Long-Term Investments Pay Dividends in Ukraine

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Contents

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Introduction and Background

Since gaining independence in 1991, Ukraine has been in a protracted, fluctuating transition toward accountable democratic governance as changes in the ruling elites have prompted tangible shifts in the policies and values pursued by authorities.

The events that have most heavily influenced the direction of reforms include the 2004 Orange Revolution; the 2010 presidential election won by Viktor Yanukovych; and the 2013–14 EuroMaidan protests, or Revolution of Dignity. The Orange Revolution brought in the first real wave of democratic transition, though it quickly stagnated. Then there was an authoritarian rollback in 2010–13 under the Yanukovych government before the second ongoing wave of democratization after the Revolution of Dignity succeeded in February 2014. Those political processes played a significant role in the implementation of media reform and influenced policymakers' and other stakeholders' tactics and strategies. It is worth noting, however, that unlike many other states formed after the dissolution of the Union of Soviet Socialist Republics (USSR), Ukraine did not experience long-term systemic oppression against civil society and media after gaining its independence.

Despite having supposedly one of the most liberal and pluralistic media sectors among the former USSR countries, Ukraine was ranked 96th in the 2020 World Press Freedom Index by Reporters Without Borders[1] and as "partly free" in *Freedom House's 2020 Freedom in the World* report.[2] Ukraine's position in these international media freedom rankings is explained by restrictions imposed on the broadcast media and social networks associated with the Russian Federation as the aggressor-state[3] as well as by certain systemic failures on the part of the Ukrainian state, such as the de facto absence of an independent professional judiciary and inability to properly investigate and punish attacks against journalists.[4]

INDICATOR	RANK/SCORE
2021 Reporters Without Borders Press Freedom Rank	97/180
2020 V-Dem Liberal Democracy Index Rank	92/179
2021 Freedom House Global Freedom Score	62/100 (Partly Free)
2020 UN Human Development Index Rank	74/189

The Council of Europe (CoE) set a comprehensive general framework for Ukrainian media sector reform in 1999,[5] which was further elaborated two years later in reaction to the murder of an independent journalist, Georgiy Gongadze, and media opponent of then President Leonid Kuchma.[6] It was not until 2005, when the Parliamentary Assembly of the Council of Europe (PACE) issued Resolution 1466 (2005),[7] that an agenda for media reform was set, and it remains a cornerstone of reformers' efforts to date. As libel was decriminalized with the adoption of

Transition Timeline

2004 — Continuing a long history of stuttering democratic progress, Ukrainians take to the streets in what is what is now known as the Orange Revolution. A brief period of democratic reform follows.
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2010 — President Viktor Yanukovych is elected and proceeds to roll back democratic freedoms in a bid to consolidate power.
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2013–14 — The Revolution of Dignity leads to Yanukovych's ousting. New coalition government is elected.
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2014 — Shortly after the new government took power, Russia opened hostilities with Ukraine. Russian troops occupied and annexed Ukraine's Crimean Peninsula. The international armed conflict with Russia further erupted in the east of Ukraine.
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2019 — President Volodymyr Zelensky, an actor with no prior political experience is elected amid frustration with stalled reform agenda.
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2022 — Russia launches full-scale invasion of Ukraine
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the 2001 Criminal Code,[8] the priority areas for reform include the following:

- Transforming the state broadcasters into public service broadcasting channels in line with relevant CoE standards
- Privatizing the printed media founded by public authorities
- Ensuring transparency of media ownership
- Creating equal conditions for the functioning of all media by revising the 1997 Law of Ukraine on Government Support for the Media and Social Protection of Journalists
- Ratifying the European Convention on Transfrontier Television
- Aligning the new version of the Law of Ukraine on Television and Radio Broadcasting with CoE standards and recommendations
- Enhancing the legal framework for access to information

Since the agenda was set, Ukraine has taken some significant steps to fulfill these recommendations with varying degrees of success. The Law of Ukraine on Public Service Television and Radio Broadcasting was adopted in 2014.[9] Under its provisions, the establishment of one unified public service broadcaster (PSB) through the merger of state broadcasters was finally completed in 2017, including the formation of a supervisory board and election of an executive board.[10] However, the unified broadcaster remains constantly underfunded,[11] hindering its development into a solid force in the Ukrainian media market.

The privatization of the state-funded print media ("destatization") began in 2016[12] and was formally completed by the end of 2018. However, some of the transition issues, such as transforming state-funded print media into official publications of local authorities and stopping attempts by so-called municipal media to retain control over previously state-funded media entities, remain unresolved.[13]

Regarding media ownership transparency, the Law of Ukraine on Transparency of Audiovisual Media Ownership was adopted in 2015.[14] It imposed an obligation on audiovisual media to publish their ownership structures as well as disclose information about their ultimate beneficiaries on their websites. Despite being a crucial piece of legislation at the time of adoption, it does not apply to online media, whose influence is growing. It also does not have any provisions that cover cross-ownership and transparency of media funding. Additionally, it should be noted that antitrust mechanisms do not apply to the media market, which is dominated by four large media groups with political affiliations.[15]

The CoE Convention on Transfrontier Television was ratified in 2008,[16] effective from July 1, 2009.[17] The new version of the Law on Television and Radio Broadcasting was adopted in 2006,[18] but was met with skepticism by some of the leading civil society media organizations (CSMOs) due to its perceived noncompliance with international standards.[19] Later reform efforts aimed at modifying legislation around audiovisual media services, as well as implementing the Audiovisual Media Services Directive and its updated version,[20] have yet to produce tangible results, including the most recent efforts in 2019–2020.[21]

The Law on Access to Public Information was adopted in 2011.[22] The Global Right to Information Rating currently ranks the law as the 19th strongest among 128 evaluated globally due to its wide scope of coverage and the government's limited discretion to refuse access to information requests.[23] However, the right to access public information could be further enhanced with the introduction of an independent information commissioner's office, which would be able to safeguard this right against abuses of power. A draft law introducing this institution was submitted to the parliament in 2019.[24]

Simultaneously, self-regulation and co-regulation systems have been developing independently of state regulation, driven by the leading CSMOs, media experts, activists, and associations of smaller local and regional media outlets, with further support from the PSB.[25] However, these efforts barely involve the media sector at large, which is lacking motivation for effective and institutionalized consolidation. The reasons behind this attitude toward self-regulation are multiple: an absence of significant regulatory pressure by the state, which could prompt journalists to cooperate and resist; oligarch ownership of the larger media corporations where there is no financial incentive for self-regulation; internal disagreements among leading players; and a weak culture of professionalism in the sector.

The Commission on Journalism Ethics, consisting of journalists and representatives of leading Ukrainian media associations, was formed in 2003 to resolve disputes arising from breaches of journalistic standards in published media content.[26] The Independent Media Council (IMC) was founded by five CSMOs at the end of 2015 to provide expertise in cases involving possible violations of both legislation and journalistic standards.[27] The IMC's expert conclusions are used by the National Council of Television and Radio Broadcasting (NBC), the state audiovisual media regulator, to help inform its decisions regarding the imposition of sanctions on broadcasters. However, the lack of enforcement mechanisms and tangible impact on journalists' and media's behavior limit the effectiveness of said bodies in promoting professional journalism.

