Maria Korolkova

Multiple Component Output I: Human Rights and Media in Ukraine

Output components:

1. 'Algorithmic Governmentality: AI and E-Government in Ukraine after the 2019 Elections', in *Global Information Society Watch 2019. Artificial intelligence: Human rights, social justice and development*, ed. by Alan Finlay (Association for Progressive Communications (APC) and Humanist Institute for Cooperation with Developing Countries (Hivos), 2019), pp. 237-240. (C – Chapter in a book).
2. 'Hromadske TV: A New Kind of Media, a New Form of Accountability', in *Global Information Society Watch 2016: Economic, Social and Cultural Rights and the Internet*, ed. by Alan Finlay (Association for Progressive Communications (APC) and Humanist Institute for Cooperation with Developing Countries (Hivos), 2016), pp. 242-245. (C – Chapter in a book).
3. 'Female, Naked, and Right', in *Global Information Society Watch 2015: Sexual Rights in the Internet*, ed. by Alan Finlay (Association for Progressive Communications (APC) and Humanist Institute for Cooperation with Developing Countries (Hivos), 2015), pp. 268–271. (C – Chapter in a book).
4. 'From *Kyborgy* to *Krymskii most* and *DAU*: Visual language and cultural memory of Russian-Ukrainian Conflict' (in Russian), International Conference in Languages of Conflict, University of Giessen, Germany, 15-16 April 2019. (E – Conference contribution). (E-conference contribution)
5. Human Rights in Ukraine, Internet Governance Forum, Berlin, Germany, 28 November 2019 (E – Conference contribution).
6. Twitter interview on AI and Human Rights in Europe, 19 November 2019, @makoro_18, #AIandHumanRights, #Europe, #GISWatch. (Interview)

Originality
The project presents a comprehensive five year body work which puts Ukraine on the map of international human rights research and considers human rights implications of this developing country from three media points of view: sexual rights and feminist media activism ('Female, Naked, and Right'), economic, social, cultural rights ('Hromadske TV: A New Kind of Media, a New Form of Accountability') and Artificial Intelligence and Social Justice ('Algorithmic Governmentality: AI and E-Government in Ukraine after the 2019 Elections').

Rigour
Detailed historical and social research was undertaken while producing this body of work, including field trips and interviews with stakeholders (Ukrainian President's team, journalists, activists, active citizens). Some interview topics were highly sensitive (sexual rights, recent Russian-Ukrainian conflict), and demanded extra ethical support. Overall, the selection of case studies and their media implications present a comprehensive account of human rights problems and their possible solutions in Ukraine.

Significance
This research is published in the leading international Human Rights resource, *Global Information Society Watch*, which is circulated among governments and humanitarian organisations worldwide, and helps to bring new voices from underrepresented communities to the global conversations. Each chapter has a conclusion of recommended action points for consideration to various stakeholders, including governments and activist

organisations. The author was invited to present her research at International Governance Forum, a leading international meeting for policy dialogue on issues of Internet governance, and actions have been considered as a result of these recommendations. She was invited to present parts of this research at Languages of Conflict conference funded by Volkswagen Foundation, the largest German private nonprofit organization for the promotional of research and education.

UKRAINE

ALGORITHMIC GOVERNMENTALITY: AI AND E-GOVERNMENT IN UKRAINE AFTER THE 2019 ELECTIONS
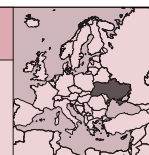
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Introduction

This report presents a general overview of the future vision for artificial intelligence (AI) in modern Ukraine. With the 2018-2019 election campaign by the country's new president Volodymyr Zelenskyy – in which a digital agenda was placed squarely in the spotlight – as a backdrop, it considers the potential, needs and human rights implications of making the country a prominent actor in the field of AI globally.

"Artificial intelligence should replace the mentality of officials"

In April 2019, following a successful election campaign largely based on digital tools,[1] a comedian, Volodymyr Zelenskyy,[2] won the Ukrainian presidential elections with an unprecedented 78% of the vote, bringing the promise of much awaited change to the county.[3] Commenters reported that much of Zelenskyy's success is owed to his appeal to the younger generation of Ukrainians, who see digital technology as an everyday necessity, and expect the new leader to embrace the digital future.[4] This was anticipated during the campaign, with Zelenskyy's team – officially called "Ze!Team"[5] – appointing a digital campaign leader right from the start. Mikhailo Fedorov, in charge of the digital campaign, gave several interviews stating that the priority of the new president would be to develop the digital sphere in the country in order to optimise the everyday experience of Ukrainian citizens.[6]

