 21, 2014, reversed

that move, reviving the 2004 charter. The latter, the product of a compromise during the Orange Revolution, had shifted power to the prime minister and cabinet and made them responsible to the parliament, though the president retained control over the foreign and defense ministers and the head of the security service.

Citizens elect delegates to the Verkhovna Rada (Supreme Council), the 450-seat unicameral parliament, for five-year terms, according to a system in which half of the members are chosen by proportional representation and half in single-member districts. In the early parliamentary elections held on October 26, there appeared to be few campaign violations, beyond reported attempts to bribe voters in some of the districts. The Organization for Security and Cooperation in Europe (OSCE) provided a generally positive review of the electoral process, though it noted “significant problems” in the vote tabulation in some areas. Ultimately, citizens elected a parliament with a reformist majority. Petro Poroshenko’s Bloc won 133 seats, Yatsenyuk’s People’s Front took 81, Self-Reliance 33, the Opposition Bloc 29, the Radical Party 22, and Fatherland 19. Several smaller parties and 96 independents divided the remainder. The five largest parties, minus the Opposition Bloc, formed a governing coalition. Yanukovych’s Party of Regions, which had dominated the previous parliament, did not compete, though some of its members joined the Opposition Bloc. The Communist Party did not win any seats for the first time since Ukraine’s independence. Moreover, the two right-wing Ukrainian nationalist parties, Svoboda (Freedom) and Right Sector, won just 6 and 1 seats, respectively.

Parliamentary voting could not be held in Crimea or separatist-held parts of Donetsk and Luhansk regions, where only 17 of 32 electoral districts were able to function. These regions included many voters who would likely have opposed Poroshenko and the winning parties. As a result of the occupation, the elections filled only 423 of the parliament’s 450 seats.

B. Political Pluralism and Participation: 10 / 16 (+2)

The collapse of the Yanukovych regime and release of Tymoshenko from jail opened the door to a flourishing of political party activity. Of the 22 parties that competed in the 2012 parliamentary elections, nine did not participate in 2014, while six new parties have appeared and five have rebranded themselves and registered under new names. Nevertheless, the country’s parties are typically little more than vehicles for their leaders and financial backers, and they generally lack coherent ideologies or policy platforms.

Russia maintained a powerful influence over the course of Ukrainian political life through its annexation of Crimea, involvement in the fighting in the east, imposition of economic sanctions on the rest of the country, and manipulation of the price Ukraine pays for natural gas.

According to the OSCE, Russian speakers and smaller ethnic minority groups reported no obstacles to their participation in the 2014 elections, although a number of these communities were effectively excluded by the occupation and violence in Crimea and the east, and many Roma in Ukraine lack the necessary identity documents.

C. Functioning of Government: 6 / 12 (+2)

Over the course of the year, Ukraine made some progress in its fight against corruption, but considerable problems persisted. The removal of Yanukovych meant the end of extensive graft by the president himself, members of his family, and his closest associates. However, business magnates continue to benefit financially from their close association with top politicians. Dmytro Firtash, a key figure in the gas industry who was awaiting extradition to the United States from Austria at year's end, reportedly has influence in the Poroshenko bloc and finances other parties.

In mid-October, the parliament adopted an anticorruption strategy for the next three years, and the president set up a new National Council on Anticorruption Policy, replacing a similar body that Yanukovych had established in 2010. A package of related legislation made it easier to identify the actual owners of companies, established measures to track the assets of public officials, and created protections for whistle-blowers. The parliament also created a new anticorruption bureau, but the head of Transparency International Ukraine warned that the provisions of the final bill would leave it "disabled and ineffective, not strong and independent."

In March, journalist and opposition activist Tetyana Chornovol was appointed as head of an existing National Anticorruption Committee, but she resigned in August, claiming that there was no political will to fight corruption. Economy Minister Pavlo Sheremeta resigned the same month, saying his efforts to push through economic reform had been frustrated. Both had come to office through their association with the Euromaidan protests, but they proved incapable of working effectively inside the administration against entrenched interests.

A lustration law that came into force in October was designed to remove public officials who supported the corruption of the former administration and could use their positions to obstruct reform. More than one million people could be vetted under the law's provisions. However, critics later warned that the measure, which was initially approved without a publicly available text, was being applied in an arbitrary manner, meaning some individuals could be targeted unfairly while more culpable figures avoid scrutiny because they have political connections or other influence. Others pointed out that there was no independent body to monitor the lustration process. By year's end, the law was being challenged in the courts.

Civil Liberties: 37 / 60 (+2)

D. Freedom of Expression and Belief: 11 / 16 (+2)

The constitution guarantees freedoms of speech and expression, and libel is not a criminal offense. The end of the Yanukovych administration brought considerable change to the Ukrainian media landscape, and the government no longer seeks to systematically control television and the press. However, business magnates with varying political interests own

and influence many outlets, and the state exercises politicized control over a nationwide television network and various television stations at the regional level. Poroshenko owns his own television network, Fifth Channel, and has rebuffed press freedom groups' calls for him to sell it. Among other key media owners are Dmytro Firtash (Inter), Ihor Kolomoysky (1+1), Rinat Akhmetov (Ukraine), and Viktor Pinchuk (Novy Kanal, STV, ICTV).