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Currently, there is a broad call to implement European standards for regulation of audiovisual media, transparency and diversity in the ownership and funding of media, proper financing of the public service broadcaster, creation of an independent oversight body regulating access to information, and proper investigation of attacks against journalists. Inter alia, these measures are reflected in the Roadmap of Reforms for 2019–2023 by the Reanimation Package of Reforms, the largest cross-sectoral coalition of civil society organizations (CSOs) in Ukraine.[28] Their implementation, however, faces several obstacles.

The main obstacles to creating an independent, professional, and pluralistic media environment in Ukraine are economic. Media moguls are affiliated with political party leaders, leading to significant media capture and a lack of powerful independent traditional media. In exchange for favorable media coverage, parliamentary factions lobby against legislative proposals that endanger media owners' wider business interests. In particular, these lobbying efforts have prevented the adoption of progressive legislation developed by prominent CSOs regarding audiovisual media services and transparency of media funding as well as the empowerment of the NBC. Overall, Ukrainian media struggle to secure financial sustainability, especially in the regions where advertising markets are scanty and media dependence on the smaller local oligarchs is apparent.[29]

The role of the state authorities in holding back policy reforms is less significant. While the parliament and the national media regulator are indeed affected by media capture, policy champions inside these bodies often share a common vision and willingness to pursue policy change. The judiciary and law enforcement systems, however, hinder some positive efforts since their structural shortfalls have never been properly addressed (for example, a comprehensive judicial reform has not been implemented).[30]

Ukrainian journalists remain largely uncoordinated and seemingly unwilling to institutionally self-organize. The two existing journalistic unions—the National Union of Journalists of Ukraine and the Independent Media Trade Union of Ukraine—either represent the remnant of the soviet "media system" or have discredited themselves through constant internal

A journalist shows his press card to police during a demonstration in Kyiv, June 2010. The sign reads "Stop Censorship!"

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conflict, while new, credible ones have never formed. Ad hoc self-organization is possible, though, and successful examples have occurred in response to outright attacks originating from the state (as was the case with the "Stop Censorship!" campaign initiated during Yanukovych's rule).[31] Journalists often place media management's requirements and financial incentives above any ethical or professional standards, evident from the widespread *jeansa*—hidden politics-related business promotion materials.[32] Journalism education needs modernization and a renewed sense of purpose.

Since the start of the EuroMaidan protests and the subsequent international armed conflict between Ukraine and the Russian Federation, Ukraine's media sector has faced the mounting problem of Russia-backed disinformation and media manipulation.[33] The sector has reacted by supporting and/or initiating various media literacy and fact-checking projects.

In this report, we discuss most of the aforementioned changes since they represent a consolidated effort to create a democratic and pluralistic media environment in Ukraine. Our selected case study will cover public service broadcasting reform in Ukraine. PSB creation has been a focus of donors' and civil society's reform efforts during the last 25 years and this reform story is a good illustration of the various transition stages that the country has moved through so far. Ukrainian PSB reform is also an excellent example of key stakeholders' persistence, consolidation, and coordinated efforts promoting values-based change.

Historical Approaches to Media Reform

U kraine has so far experienced several waves of transformation on its path toward democratic governance. Each of these periods has been characterized by different reform priorities and policy champions.

1991–2004. During the first period, which lasted until the Orange Revolution in 2004, civil society's contribution to the media reform effort was relatively limited. Still, it achieved some important victories during that period, including the creation of the National Television and Radio Broadcasting Council of Ukraine (national broadcasting regulator) in 1994, along with further legislative steps that led to the rise of private media,[34] the decriminalization of defamation in 2001 (which was introduced with the adoption of the new Criminal Code), and the launch of an anti-defamation initiative (amendments to the legislation regulating court fees in 2003 effectively prevented excessive moral damages claims in defamation cases).[35]

Those changes were mainly advocated by isolated groups of activists and journalists rather than by broad social movements. Where media market liberalization was at stake, media owners pushed for the respective changes. Some opposition politicians also rode that reformist wave. Broader movements such as the Kyiv Independent Media Trade Union started to emerge. During the 2004 "Journalists' Revolution," preceding the Orange Revolution by a couple of weeks, activists' and journalists' movements focused on combatting informal censorship practices, such as *temnyky*,[36] or secret directives, and censorship by media owners.[37]

International assistance actors heavily invested in local capacity development and trained a cohort of media law specialists during this period,[38] who later established a number of CSMOs and continue to be actively involved in legal drafting and advocacy around the reform process. They also helped set the agenda for media reform through their connections

Orange-clad demonstrators gather in Independence Square in Kyiv, November 2004

in the government, support to local CSMOs and working groups in charge of legislative drafting, and their soliciting of international expertise regarding the draft bills. CoE considered the media reform agenda to be part of Ukraine's official obligations during the country's accession to the organization and consistently pushed for its implementation.[39]

2005–2014. After 2004, inspired by the election of a pro-Western President Viktor Yushchenko, civil society more confidently pushed for reform. Together with international actors, civil society started implementing the reform agenda as formulated in the mid–2000s, mainly focusing on PSB reform. There was a broad consensus that a state broadcaster routinely used as a propaganda tool by any government must be reformed to eliminate state control over broadcasting. Notably, such CSOs as Media Law Institute (later the Centre for Democracy and Rule of Law, or CEDEM), Telekrytyka (later Detector Media), Institute of Mass Information, Internews Ukraine, the

Protesters in Independence Square in Kyiv, December 2013.

Regional Press Development Institute, and others were engaged in all phases of the policy development cycle from agenda setting to policy evaluation. They actively lobbied for the reform agenda despite a lack of substantial demand for media reform among the public. Low popular support for media reform at that time can be explained by the fact that Ukrainian society did not have a clear understanding of the importance of independent and pluralistic media, was living in survival mode (rather than in development mode),[40] and was more worried about the lack of an independent judiciary and overwhelming corruption.[41]

Unfortunately, despite the far-reaching hopes of the Orange Revolution of 2004, civil society's reform efforts were largely fruitless between 2005 and 2014, a time that can be dubbed the "stagnation" or "disappointment" period. During these years, large Ukrainian media became captured by the oligarchs' interests and

there was no significant political will for policy change. Several laws were passed in the first parliamentary reading but were later "buried" in the Verkhovna Rada (Ukrainian parliament) in the second reading.[42] That was the result of intertwined factors such as media owners who felt comfortable in the "muddy regulatory waters," local state-supported print media benefiting from the state funding and conveniently serving as propaganda instruments of the local authorities, a rather weak broadcasting regulator, and members of parliament (MPs) who were ready to preserve this situation for the benefit of their oligarchic sponsors. Thus, the leading opponents of media reform had the necessary tools to prevent it from happening.