These promises are expected to be kept by Zelenskyy, who sees AI as the best tool to reboot the mind-set of Ukraine. During his official visit to Canada on 2 July 2019, Zelenskyy outlined the country's priorities:

> With the digitalisation of processes, and the implementation of "a state in a smartphone", artificial intelligence should replace the current mentality of officials. It will be used for overcoming monopolies, and fighting smuggling; for protecting property rights, improving the country's credit rating, and attracting large-scale investment. All this should be done in order to improve the living standards of Ukrainian citizens.[7]

However, does the country have enough resources to implement these ambitious strategies, and most importantly, is the new government aware of the negative sides of AI?

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1 For detailed figures see Shishatskii, E., & Yurasov, S. (2019, 26 April). U nas est' proekt Chernaya biblioteka Poroshenko: onlain-strateg Ze [The lead online strategist of Ze Team: We have a project of Poroshenko's black library]. *tech.liga.net*. https://tech.liga.net/technology/interview/pochemu-poroshenko-proigral-intervyu-s-onlayn-strategom-zelenskogo

2 There are several transliteration options of Volodymyr Zelenskyy's name due to the different spelling of his name in Ukrainian and in Russian, as well as different transliteration styles. In this article I am using transliteration from the official website of the president of Ukraine (https://www.president.gov.ua/en). However, if his name appears in a quote in a different transliteration, the spelling used in the original source is maintained.

3 The elections took place in an important time in Ukrainian political life, following the legacy of the 2014 Ukrainian Revolution (also known as the Maidan Revolution), the annexation of Crimea, and an ongoing military conflict in the Luhansk and Donetsk regions of the country.

4 The phenomenon of Zelenskyy's rapid success is of course more complex than just the reference to new technologies. Some suggest that this is a part of a "global trend of rebelling against the government systems [...] when the masses get tired of the old elites and raise populists and other 'friends of the people' to rebel against these systems" [AFRIC. (2019, 22 April). Elections in Ukraine: The Zelensky phenomenon. *AFRIC*. https://afric.online/11555-elections-in-ukraine-the-zelensky-phenomenon]; some root it in the success of the highly popular TV series "Servant of the People", which portrays a school teacher played by Zelenskyy winning the presidential elections [Fisher, J. (2019, 22 April). Zelensky win: What does a comic president mean for Ukraine. *BBC*. https://www.bbc.co.uk/news/world-europe-47769118]. There are other speculations among political analysts. For the purposes of this report, such speculations will be only mentioned marginally, and the report will largely focus on the strategic implementation of AI and its related context during the rule of the new president.

5 Importantly, the name of the campaign mimicked the branding of the IT giant Apple. Following the branding scheme of iTunes, iPhone, iPad, iWatch, etc., the election campaign introduced Ze!Team, Ze!Academy, Ze!Elections, etc. Interestingly, "Ze" also implies the English definite article "the", thus hinting at the European/international nature of the campaign.

6 https://www.bbc.com/ukrainian/features-russian-48014443

7 Author's translation of the original. https://www.president.gov.ua/news/gromadyanin-kliyent-vlada-servis-prezident-u-kanadi-nazvav-p-56169

New president, new government – new (AI) life?

Fedorov, who was appointed as Advisor to the Head of State in May 2019,[8] thinks that there is a great potential for Ukraine to enter the AI world. Ukraine is among the top four countries with the largest number of IT specialists,[9] and in the last four years, according to PwC, the number of IT specialists has more than doubled, from just over 40,000 to nearly 92,000. In terms of available talent, Ukraine already outpaces its competitors in the region, including Poland and Hungary, and PwC believes the number of IT professionals will double again by 2020.[10]

The effectiveness of this potential was clearly demonstrated during the election campaign led by Fedorov and largely based on volunteers. By the time of the elections, Ze!Team had 600,000 followers on Instagram, 500,000 on Facebook and 160,000 on Telegram, with four billion website visits, and more than 18 billion campaigning emails, which is a significant achievement taking into account that they started from scratch just four months before the elections.[11]

Fedorov stresses that AI algorithms were used for detailed analysis of campaign data, resulting in 32 segments of data:

> Based on these segments, we understood who was most interested in us, who wanted to interact with us the most. We identified key segments: IT specialists, mothers, people who supported certain aspects of our programme, and worked with these segments. Plus, we identified people who supported the [then] current government and those who did not. [...] We used geolocation, targeting cities, because the CTR[12] is always higher in cities. [...] We tested a lot.[13]

When asked whether Ze! campaigners were looking into the way Trump had run his election campaign, Fedorov responded that Ukrainian AI specialists used data much better than Trump, and also in a more open manner, noting however that a detailed analysis of both campaigns was yet to be presented.[14]

The use of AI in the Ze! election campaign is somehow illustrative of the situation with AI in the country as a whole – there is a lot of testing, which produces some good results; however, there is no systematic approach to this testing.

