In December 1991, Ukraine’s voters approved independence from the Soviet Union in a referendum and elected Leonid Kravchuk as president. Communists won a plurality in parliamentary elections in 1994, and Leonid Kuchma defeated Kravchuk in that year’s presidential poll. Over time, Kuchma’s government faced growing criticism for extensive, high-level corruption and the erosion of political rights and civil liberties.

The 1999 presidential election—in which Kuchma defeated Communist Party challenger Petro Symonenko—was marred by media manipulation, intimidation, and the abuse of state resources. The 2000 murder of independent journalist Heorhiy Gongadze and credible evidence that appeared to implicate Kuchma contributed to mass demonstrations and calls for the president’s dismissal.

Reformist former prime minister Viktor Yushchenko’s Our Ukraine bloc led the party-list portion of the 2002 parliamentary elections, marking the first electoral success for the democratic opposition since independence. However, pro-presidential factions were able to create a parliamentary majority, partly through successes in the half of the chamber that was filled through single-member district races at the time.

In the significantly tainted first-round of the October 2004 presidential election, Yushchenko came in first among 24 candidates with 39.7 percent of the vote; Prime Minister Viktor Yanukovych, a representative of the eastern, Russian-
speaking Donbas region who enjoyed backing from Russian president Vladimir Putin, won 39.3 percent. In the November runoff, the results from the Central Election Commission showed Yanukovych to be the winner by less than three percentage points. However, voting irregularities in Yanukovych’s home region led the domestic opposition and international monitors to declare his apparent victory “not legitimate.”

In what became known as the Orange Revolution because of Yushchenko’s ubiquitous campaign color, millions of people massed peacefully in Kyiv and other cities to protest fraud in the second-round vote. The Supreme Court on December 4 struck down the results and ordered a rerun on December 26. In the middle of the crisis, the parliament ratified constitutional reforms that shifted certain powers from the president to the parliament, effective January 1, 2006. The compromise changes effectively lowered the stakes of the upcoming rerun, making it more palatable to Yushchenko’s opponents. However, it created a semiparliamentary system with an unclear division of power, which later led to constant conflict between the president and prime minister.

The repeat of the second round was held in a new political and social atmosphere. The growing independence of the media, the parliament, the judiciary, and local governments allowed for a fair and properly monitored ballot. As a result, Yushchenko won easily with 52 percent of the vote, while Yanukovych took 44 percent. Some 75 percent of eligible voters participated. Former deputy prime minister Yulia Tymoshenko, Yushchenko’s chief ally, was approved as prime minister in February 2005.

Despite the high expectations that accompanied the Orange Revolution, Yushchenko and Tymoshenko failed to establish themselves as effective leaders, and members of the government succumbed to infighting over privatization issues, with many implicated in a variety of scandals. In September 2005, Yushchenko dismissed his key allies, Tymoshenko and Petro Poroshenko, the head of the National Security and Defense Council. The March 2006 parliamentary elections prolonged the political stalemate, in which neither the fractured Orange coalition (the Yulia Tymoshenko Bloc and Yushchenko’s Our Ukraine) nor Yanukovych’s Party of the Regions could form a majority. In July, Socialist Party leader Oleksandr Moroz abandoned the Orange alliance to join the Party of the Regions and the Communist Party in a coalition that made him speaker of parliament and Yanukovych prime minister.

Yanukovych quickly sought to limit Yushchenko’s power as president, targeting his ability to control foreign and national security policies. After a period of considerable infighting, Yushchenko dissolved the parliament in April 2007 and was ultimately able to schedule new elections on September 30. The Party of the Regions won 175 seats, followed by the Tymoshenko Bloc with 156 seats and the Our Ukraine–People’s Self-Defense bloc with 72. The Communist Party won 27 seats, and the Lytvyn Bloc secured 20. Voter participation was 62 percent.
Tymoshenko returned to the premiership in December, thanks to a restoration of the Orange alliance.

Despite the new alignment of forces, the power struggle between president and prime minister continued unabated in 2008 and 2009, as both leaders—along with Yanukovych—eyed the presidential election set for January 2010. Battles among these rivals left many key ministerial posts vacant for long periods in 2009, and at the instigation of the prime minister, the courts invalidated presidential decrees appointing governors and local leaders. The political strife also affected the media, as a Kyiv court banned any “unfair advertisements” against Tymoshenko in September.

Meanwhile, the global recession continued to weigh on Ukraine’s export-dependent economy, which contracted by roughly 15 percent in 2009. With the election approaching, the government failed to launch unpopular but necessary reforms, such as raising domestic natural gas prices by cutting existing subsidies, and instead worsened its fiscal position by increasing wages and pensions. The International Monetary Fund had called for greater fiscal discipline when it provided a crucial $16.5 billion loan to prop up the economy in late 2008.

**Political Rights and Civil Liberties**

Ukraine is an electoral democracy. Massive citizen protests and a court-ordered rerun thwarted an attempt to rig the 2004 presidential election, and parliamentary elections in 2006 and 2007 were deemed free and fair, with only minor polling-place violations.

Citizens elect delegates to the Verkhovna Rada (Supreme Council), the 450-seat unicameral parliament, for four-year terms. Under an electoral law first used in the 2006 elections, all seats are chosen on the basis of party-list proportional representation. Parties must garner at least 3 percent of the vote to win representation. A related package of constitutional reforms shifted power from the president to the parliament, which now approves the prime minister proposed by the president on the recommendation of the majority coalition. The president, who is elected to a maximum of two five-year terms, no longer has the right to dismiss the cabinet. However, the president still issues decrees, is responsible for defending the constitution, and exercises power over the courts, the military, and law enforcement agencies. Political parties are typically little more than vehicles for their leaders and financial backers, and they generally lack coherent ideologies or policy platforms.