The only successful reform during the stagnation period—adoption of the Law on Access to Public Information in 2011—nevertheless signified certain important shifts in civil society's advocacy strategies, namely cooperation with the media outlets in raising public awareness and broader support for reform as well as strategic communication with the government about reform priorities. Respondents noted that the ruling party had seen no danger in enabling people's access to information from the state authorities and wanted to demonstrate evidence of some positive changes to the European partners in preparation of the European Union (EU)–Ukraine Association Agreement.[43]

During this period, the "Stop the Censorship!" movement was formed. This was intended to be an informal movement of journalists resisting the Yanukovych regime's increasing attempts to oppress independent media and civil society. The movement was established in 2010 by some 200 media representatives and activists, its primary aims being to stop pressure on journalists to censor their content and to push for the adoption of legislation guaranteeing free access to information. The movement was not directly funded by international assistance actors, which was a conscious decision of its members, though many members came from the organizations systematically supported by the international donor community. Its preferred methods of action consisted of direct action, such as protests, campaigns, and public statements. Soon after the authoritarian threats vanished together

with the Yanukovych regime, the movement stopped playing any considerable role in the Ukrainian media reform field since the consolidating "external threat" ceased to exist. One respondent underlined that this absence of significant external threat, which normally produces a consolidation effect, is the most profound reason why Ukrainian journalists did not try to self-organize after the movement's de facto dissolution in 2015.[44]

2014–present. The year 2014, especially the period right after the EuroMaidan protests, became the moment of triumph for Ukraine's civil society. The newly opened window of opportunity combined with the weakened state provided local CSOs incredible policymaking influence. On March 7, 2014, for the first time in Ukraine's modern history, dozens of civil society organizations working in different fields from media to ecology and from human rights to economics united under the umbrella of a broad coalition—the Reanimation Package of Reforms, or RPR. The name spoke for itself: The goal was to develop, present, and pursue a broad roadmap of reforms in nearly all sectors to "reanimate" the country and prepare it for integration into the European space. One interviewee suggested that the formation of RPR was primarily an immediate and emotional outcome of the Revolution of Dignity.

At its peak, the coalition comprised more than 80 CSOs divided into 23 thematic sectoral groups. While that was not the first attempt to build a cross-sectoral coalition for reforms, it was by far the most powerful. Verkhovna Rada adopted more than 80 laws proposed by RPR experts from 2014 to 2019. All the political parties that formed a parliamentary coalition after the 2014 extraordinary parliamentary elections signed a memorandum to support the Reforms Roadmap developed by RPR.[45] The media reform priority areas in this document echoed the ones offered in 2005 by the CoE.[46] One new and important priority area emerging after the Revolution of Dignity was about combating hate speech and propaganda from Russian and Russia-backed media in Ukraine.[47]

Initially, the media reform group inside the RPR coalition included all significant media reform CSOs, such as Detector Media, Institute of Mass Information, CEDEM, the Regional Press Development

The Verkhovna Rada (Ukrainian parliament), 2015

Institute, and Internews Ukraine. They joined forces to promote policy changes even when joining the coalition meant less visibility and recognition for the individual organizations.[48] Finally, these organizations got a realistic chance to transfer their decades-long expert and drafting work into the newly proposed legislation. The adoption of the Law on Public Service Broadcasting of Ukraine,[49] the Law on Reforming State and Communal Printed Media,[50] and the Law on Transparency of Media Ownership,[51] which complied with the international standards in the respective regulatory spheres, can be attributed to RPR's effective advocacy campaigns and the legislative drafting work of its experts.

Another vital role of the RPR was in shaping the new generation of parliamentarians and executive officials. Some RPR members had their representatives elected to the Verkhovna Rada in 2014. Those civil society leaders turned MPs chaired the parliamentary committees and served as bridges between CSOs and decision-making powers. This synergy proved to be especially fruitful in relation to media reform where the chair of the Freedom of Speech and Information Policy Committee was herself a former director of the Institute of Mass Information.[52]

Knowing they had allies in parliament allowed civil society to cooperate with government representatives to advance legal reform. While sporadic street protests in support of the media reforms still took place, the main tools of the CSOs were policy research, advocacy, publicity campaigns, and negotiations with the responsible stakeholders. After the reform agenda was crystallized into the Reforms

Roadmap, RPR members developed draft laws and other policy decisions to pursue the reforms. Those efforts laid the foundation for necessary legislative amendments to achieve practical change. RPR members also participated in officially and unofficially organized working groups to develop draft laws in close cooperation with MPs. Today, despite RPR transformation into a CSO and lack of its recent activity, this cooperation model is still effectively used to work on the Draft Law on Media where the working group includes both MPs elected in 2019 and experts coming from CSMOs—former RPR members.

The RPR coalition provided an additional advocacy tool to the reformers. Its advocacy department published a weekly list of priority draft laws to be adopted during the plenary sessions of Verkhovna Rada.[53] With donors' support, RPR held press breakfasts during which its members explained to the diplomatic corps the reasoning behind specific proposals and asked for diplomatic pressure when necessary. This pressure was exerted on several occasions, most notably when the PSB's independence was at risk. One respondent also noted the importance of the high-level RPR Reform Forums, which regularly attracted MPs and high-level government officials such as the prime minister.[54] Moreover, in 2019, the prime minister presented a report on the previous year's governmental activities in such a forum, which one respondent described as an outstanding example of co-governance.[55]

Most respondents underlined the groundbreaking role of RPR in the media reform movement. Under the right circumstances and with the right timing, RPR created a symbiosis between policy development and advocacy, assumed the government's role in policy development, and helped consolidate the state in turbulent times in the wake of the Revolution of Dignity and unfolding Russian aggression against Ukraine. When the state gradually regained its normal powers in 2015–2016, the window of opportunity closed. The influence of RPR dropped: Members became less interested in participating in the coalition. The RPR was further plagued by individual members' ambitions and the coalition's "egoism,"[56] and did not transform into a functioning CSO after registering with the state.

Self-regulation during the transition. Two relevant self-regulation initiatives function in Ukraine albeit with somewhat different mandates and agendas. The first, the Commission of Journalism Ethics (CJE), was formed as a journalist grassroots initiative in 2003, at a time defined by growing censorship, both formal and informal (such as media owners restricting coverage of certain topics to protect their business interests). During that time, journalists were able to unite around a desire to strengthen professional standards and against attempts to exert pressure on media by the outlets' owners or the government. Ironically, it is precisely the lack of this existential threat during the later periods and persistent temptation to trade professional standards for money among journalists that hampered the CJE's further progress. Though, with donors' support, the CJE resumed its activities in 2017 and it currently functions along with another self-regulatory initiative, the Independent Media Council (IMC).