In October 2018, Ivan Primachenko, a co-founder of the Ukrainian educational platform Prometheus that provides online courses from top world universities, published an article questioning whether Ukraine was ready to enter the era of AI. His conclusions expressed disappointment in government structures and state universities, which, in Primachenko's opinion, failed to embrace AI technologies, especially at the level of legislation and teaching.[15] The best initiatives in this sphere were still located within private companies and individual initiatives.[16]

However, with Fedorov joining the presidential office, there seem to be radical changes with respect to AI initiatives at the governmental level. The first large presidential initiative is called "State in a Smartphone", an advanced e-government project that would move all government-related services online. Some steps towards this direction have been made in the past four years; but the development strategy is now more ambitious. "The ultimate goal for most services should be full automation, when the decision is made not by the official, but by the system, based on a clear algorithm provided by a regulatory framework," says Oleksiy Viskub, first deputy head of the State Agency for e-Governance.[17]

Importantly, to realise this strategic plan, Ukrainian officials arranged multiple consultations with Estonian e-governance representatives. Over the past 20 years, the Estonian government has

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8   Before this appointment, like Zelenskyy himself, Fedorov had never been in any public or political service. He ran a small digital agency, which was hired to promote Zelenskyy's comedy club "Kvartal 95", later accepting Zelenskyy's offer to run his presidential campaign. https://strana.ua/news/202366-mikhail-fedorov-naznachen-sovetnikom-prezidenta-ukrainy-vladimira-zelenskoho.html

9   After the United States, India and Russia. See: Ukraine Digital News & AVentures. (2016). *IT Ukraine: IT services and software R&D in Europe's rising tech nation*.

10 Borys, C. (2018, 18 January). Ukraine's economic secret: 'Engineering is in our DNA'. *BBC*. https://www.bbc.co.uk/news/business-42403024; see also Andrienko-Bentz, O. (n.d.). *Export-oriented segment of Ukraine's IT services market: Status quo and prospects*. EBA and PwC. https://eba.com.ua/static/export_it_industryfinal_29092016.pdf

11 Shishatskii, E., & Yurasov, S. (2019, 26 April). Op. cit.

12 Click-through rate (CTR) is the ratio of users who click on a specific link to the number of total users who view a page, email or advertisement.

13 Shishatskii, E., & Yurasov, S. (2019, 26 April). Op. cit.

14 Ibid.

15 Primachenko, I. (2018, 24 October). Voidet li Ukraina v eru iskusstvennogo intellekta? [Will Ukraine enter the era of artificial intelligence?]. *NV.ua*. https://nv.ua/opinion/vojdet-li-ukraina-v-eru-iskusstvennoho-intellekta-2502284.html

16 To list a few: People AI start-up by Oleg Roginsky with USD 30 billion investment by Andreessen Horowitz; Augmented Pixels by Vitaliy Goncharuk, which also holds the biggest AI conference in Ukraine; Artificial Intelligence Platform within the Everest Innovation Integrator by Yuri Chubatuk; initiatives in education include master classes in machine learning in the private Ukrainian Catholic University; and free online courses in machine learning available on the Prometheus platform.

17 https://www.president.gov.ua/news/radnik-prezidenta-ukrayini-mihajlo-fedorov-obgovoriv-iz-pred-55621

reached significant milestones in the digitalisation of its services. Having built a society where public and private digital services are woven into the fabric of everyday life, including the introduction of electronic ID cards linked to national registers, the first electronic elections, and 99% of government services online, the Estonian government now plans to build next-generation public services based on AI, according to its National Digital Advisor.[18] Ukraine is ready to join this future, as the two countries are seeking to "deepen cooperation" in the implementation of a new type of e-government.[19]

While it is still unclear which particular AI algorithms from the Estonian experience will be implemented in the Ukrainian e-government programme – a detailed action plan for 2019 and strategic goals until 2024 were presented to the European Parliament on 10 July 2019,[20] but the text has not been made public yet – it is important that the public joins in on the debates on its future.