Corruption remains one of the country’s most serious problems. Business magnates are presumed to benefit financially from their close association with top politicians, while the party-list electoral system reinforces legislators’ loyalty to party bosses and leaves them less accountable to voters. In a positive development, the January 2009 resolution of a prolonged gas-price dispute between Ukraine and Russia finally ended the intermediary role of RosUkrEnergo, a...
secretive gas-trading company that was suspected of serving as a vehicle for corruption. Ukraine was ranked 146 out of 180 countries surveyed in Transparency International’s 2009 Corruption Perceptions Index.

The constitution guarantees freedoms of speech and expression, and libel is not a criminal offense. Since the 2004 Orange Revolution, the government has abstained from direct political interference in the media, which have consequently grown more pluralistic, offering a broad range of opinions to the public. In November 2008, the National Council for Television and Radio Broadcasting instituted a local broadcast ban on Russia’s most influential television networks, though it has proven ineffective. In 2009, the authorities barred Russian television cameraman Ihor Belokopytov from entering the country. His films have accused Ukraine of hosting secret CIA prisons and claimed that Ukrainian soldiers fought with Georgia against Russia in the 2008 conflict over South Ossetia.

Many media outlets are owned and influenced by business magnates with political interests, while local governments often control the local media. Journalists who investigate wrongdoing at the local level still face physical intimidation, and local police and prosecutors do not energetically pursue such cases. Three former police officers were convicted of taking part in the 2000 murder of independent journalist Heorhiy Gongadze in 2008, and in July 2009, the authorities arrested Oleksiy Pukach, a former senior Interior Ministry officer who was accused of personally committing the murder. However, investigators had yet to identify those who ordered the killing. Internet access is not restricted and is generally affordable; lack of foreign language skills is the main barrier.

The constitution and the 1991 Law on Freedom of Conscience and Religion define religious rights in Ukraine, and these are generally well respected. Some religious leaders have complained that President Viktor Yushchenko actively supports the merger of the country’s two major Orthodox Christian churches into one that would be independent of Moscow, but his activities on behalf of unity haven’t amounted to much. Incidents of vandalism at religious sites continue to be reported, and Uzhhorod mayor Serhiy Ratushnyak was charged in August 2009 with making anti-Semitic remarks about presidential candidate Arseniy Yatsenyuk and attacking one of his campaign workers. Muslims are occasionally subjected to document checks by local police, particularly in the eastern parts of Ukraine. Local officials sometimes block the attempts of nontraditional religious groups to register and buy property and typically side with the dominant local religious group. Religious leaders complain about the slow restoration of religious buildings confiscated by the Soviet authorities.

Academic freedom is generally respected. Private universities now augment state-supported higher education, but bribes for entrance exams and grades remain a problem.

The constitution guarantees the right to peaceful assembly but requires organizers
to give the authorities advance notice of any demonstrations. Ukraine has one of the most vibrant civil societies in the region. Citizens are increasingly taking issues into their own hands, protesting against unwanted construction, and exposing corruption. There are no limits on the activities of nongovernmental organizations. Trade unions function, but strikes and worker protests are infrequent. Factory owners are still able to pressure their workers to vote according to the owners’ preferences.

Before the Orange Revolution, the judiciary was inefficient and subject to corruption. These problems remain, but to a marginally lesser degree than in the past. Although the president, members of parliament, and judges enjoy extensive immunity, the courts are considering new guidelines and will issue a decision on the matter in 2010. The judiciary has become an important arbiter in the political battles between the president and prime minister, but there is little respect for the separation of powers, and all political factions have attempted to manipulate courts, judges, and legal procedures. The Constitutional Court has largely remained silent in the face of politicians’ attempts to grab power, lowering its legitimacy in the eyes of the public. In a sign of politicians’ low regard for the courts, Prime Minister Yulia Tymoshenko proceeded with a tender to privatize a chemical plant in Odessa on September 29 despite a September 23 court order blocking the sale. The tender was ultimately aborted because the bids were too low.

Torture by police and poor conditions in overcrowded prisons have been persistent problems. However, a reform measure enacted in 2008 aimed to bring Ukraine’s criminal justice system up to international standards, with a focus on improving pretrial detention procedures and strengthening victim’s rights.

While the country’s Romany population suffers from discrimination, the government has actively interceded to protect the rights of most ethnic and religious minorities, including the Crimean Tatar community. Tatars continue to suffer discrimination at the hands of local authorities and communities in Crimea in terms of land ownership, access to employment, and educational opportunities. Even though Ukraine decriminalized homosexuality, members of the gay and lesbian community report discrimination against them. In one violent example, anti-gay thugs disrupted a book event in Lviv in the summer of 2009.

The government generally respects personal autonomy and privacy, and the constitution guarantees individuals the right to own property, work, and engage in entrepreneurial activity. However, when the interests of powerful businessmen are involved, cronyism and the protection of insider interests prevail.

Gender discrimination is prohibited under the constitution, but women’s rights have not been a priority for government officials. While there are a relatively large number of women in prominent executive and legislative posts, including the premiership, women still do not have the same opportunities as men. Human
rights groups have complained that employers advertising for jobs often specify the gender of the desired candidate and discriminate on the basis of physical appearance and age. The trafficking of women abroad for the purpose of prostitution remains a major problem and a threat to women’s rights and security.

*Countries are ranked on a scale of 1-7, with 1 representing the highest level of freedom and 7 representing the lowest level of freedom. Click [here](http://freedomhouse.org/inc/content/pubs/fiw/inc_country_detail.cfm?year=2010&country...) for a full explanation of Freedom in the World methodology.*