Five leading CSMOs created the IMC in December 2015 as an alternative to the then-dysfunctional CJE. The IMC decided to consider only "strategic" cases in the media sector—such as the major cases against nationwide broadcasters, or those representing important systemic violations in the media field, such as xenophobia and hate speech, gender discrimination, and violations of children's rights. It assesses media conduct in terms of both adherence to professional ethics standards and correspondence with national and international legal standards. The IMC is most instrumental as a kind of advisory body to the national broadcasting regulator, providing expert opinions on controversial cases.

The CJE's and IMC's lack of direct impact over media conduct can be explained by the specificities of the Ukrainian regulatory environment, where the broadcasting regulator is rather weak and print and online media hardly bear any financial liability for content-related violations. Any attempt to introduce accountability at the regulatory level faces immediate resistance by the respective media.[57] In such circumstances, media have no incentive to use self-regulation as a viable alternative dispute settlement mechanism.[58]

Sustainability of Reforms

The major changes adopted during the first transition period, such as decriminalization of defamation, are considered to be successful and sustainable. Despite numerous attempts to criminalize libel again after 2001, this policy change has not been reversed. Private media are free to operate and face no unfair competition from the few remaining state-funded media, especially after destatization was completed in 2018.

Probably the most important success factor in this respect are the numerous well-developed CSMOs, whose ongoing work helps safeguard the reform achievements and resist potential rollbacks. Assessing the sustainability of some of the other reforms requires a more detailed analysis, taking into account the numerous roadblocks faced by reformers.

Access to information. The Law on Access to Public Information, adopted in 2011 during the second reform period, which was characterized by overall stagnation, is widely considered to be a successful and sustainable reform. It established the mechanism for expedient and free access to information held by

state authorities and enabled journalists and bloggers to quickly obtain necessary data. State authorities generally adhere to the law's provisions and provide the requested information during five working days. However, amendments to the legislation creating the independent information commissioner, which would advance the reform's implementation, were stuck in Verkhovna Rada for four years. The law is not currently supported by the independent and effective supervisory body,[59] but the new draft law introducing this institution was submitted to the parliament in 2019.[60]

Destatization of print media. Experts consider this reform to be relatively successful in terms of its coverage, e.g., the number of previously state-funded local print media that managed to transform into independent private entities. Despite the counteraction of local authorities who did not want to lose their free mouthpieces and often of the editors who lacked business knowledge and understanding of the reform, 96 percent of the local print media were successfully privatized.[61] Quality-wise, however, the reform appears to have been less successful. Most reformed media outlets did not start producing quality content[62] or become economically independent, instead becoming dependent on donor funding.[63] The state failed to provide the one-time state aid prescribed by the respective legislation to

ease the reformed media's transition.[64] Moreover, local authorities keep exploiting legislative loopholes and establishing new "municipal" media to serve their interests.[65] The attempt to eliminate those loopholes in the law failed twice in 2018 due to resistance from one political faction in parliament.

Transparency in media ownership. Also considered a success at the time of its adoption in 2015, the introduction of transparency in media ownership did not fully fulfill its initial promise. The names of the broadcasting media owners were indeed officially confirmed, though they were known unofficially before the reform took place. However, formal attribution of media ownership has not led to applying antitrust mechanisms to the oligarch-owned media holdings, mostly due to a lack of action by the Antimonopoly Committee of Ukraine, which is reluctant to define and measure the Ukrainian media market. Media owners also oppose any further attempts to introduce transparency in print and online media ownership or disclose their financing sources.

Implementation of the EU Audiovisual Media Services Directive.[66] This is the only priority reform where no legislative act has been adopted. Initially limited to audiovisual and audio media services, the Draft Law on Media now encompasses differentiated and graduated regulation of all types of media, which has triggered strong resistance among the interested parties. Large media holdings initially participated in the legislative drafting process but withdrew in autumn 2020 due to pressure from their owners. Print and online media, bloggers, and independent journalists oppose the draft since it will establish a liability regime for disseminating illegal content for the first time since 1991. Other actors claim that the proposed reform is insufficient in combatting disinformation and propaganda originating from Russia, while others claim that it may disproportionately restrict freedom of expression. As a result of these roadblocks, the process was put on hold in the summer of 2020.

Ukrainian media reform comprises a set of parallel processes that aim to change various elements of the media environment. CSMOs leading the reform efforts have been continuously developing their expertise and institutional capacities with the considerable support of international assistance actors. The preparatory groundwork, including capacity building and legal drafting, was persistently advanced by the CSMOs for almost a decade before a real window of opportunity for reform opened wide in early spring 2014. This long preparatory process also enabled much-needed intensive and effective cooperation among CSMOs in the critical moment when the Ukrainian state was weakened following the EuroMaidan events and the outbreak of international conflict. This cooperation through the RPR coalition put pressure on the state authorities, leading to the crucial and successful reforms, including PSB creation and destatization of state print media.

The Role of International Assistance Actors

A number of donors and implementing agencies work on media reform in Ukraine. More than a dozen actors, both private and state funded, have invested in reform since the Revolution of Dignity. Together, they have covered a wide range of topical issues, from policy reform to professional journalism development.

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The most influential players in terms of funding amounts and policy impact are Sida, the Swedish International Development Cooperation Agency; the US Agency for International Development (USAID), which largely implements its media-related programs via Internews; the Council of Europe Office in Ukraine; and Danida, the Danish International Development Agency. At various stages of reform, the EU Delegation, the United Kingdom Embassy, the Netherlands Embassy, and the Organization for Security and Co-operation in Europe have also played important roles.

The diversity of international assistance actors in this sphere is reflected in their diversified priorities and different focus areas. Larger actors that have been working in Ukraine for decades generally focus on long-term policy changes, whereas smaller ones tend to address topical, pressing issues.

The larger actors are also not afraid to tackle the most demanding and sensitive issues. For instance, Sida's primary goal is increasing the sustainability of the media landscape by supporting the PSB (particularly its digital department and local networks) and achieving regional media pluralism.[67] The USAID Media Program in Ukraine works to implement key media reforms including the now-complete print media destatization process, the alignment of national legislation with the EU Audiovisual Media Services Directive (AVMSD), the transformation of the PSB, and improving access to information and transparency of media ownership.[68] The Council of

Europe Office in Ukraine works in six priority areas: PSB reform, assistance to state-turned-private print media in the region, safety of journalists, access to information, the Draft Law on Media (including alignment with the EU AVMSD), and combatting disinformation.[69]

The support of coalitions is trickier. The EU and Sida directly supported the RPR cross-sectoral coalition in 2015–19; other significant funders were USAID through PACT and the Omidyar Network. Embassies of the Czech Republic, Germany, Canada, Lithuania, and other states as well as the International Renaissance Foundation also covered the coalition's expenses.[70] This was the first significant donor investment in a coalition in Ukraine. Prior to the RPR case and even after it, "ad hoc self-organization" occurred, similar to how the "Stop the Censorship!" movement functioned. This means that some movements' and coalitions' activities are limited to reacting to certain causes. For instance, when a potentially harmful draft law is submitted to parliament, there will be spontaneous self-organization, consolidation, and joint action such as through a statement, protest, or campaign. However, members of these ad-hoc coalitions are normally representatives of CSOs and, therefore, mostly use these coalitions as an additional advocacy tool for their respective CSO's activities.