Despite the change in government, problems like self-censorship remain, and some elements of the independent media shifted into the political camp of the new administration. New and independent internet news sites that broadcast the Euromaidan protests, such as Hromadske TV, now support Poroshenko. Moreover, leading investigative journalists who were critical of Yanukovych, like Mustafa Nayyem and Sergey Leshchenko of *Ukrainska Pravda*, successfully ran for parliament on Poroshenko's party list.

In August, Ukraine's Interior Ministry banned the broadcast of 14 Russian channels, arguing that the country's information space had to be protected from Russia's "propaganda of war and violence." The authorities have also detained some pro-Russia journalists, raided the offices of the pro-Russian newspaper *Vesti*, and barred many Russian journalists from entering the country. The new government established an Information Ministry that critics fear will ultimately attempt to impose censorship.

Journalists faced dangerous conditions in the eastern war zone, with at least five dying during the fighting. The separatist rebels often target journalists for their coverage of the conflict, and most independent reporters have fled separatist-controlled territory. The separatists briefly detained a correspondent for U.S.-based Vice News in April and a Hromadske TV reporter and cameraman in July. They also threatened and detained journalists trying to cover the destruction of a Malaysian airliner over the area in July. The separatists have blocked Ukrainian broadcasts on their territory, replacing them with Russian channels.

The constitution and a 1991 law define religious rights in Ukraine, and these are generally well respected. In June the country adopted a law that dramatically reduces the government's control over education and allows universities much greater freedom in designing their own programs. The universities also gained an expanded ability to manage their own finances, and faculty members were permitted to devote more of their time to research activities.

E. Associational and Organizational Rights: 9 / 12 (+1)

The constitution guarantees the right to peaceful assembly but requires organizers to give the authorities advance notice of any demonstrations. While Yanukovych employed deadly force in an attempt to disperse the Euromaidan protests, the new government has been more tolerant of demonstrations. However, some crowds have turned into vigilante mobs and physically attacked politicians and officials they accuse of corruption.

Beyond the Euromaidan movement, a variety of civic groups with different social, political, cultural, and economic agendas have remained active in Ukraine. Trade unions function in

the country, but strikes and worker protests are infrequent. Factory owners are still able to pressure their workers to vote according to the owners' preferences.

F. Rule of Law: 6 / 16 (−1)

Ukraine has long suffered from politicized courts, and judges were subject to intense political pressure under the Yanukovych administration. In April 2014, the parliament adopted a judicial reform law that sought to weaken the top-down power of court chairmen, who assign cases to specific judges and often make decisions about their salaries and other work conditions. The chairmen, in turn, reputedly take orders from powerful politicians. However, while the new law removed all the chairmen from office and allowed the judges to elect new ones, the former incumbents often managed to return to their jobs, reportedly using bribery and other illicit methods. In many cases, no one dared to run against the former chairmen, apparently fearing the repercussions of a failed attempt to unseat them. Separately, many of the prosecutors appointed under Yanukovych remain in office.

Many of the security personnel responsible for violence against the Euromaidan protesters have fled the territory controlled by the Kyiv government. Ukraine is slowly reforming its armed forces, which had fallen into a state of decay, to combat the separatists and Russian invaders. However, many independent volunteer groups have also taken up arms to fight alongside the government troops, raising questions about accountability for any abuses.

Given the ongoing fighting in eastern Ukraine, substantial parts of the population face extensive violence—including inaccurate shelling by both sides—and the prospect of being forced into labor squads at the discretion of separatist fighters. By the end of 2014, at least 4,700 people had been killed and more than 10,000 injured in the conflict in eastern Ukraine, according to the United Nations. The fighting also displaced more than 610,000 people inside Ukraine and drove another 594,000 to neighboring countries, with most going to Russia.

Although the national government has generally protected the legal rights of minority groups, the country's Romany population continues to suffer from discrimination. The LGBT (lesbian, gay, bisexual, and transgender) community also faces bias and hostility in Ukraine. In October 2014 Kyiv's Zhovten cinema was struck by suspected arson while it was screening an LGBT-themed film, and an equality march set for July was called off after Kyiv authorities said they could not ensure security.

G. Personal Autonomy and Individual Rights: 11 / 16

The separatist-controlled territories in the east are largely lawless, with armed groups controlling public buildings and looting local businesses for supplies. Numerous reports indicate that separatist commanders force local residents to perform menial tasks. The infrastructure in the combat zone has suffered extensive damage, and economic output has dropped dramatically.

In the rest of Ukraine, small and medium-sized businesses continue to suffer at the hands of corrupt bureaucrats, tax collectors, and corporate raiders.

Gender discrimination is prohibited under the constitution, but government officials demonstrate little interest or understanding of the problem. Nearly 12 percent of the new parliament's seats are held by women, the largest share in Ukraine's post-Soviet history. Human rights groups have complained that employers openly discriminate on the basis of gender, physical appearance, and age. The trafficking of women abroad for the purpose of prostitution remains a major problem.

Scoring Key: X / Y (Z)

X = Score Received

Y = Best Possible Score

Z = Change from Previous Year

Full Methodology

The numerical ratings and status listed above do not reflect conditions in Crimea, which is examined in a separate report.