The first survey on the public attitude towards AI in Ukraine, called "Artificial Intelligence: The Ukrainian Dimension", was conducted by Gorshenin Institute and Everest Innovation Integrator in September 2018,[21] giving promising results, but also outlining concerns. Almost 85% of respondents had heard the term "artificial intelligence", and 74.1% experienced the influence of AI on their life. Half of the respondents said they were interested when receiving information about AI. Finally, and notably, AI caused anxiety and fear in almost 23% of respondents.[22]

According to the survey, the majority of those who welcomed the development of AI in Ukraine considered it capable of replacing humans in dangerous workplaces, as well as increasing the productivity of industrial enterprises. Fewer respondents anticipated that AI would help in extending human life and preventing diseases, or would provide protection against natural disasters, catastrophes, wars and crime. On the other hand, the range of negative consequences was seen as somewhat more serious. The respondents feared that AI could result in oppression, while the most pessimistic predict the possibility of establishing an AI dictatorship and the destruction of human civilisation.

Importantly, some survey questions were related to the use of AI in national and local government. Ukrainians are convinced that technological intelligence can ensure fair elections, reduce the level of bureaucracy, overcome corruption and optimise public spending. In urban areas, respondents said AI could regulate street lighting, traffic and parking, and garbage collection and processing, and monitor public order and the health of the environment.

It would be fruitful to compare these results with the ones from the year-long public debate over the algorithmic liability law in Estonia (a.k.a. the Kratt[23] law), which initiated the "opinion shift toward avoiding sector-based regulation, opting for general algorithmic liability instead."[24] The Kratt law debates generated the important idea of providing algorithms with a separate legal status, similar to companies (a draft bill should enter the Estonian parliament for debate in summer 2019).

As Ukraine starts to have these ethical, moral and philosophical debates on AI, it is important they are discussed in all their complexity, and infused with human rights concerns, with respect to using AI in both the public and private sectors. To quote Yuri Chubatyuk, president of the Everest group of companies, which just launched a large Ukrainian AI platform:

> We are at the stage when it is necessary to discuss an effective public-private partnership, which, with a holistic, deliberate concept of innovation and development, can create the expected technological leap for the country. We need a national strategy in AI development to provide a phased transformation of each industry, especially the educational sector, which directly affects the ability of Ukrainians to compete in the technological market in the near future. We must understand that the process of consolidating efforts in this direction should start now, involving business and research communities, members of the government, politicians, and the public.[25]

Conclusion

With the election of the new president, who included a focus on new technologies as one of the priorities of his programme, Ukraine seems to be

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18 Kaevats, M. (2018, September). AI and the Kratt momentum. *Estonian Investment Agency.* https://investinestonia.com/ai-and-the-kratt-momentum

19 https://www.president.gov.ua/news/ukrayina-ta-estoniya-pogliblyat-spivpracyu-dlya-realizaciyi-55861

20 https://www.president.gov.ua/news/yevropejskij-soyuz-pidtrimaye-realizaciyu-koncepciyi-derzhav-56337

21 https://www.youtube.com/watch?v=AXOxQ5GgglA

22 Trapeznikova, D. (2018, 19 December). Iskusstvennyi intellect nam pomozhet. [Artificial intelligence will help us]. *day.kyiv.ua.* https://day.kyiv.ua/ru/article/obshchestvo/iskusstvennyy-intellekt-nam-pomozhet

23 Kratt is a magical creature in Estonian mythology. Essentially, Kratt was a servant built from hay or old household items. The Estonian government uses this character as a metaphor for AI and its complexities.

24 Kaevats, M. (2018, September). Op. cit.

25 Trapeznikova, D. (2018, 19 December). Op. cit.

looking towards accelerating the development of AI in both the public and private spheres. By some estimates, the country has good chances of becoming internationally visible in the sector. It does indeed have an impressive base of IT specialists and private initiatives in the AI field; however, this needs to be backed up with coherent governmental policies that allow public-private partnerships.

The positive move is that the new e-government initiative was launched in the first few days of the president taking office; however, it is still unclear what exactly it will entail.[26] Importantly, it will be necessary to invite the public to consider the issue, as well as to think of the human rights implications of any development. Currently, not all regions of Ukraine have sufficient telecommunications coverage. While this particular issue is being addressed,[27] it is important to continue addressing the digital divide in the country, alongside a focus on AI.