Before RPR's formal institutionalization in 2018, international assistance actors supported its activities through founding-member CSOs, which had the most robust reputations in the sector—CEDEM, Centre of United Actions, and the Civil Society Institute. These CSOs employed project managers responsible for grants administration and established the work of the RPR Secretariat responsible for the coalition's daily activities. The RPR Secretariat was divided into several departments, each in charge of coordinating its assigned area of responsibility such as communications, regional development, advocacy, event organization, education, and international relations.

While information on cost distribution was available only for 2015–18, it demonstrates that such support was rather comprehensive and covered communication and advocacy events (including international trips, press breakfasts for diplomats, and large-scale public forums and reform conferences) as well as research work of RPR's expert groups. Another major activity was the Open University of Reforms initiative where RPR experts educated Ukrainian youth interested in pursuing social and political change and engaging in reform work.[71] This course still exists and is currently organized by CEDEM.

RPR set its own priorities for reform and created an implementation plan, though via various public events its work was always open to external contribution and engagement—from donors, government representatives, international experts, and other stakeholders. The donor community began financially supporting the coalition only after it achieved its primary successes, embracing the RPR's agenda and largely abstaining from interfering in the coalition's plans.[72] This approach of providing support to coalitions after they have proven able to achieve certain success is supported by the international assistance actors working in Ukraine.[73] Therefore, at least in the Ukrainian context, a thoughtful approach for donors to take is to assess the local scene and help develop grassroots local movements rather than trying to create coalitions artificially using a top-down method.

An example of a more technocratic approach is the United Kingdom's "Counter Disinformation and Media Development" program, whose primary goal is to empower Ukrainian media to adopt sustainable and independent management and business models. Additionally, it has a strategic focus on building a suitable environment for countering disinformation.[74] Larger projects, such as the USAID Media Program in Ukraine, also have technocratic elements centered around media content improvement and institution building.[75]

Most of the respondents noted that foreign assistance agencies have a mixed approach to formulating their intervention goals. On the one hand, they pursue the values proclaimed by the respective governments or international intergovernmental organizations, as in the case of Sida or the CoE's joint project with the EU, which was designed to implement the EU-Ukraine Association Agreement. On the other hand, before launching their programs and projects, donors normally hold consultations with local actors and incorporate their input into the program/project planning. Projects are rarely launched without some local consultations and/or a needs assessment. However, several CSO representatives noted that independent consultants hired to conduct needs assessments and consult local partners have not necessarily reflected local organizations' positions in their reports and sometimes provide guidance for future interventions in pursuit of their own interests.[76]

Larger players normally act in accordance with their medium-term strategies. Sida is currently implementing its 2014–2020 regional strategy, now

extended to 2021 due to the COVID-19 pandemic. It is also working on a new seven-year Strategy for Eastern Europe with the local consultations set to commence after the Strategy's adoption by the Swedish government in the spring of 2022.[77] USAID's US$35 million Media Program implemented by Internews covers 2018–2023.[78] It is complemented by the USAID Country Development Strategy for Ukraine 2019–2024.[79] CoE's current action plan initially covered 2018–2021, but has been extended to 2022.[80] These programs are not the first of their kind for these organizations. One can trace the history of the respective actors' activities in the country on their websites.[81]

While the policy priorities of these actors are usually clearly formulated, the program objectives are often broad and ambiguous. For example, USAID's entire goal is "an independent, democratic, prosperous, and healthy Ukraine united around core European values." In the media sector, stakeholders shall reach this ambitious goal by fulfilling the objective of "increased availability and consumption of quality information."[82] The USAID Media Program, implemented by Internews, has four objectives: increase high-quality, engaging content throughout Ukraine; boost public demand for quality information; implement critical media reforms; and strengthen and sustain key media institutions and processes.[83]

A distinct negative feature of the donors' habit to follow a predefined strategic approach is the related lack of flexibility and agile reaction if new or unexpected situations or needs arise. One respondent noted that multiyear plans and projects demand extensive bureaucratic efforts if any amendments are needed and, therefore, do not allow the CSOs to embrace emerging areas of media policy and regulation.[84] Some respondents complained that only in the fifth or sixth year of the international armed conflict with Russia did donors begin to adapt their agendas to address the new challenges brought on by the conflict.[85] One donor representative provided an example of a technical assistance project covering the 2019 elections, which had to be canceled due to the appointment of the extraordinary parliamentary elections despite two years' work developing the project.[86]

Another negative feature of the strategic approach is that in some cases it favors donors' agendas over those of local partners and communities. For instance, projects requested by local stakeholders are sometimes turned down if they do not include necessary components or cover specific issues—even if those strategic components/issues no longer correspond to current local needs. Several respondents noted that persistent demands from donors to address topics including gender in the media and decentralization reform, as well as an excessive focus on media literacy, distract CSOs from their main areas of expertise and result in activities that do not produce tangible results. This supply-driven approach can seriously hamper CSOs' reformist drive and efforts.

While donor coordination at the program design stage is rarely feasible in Ukraine, coordination of media assistance actors at the implementation stage is well-developed. US and Swedish Embassy representatives actively coordinate a donors' group on media reform, which is comprised of state donors and international implementers (e.g., Internews, PACT). This group meets regularly in one of the two embassies, roughly once every two or three months, where the members discuss critical developments in the media sector, present new projects, and coordinate priorities.[87] Local actors and partners are occasionally invited to these meetings to provide insights into the reform processes and the related obstacles.[88]

This media donors' coordination group developed a joint matrix of projects under implementation, which is regularly updated and made accessible to all group members. The matrix contains the list of projects (as per each donor agency) and the respective local implementors. Thus, it helps avoid duplication and overlap, and increases overall efficiency. While donor representatives largely agree that this group is rather useful and practical, there is also a view that the large actors dominate the group and impose their opinions and assessments of media-related developments.[89]

An additional level of international assistance coordination exists in Ukraine at the governmental level. It is a three-tier platform that includes the prime minister and heads of donor agencies on the

first level, the deputy prime minister of Ukraine for European and Euro-Atlantic integration and donor representatives on the second level, and 23 thematic groups that develop sectoral "common results frameworks" on the third level.[90] The Ministry of Culture and Information Policy coordinates the media reform sector. It conducts meetings with donors three to four times a year and works to align state and donor priorities across the sector.[91]

Many respondents claim that the best way to administer international assistance would be to provide core support to the key local organizations—the ones with the highest levels of institutional capacities and whose work impacts national government decision makers—based on their strategic priorities and areas of work. Respondents particularly praised Sida and Internews for using this approach. Availability of core support enables local organizations to maintain relative operational flexibility and be agile in pursuing their own goals in line with donor priorities. One respondent, however, mentioned the flip side of this coin. It was suggested that such flexibility afforded to the leading civil society actors introduces the risk that activities will overlap on the one hand and neglects the agendas of the smaller, less well-connected CSOs on the other hand.[92]

At the same time, narrow, ad hoc, project-based approaches and practices of the donors are largely deemed ineffective and excessively burdensome by local civil society. This might be because comprehensive and successful law reform is a long-term, continuous effort that can take a decade or more to achieve. It is also important to note that meaningful policy change demands decades of preparatory expert and grassroots work since any window of opportunity can be leveraged only by those who have prepared action plans and drafted solutions. Taking this into consideration, it becomes evident that short-term projects would only distract CSMOs from their important long-term reform priorities. Respondents complained, inter alia, about the need to allocate significant human resources to search for some short-term, single-project-based grants to sustain their day-to-day operations and noted the tendency of some donors to employ local experts/consultants directly rather than through

their respective organizations, negatively affecting organizational capacities.

The situation is different when it comes to the media entities. Core support provided directly to the Ukrainian media makes the media dependent on donor funding and prevents them from adopting functional business models. Thus, when major international assistance streams vanish, such donor-funded media face the risk of extinction. To the contrary, smaller targeted projects covering the development of management skills and business skills can positively influence media sustainability and economic resilience.

This overview demonstrates a variety of approaches donors use to support civil society in Ukraine. Different funders support different players, though in all cases the provision of core support is praised for enabling CSOs' flexibility and strategic organizational development. It is vital that international assistance actors demonstrate their readiness to provide funding to coalitions that achieve initial success. Another distinctive feature of donor operations in Ukraine are the ample possibilities for internal coordination. In many other countries transitioning from authoritarianism, where massive state surveillance operations allowed governments to target pro-democracy actors, donors need to be vigilant about sharing information regarding the organizations they support. This is not the case in Ukraine, which has always been a safe place for cooperation. As a result, donors have been able to track project impacts and avoid cross-funding.

Case Study: Creating the Public Service Broadcaster in Ukraine

Transforming the state broadcaster into a public service broadcaster—creating an independent television (TV) and radio station that would function in the public's interest—topped the Ukrainian media reform agenda for decades. It was widely supported by journalists and international media assistance actors, who saw a PSB as a viable alternative to private media that served their owners' political and business interests. It is also a good example of decades-long coordinated action among stakeholders, and this reform effort serves as a model for all the major international assistance actors working in Ukraine.

However, the road to PSB creation was bumpy. The first attempts failed in 1997 when the newly adopted Law on System of Public Service Broadcasting[93] was not implemented. NBC did not issue the necessary broadcasting licenses, while President Leonid Kuchma decided to obstruct the creation of the PSB to maintain his influence on the state broadcaster in the wake of the 1999 presidential elections.[94]

Another attempt to adopt the law failed in 2005, immediately following the Orange Revolution. A "public broadcasting" coalition, formed by CSMOs, delegated two experts to the working group that developed the draft law. Media Law Institute's draft[95] became a starting point for the consultations and even passed the first reading in parliament. The CoE exerted international pressure by issuing a PACE Resolution calling for the adoption of the draft law.[96] However, allegedly influenced by his head of administration, newly elected President Viktor Yushchenko dropped the idea of transforming the state broadcaster into a public one. The new management, willing to transform

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the organization into a PSB, resigned from the National Television Company of Ukraine in the autumn of 2005, and the law was not adopted until 2014.[97]

This reform remained on the agendas of international media assistance actors during the Yushchenko and Yanukovych presidencies. However, while some effort to push for reform continued during those years, it was relatively ineffective. The Yanukovych regime adopted its usual tactics and allowed the new draft to pass the first parliamentary reading in 2013 but effectively prevented its full adoption.[98]

The final adoption of the draft PSB law in 2014 was a direct result of the Revolution of Dignity. CSMOs, donors, and some politicians united in supporting the idea of profoundly transforming the state broadcasting company into an independent and functional public broadcaster and pushed for the legislative changes through extensive negotiations at all levels, including with Prime Minister Arsenii Yatseniuk.[99] A vital advocacy tool in this process was direct public action: The RPR coalition persistently advocated for the creation of a PSB as a number one priority reform in the media field and organized a thematic protest on voting day;[100] the "Stop the Censorship!" movement also issued a statement.[101] Instead of dissolving the state broadcaster and creating a PSB "from scratch,"

an option that was not considered viable, the plan was to transform the extensive state broadcasting system (28 regional branches and almost 10,000 employees) into an independent public service broadcaster.

The adopted framework legislation demanded further amendments to the acting laws before it could be implemented. An additional year was devoted to drafting the amendments and the legislative reform was completed in 2015. Apart from direct RPR advocacy, foreign diplomatic pressure was also helpful in the process. The diplomatic community was regularly informed about progress during RPR press breakfasts, which were held around 10 times per year,[102] and numerous informal meetings, thus having ample opportunities for coordinating and joining their diplomatic advocacy efforts. This coordination resulted in, for example, issuing joint diplomatic statements at the crucial moments of the reform process, such as when the annual PSB budget was to be adopted.[103]

More than a year after the law's adoption, all existing previously state-owned legal entities were merged into a single National Public Service Broadcasting Company of Ukraine (NPSBCU) and the NPSBCU Charter was adopted.[104] While the supervisory board was formed in 2015, the first executive board was elected for four years in May 2017. This event marked the beginning of the reform's practical implementation, almost three years after designing the basic legislative framework.

The champions and key drivers of the PSB creation inside the RPR coalition were the leading CSMOs in Ukraine. Telekrytyka (now Detector Media), the Media Law Institute (now CEDEM), and the National Association of Broadcasters (now the National Association of Media) stood behind the 2005 reform attempts and actively worked on the reform effort in 2014. All these organizations have long-term, successful operational histories and their leaders and key experts are veterans of the media civil society and well-educated professionals who share freedom of expression values and principles. They also benefit from long-term, continuous donor support including some core support/operational funding that enabled strategic institutional development and relative freedom and flexibility in their operations. These

factors helped the CSMOs unite around their shared values, demand the creation of a viable alternative to oligarch-owned media holdings, and push for PSB reform. This locally-led process also now allows the organizations to perform a watchdog function by raising awareness among the public, government insiders, and diplomatic community about dangerous initiatives impacting the PSB.

CSMO representatives Taras Shevchenko, Svitlana Ostapa, and Tetiana Lebedieva joined the first NPSBCU supervisory board, formed in active cooperation with NBC. The State Committee for Television and Radio Broadcasting of Ukraine helped overcome the bureaucratic hurdles involved in creating a state-funded broadcaster. Several MPs from different ruling political parties elected to Verkhovna Rada after the Revolution of Dignity lobbied to amend the legislative framework to allow the broadcaster's creation in 2015.[105] These MPs had been CSO members of the RPR coalition and actively pushed for the RPR reform agenda while working in the legislative branch.

While there was practically no resistance to changes at the policy development and adoption stages, the PSB reform implementation faced numerous significant obstacles. First, one of the constituent entities of the NPSBCU—"Ukrtelefilm Studio" (Ukrainian Studio of Television Films)—declined to merge with the others and remains a separate entity to this day.[106] A separate law was required to continue the reform despite this exception.[107] Second, the NPSBCU faced constant underfunding: MPs wanted airtime on the local PSB branches in exchange for funding, but management chose not to interfere with the editorial policy of the regional branches. Only in 2021, for the first time in its history, the PSB received a full annual budget as initially stipulated in the law.[108] Proper budget allocation finally enabled company management to invest in content development.[109] Some of the PSB employees who formerly worked for the extensive but extremely ineffective state broadcasting system were another serious barrier to reform. Due to internal restructuring processes, staff dismissals were inevitable. Dismissals provoked protests inside the company and many of those protesting wanted to stall the transformation process and preserve the state broadcaster's programs and practices.[110]

Our interview respondents underlined the crucial role of the international media assistance actors in developing, advocating for, and implementing reform. They helped by exerting international pressure and keeping PSB reform as one of the top reform priorities for embassies and international organizations. The Council of Europe Office in Ukraine provided expertise in developing NPSBCU internal policies. These tactics proved to be the most successful as they provided the PSB with the resources it lacked internally. Support in building the corporate governance system enables the NPSBCU to adopt the best practices from across the PSB and adapt them to local conditions.

A consortium of donors are funding the development of News-House, PSB Academy (a continuing learning institution inside PSB), and audience research.[111] Respondents widely noted that donor cooperation in this field was a success. The NPSBCU itself coordinates the so-called Friends of PSB donor group.[112] At the group meetings, donors can exchange their views regarding PSB development and share their opinions regarding its future paths to improvement.

Interview respondents also consider the PSB transformation to have been largely successful. State control over PSB editorial policy was eliminated and the new institution was built gradually, transforming the outdated, post-Soviet broadcasting network into an independent, professional, and effective media entity. The PSB is currently free from direct state capture and tops the media rankings for balanced coverage of events of public interest according to regular monitoring conducted by CSMOs.[113] Its Supervisory Board also developed the concepts for programming aimed toward national minority groups and children's broadcasting programs, so production of these important types of content shall be further improved by PSB.[114] At the same time, Ukrainian society is still building trust in the NPSBCU as an independent media organization, and more time is needed for the PSB to enlarge its audience and promote a better-quality media product to the public. The positive transformation from state to public broadcasting is now "irreversible," according to the interview findings, even though public broadcasting

has yet to achieve convincing popularity rates among broader audiences.[115]

Three main factors will further determine the sustainability of the PSB reform. The most important is whether the NPSBCU will be able to secure its full budget as provided by the law in the future. If so, the PSB will be able to become a viable source of information in society. It will create a robust digital platform and gain its place among the media producing quality content. If not, it may not be able to effectively compete in the privatized and monopolized market.

The second factor is the makeup of the PSB management. Luckily, the independent and professional management team, now headed by former PSB board member Mykola Chernotytskyi, was elected in April 2021, which means that PSB's editorial independence should be maintained. There is reasonable hope that trust in the PSB will continue to rise as a result. As one respondent noted, the principal value of the NPSBCU lies in its independent and professional staff. Retaining and further enhancing this human capital is, therefore, the best guarantee of PSB's successful future in Ukraine.[116]

The third factor is whether continuous support will be available to the PSB, both from local and international actors. Despite a certain lack of broader popularity, recent research proves that PSB's "UA: Pershyi" TV channel is one of the three most trusted TV channels in Ukraine.[117] This significant achievement in times of globally increasing mistrust in media would have been impossible to achieve without the profound work of numerous CSMOs in building this institution, donors' support to the PSB's institutional development, and international diplomatic pressure on the national authorities to secure its independence. All these stakeholders now need to further promote the PSB among wider audiences, explain its value as a source of reliable information, and remain ready to quickly mobilize necessary resources if the broadcaster's independence is threatened. PSB reform is a long-term, marathon-like endeavor, and its ultimate success will depend on the willingness of all those involved to commit themselves to making that prolonged sustainable effort.

Conclusion

International assistance actors have played an important role in supporting media reforms in Ukraine. Their long-term, continuous efforts planted the seeds for groundbreaking media environment changes during Ukraine's democratic transition. International donors' sustained engagement in Ukraine laid the groundwork for the major transitions, primarily by facilitating the emergence and development of the vibrant and powerful local civil society.

Notwithstanding the prolonged periods of "lost hope" and stagnation, which might have discouraged some other activists from policy development and advocacy, Ukrainian CSMOs have managed to pursue their strategic priorities even under challenging circumstances and quickly consolidated their efforts at a crucial moment in Ukraine's modern history—right in the aftermath of the Revolution of Dignity, in the spring of 2014. Ukrainian CSOs were ready and courageous enough to step in when the state and its institutions were extremely weakened and to assume their roles in certain fields. Both the CSMOs and donors jumped at the opportunity presented by the revolution: Several innovative media reforms, which had been drafted and redrafted over many years, were adopted in a matter of few weeks in the spring of 2014. That success would have been impossible without the preparatory work done during the preceding years.

The adopted legislation and its subsequent implementation have profoundly changed the Ukrainian media environment. The direct state influence over television and local print media has been largely eliminated, audiences have learned large media owners' names, and they have discovered that the PSB could be a source of reliable and quality information. For these impressive results to finally materialize, CSMOs' capacities had to be consistently developed in all aspects of policymaking, from policy drafting to implementation. Successful adoption of the major media-related laws was even more remarkable in an environment where the popular demand for media reform seemed to be often outweighed by the more pressing issues such as the judicial and anticorruption reforms. CSMOs demonstrated persistent willingness to cooperate in pursuit of their shared values and goals.

The Ukrainian case illustrates how spontaneous, ad hoc self-organization and informal coalitions initially centered around countering attempts at censorship created a solid foundation for the later emergence of the RPR coalition—a major driver of all significant reforms during the decisive months and years following the Revolution of Dignity. The RPR coalition also included all powerful CSMOs and successfully advocated for the abovementioned regulatory and policy transformations, thus showing an amazing example of consolidated civil society action at the national level. Shortly after its creation, RPR received broad support from international assistance actors, which bolstered its operations both via funding (institutional and activity level) and by exerting appropriate diplomatic pressure and thus helping the coalition draw attention to the reform needs at the national and international levels.

Not all of the reform goals have been achieved yet due to the still-oligarch-captured media market and other obstacles. However, the strategic and relatively coordinated approach of the donors and local civil society gives hope for a sustainable reform. The most significant of Ukraine's successes at this time is its vibrant and professional civil society including in the media sector, a massive achievement that has a multidimensional and sustainable impact.

Ukraine is now at an advanced stage of media reform: Nearly all legislative and institutional infrastructure for the successful completion of the reforms has been introduced — from the Law on Access to Information to the impressive PSB transformation. Adoption and implementation of the remaining legal instruments aimed at creating a fair and accountable media market, where all players would comply with the established set of rules, demands, above all, persistence and patience. As one interview respondent noted, the remaining 20 percent of the change to be achieved may demand 80 percent of the resources employed.[118] In terms of further transformations, it is crucial that the defined priorities not be recklessly abandoned even if "implementation fatigue" occurs and donors are tempted to switch to a more exciting or trending topic.

Future Opportunities

An advanced stage of media reform in Ukraine calls for specific approaches from international assistance actors. While priority areas for future interventions have already been correctly identified, there should always be some room for flexibility, which may be necessary to accommodate a changing media environment at the regional and global levels. The main priority should be making steady progress toward achieving the goals that have already been set. In the short term, this implies adopting the new Law on Media, which would align media legislation with the EU AVMSD, a long-overdue and extremely important step that would have an immediate positive effect on the entire media sector. In the midterm to long term, ensuring transparency in media financing and media ownership through antitrust mechanisms would counteract and defend against media capture by the oligarchs and defy Russia-supported information operations carried out by media outlets financed by the Russian Federation. The PSB should be continually enhanced (including via securing due funding in accordance with the law). Though access to information may not be considered a pressing issue in Ukraine, the remaining impediments to effectively implementing access to information legislation should be eliminated. Several respondents admitted that in the current socioeconomic context, the remaining changes might take a long time to achieve.[119]

To enable further change, international assistance actors should prioritize improving the financial sustainability of their local partners. In particular, they can offer more core-support schemes or similar opportunities. This type of funding would ensure local CSOs could continue pushing forward media reforms without needing to search and apply for additional grants to sustain their daily activities. Relative flexibility in terms of budget management would also enable CSOs to employ more effective and creative advocacy tactics and to respond to emerging needs. Crucially, international assistance actors should offer core support schemes or institutional funding to both well-established organizations and relatively new CSOs, which usually have fewer opportunities to get sustainable funding. This approach would help avoid monopolization in the civil society sector. Another

possible avenue for donors to explore is creating a charity ecosystem in Ukraine to incentivize citizens and businesses to donate to the CSOs of their choice. Others might replicate the approach taken by USAID in its "Ukraine Civil Society Sectoral Support" project.[120]

Interviewees also acknowledged the positive influence of diplomatic pressure from international governments, especially at the implementation stage of media reforms. It has proved to be an effective way to advocate for change even without financial support. International assistance actors may establish closer ties with the funding governments and provide regular progress updates. In situations where the support for change is under pressure, diplomatic statements may influence the actions of members of parliament or government officials.

There seem to be limited opportunities to support coalition building at present. While the RPR coalition was a true milestone for the Ukrainian civil society and made some significant achievements, it has recently struggled with internal conflicts and the need for further reform. These internal divisions have also affected the media reform group within the RPR. CSMOs are divided along several lines despite pursuing many shared strategic goals and may not be ready to form new coalitions. Since any coalition is the most effective when formed at the grassroots level, donors should generally not try to "impose" cooperation artificially using a top-down approach. There is a role for the international assistance actors in this coalition crisis, however. Some respondents suggested that donors may provide a platform for constructive dialogue among CSOs to facilitate such conversations. This initiative could help restore broken ties and inspire future unions.

International assistance actors should also focus more on the activities they have already supported, such as investing in developing the advocacy approaches and outreach capacities of CSMOs. While already very influential and impactful at the policymaking level, CSMOs in Ukraine struggle to engage with the wider public around media reform matters. Media reform has been for years a kind of "specialized area" where a relatively small but active group of CSMOs has pushed for change, often lacking the capacity and resources to explain to broader audiences how the

reforms will change the lives of ordinary citizens. In this regard, international actors can offer support to develop strategic communication and outreach capacities of CSMOs so that they can effectively mobilize people at the grassroots level. Sparking an interest in media reform among larger audiences can help generate more pressure on the decision-making bodies to finalize the "remaining 20 percent of change" that has yet to be achieved.

Media policy reform will be largely useless without a pluralistic and sustainable media. The most optimal way forward to achieving financial sustainability includes continuous training in management, marketing, and digital skills to help local media better understand and expand their audiences. Apart from continuing their support for professional education for media editors, managers, and journalists, international assistance actors may consider establishing a so-called media development emergency fund for the Ukrainian media. Since the advertising market in Ukraine is underdeveloped and often scarce at the regional level, local media chronically struggle to raise sufficient funding using traditional marketing and advertising tools. Their situation has only worsened as a result of the COVID-19 pandemic and its countermeasures. Providing carefully designed grants to support such media in times of hardship can be instrumental in preserving a plurality of voices at the local level. More generally, given the fact that the traditional ways of media funding have been dramatically disrupted at the global level due to the switch to online information consumption and social media networks, media donors should also invest in innovative thinking and thematic research to reinvent functional media markets.

Key Recommendations

- **Be patient and trust your local partners.** Major CSMOs in the country have been working on certain reform topics for decades and perfectly understand the local dynamics of change. Sometimes it takes years of working on a certain reform issue without any visible result before an opportunity presents itself; local partners must be ready to propose regulatory solutions to government stakeholders in line with best international standards and good practices. International assistance should, thus, be patient and systematic without feeling the need to make an immediate impact. The international donor community should be ready to provide support over the long term to local CSOs' expert and legal teams so that when an opportunity for change arises, they can successfully seize it. As a rule, any window of opportunity opens for only a short time, and only those who, at that moment, have an agenda for change and have developed regulatory solutions can effectively seize it.

- **Provide more core support.** Core support as a funding tool has its pros and cons, but in the Ukrainian context it allows CSMOs to develop strategically, to build up their analytical and expert capacities even at times when there is a certain stagnation around the reform process. This enhanced expertise and internal capacity will

certainly pay off when there are political openings like the Revolution of Dignity.

- **Do not impose coalitions using a top-down approach; rather, support the emerging grassroots initiatives when they have achieved some initial success.** Local partners must identify the common goal and consolidate around it voluntarily. This, again, may not be a speedy process but this bottom-up approach in forming coalitions is proven to be the most sustainable and, therefore, successful. Only after the initial self-organization has occurred should international donors step in with their financial and advocacy support.

- **Forget about trends.** A desire to support new, fancy causes is, of course, understandable but such "fashionable" causes and the associated need to include smaller projects to address them into strategic organizational activities frequently distracts civil society actors from moving toward their main goals.

- **Focus on development and sustainability tools for the media.** Direct financing provided to media outlets in Ukraine has often proved to be counterproductive. International assistance actors should focus more on offering the media effective tools for developing innovative and sustainable business models.

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