While the results of the national survey on AI showed that there was a high level of public awareness of AI in Ukraine, there is less recognition of Ukraine as an AI-progressive country on the international scene. While an annual international conference on AI held in Ukraine plays an important role in developing this visibility,[28] there are still concerns that the country is seen as an underdeveloped state with respect to AI.[29]

Most importantly, while the new president Zelenskyy sees AI almost as a mythological superpower,[30] which "should replace the mentality of officials," it is important to consider the dangers of such "algorithmic governmentality". What we face here is what Antoinette Rouvroy calls – following Foucault – a crisis of the regimes of truth: "To my mind, we are less facing the emergence of a new regime of truth than a crisis of regimes of truth. A whole range of notions are in crisis: the notions of person, authority, testimony."[31]

If Ukraine is going to implement these changes, they will be radical changes in how we see the world, and how the government works. Most importantly, if the implementations of AI and e-government allow the state to know in great detail about a citizen's day-to-day life, the state would no longer need to ask people about their lives, thus dislocating the axis of power in the citizen-state relationship necessary for democracy to function, which might lead to unpredictable consequences.

Action steps

The following are key needs in Ukraine:

- *National AI strategy:* There is a need to develop a national AI strategy to create a common framework for implementation in both the public and private sectors with a specific focus on human rights and the digital divide.

- *Algorithmic identity:* It is necessary to define – legally – what kind of algorithms are used in e-government and private sector initiatives, and who owns them.

- *An effective data protection policy:* How does one ensure the integrity of decision making with algorithms that evolve and change constantly? How can we be sure that sensor data used in algorithms has not been hacked or changed? Estonia's experience in using KSI blockchain technology to secure its citizens' medical records may help.[32]

- *A balanced debate on AI:* There is a need to have an honest, meaningful public debate on the technical and legal aspects of AI, including AI's controversial attributes and threats. Any discussion must involve the public.

- *Visibility of AI:* It is also important to ensure that all AI strategies and initiatives are reported on and critically reviewed by the press and social media, both nationally and internationally. Their purpose and use needs to be clear and publicly known.

- *Education in AI:* There is a need to create AI and machine-learning courses in schools and universities nationwide.

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26 The plan was presented to the European Parliament on 10 July 2019, but the documents have not yet been released to the public.

27 https://www.president.gov.ua/news/radnik-prezidenta-mihajlo-fedorov-obgovoriv-z-predstavnikami-56201

28 https://aiukraine.com

29 The futurist and author of international bestsellers Yuval Noah Harari in a conversation with Mark Zuckerberg put Ukraine in line with Honduras and Yemen when talking about the country's AI development level. See: https://fbnewsroomus.files.wordpress.com/2019/04/transcript_-marks-personal-challenge-yuval-noah-harari.pdf; for a discussion of this mistake in Ukrainian media, see Goncharuk, V. (2019, 4 May). *Ukraina – ne Gonduras: gre nashi mesto v oblasti iskusstvennogo intellekta.* [Ukraine is no Honduras: Where is our place on the AI scene]. *Ekonomicheskaya Pravda.* https://www.epravda.com.ua/rus/columns/2019/05/4/647525

30 Interestingly, the current major exhibition on AI at the Barbican Centre, London, showcases ancient beliefs, such as myths, magic, illusion and religion, as the predecessors of AI. See: https://www.barbican.org.uk/whats-on/2019/event/ai-more-than-human

31 Morison, J. (2016). Algorithmic Governmentality: Techo-optimism and the Move towards the Dark Side. *Computers and Law, 27*(3). https://pure.qub.ac.uk/portal/files/89325400/Algorithmic_Governmentality.pdf

32 KSI is a blockchain technology designed in Estonia after cyberattacks in 2007 and used globally to make sure networks, systems and data are free of compromise, and have 100% data privacy. See https://e-estonia.com/solutions/security-and-safety/ksi-blockchain and https://guardtime.com

UKRAINE

HROMADSKE TV: A NEW KIND OF MEDIA, A NEW FORM OF ACCOUNTABILITY

Hromadske TV
Dr Maria Pasholok
hromadske.ua

Introduction

On 22 November 2013, an internet television station called Hromadske.TV (or "Public.TV") started operating in Ukraine. It was a joint initiative of 15 young Ukrainian journalists who wanted to provide objective and unbiased information about current affairs and political processes in the country. It is now the most popular non-profit internet television station in Ukraine.

It is important to understand that the station was launched the day after the Ukrainian government suspended preparations for signing the Ukraine-European Union Association Agreement.[1] Hromadske.TV soon became the biggest public eyewitness platform of the Maidan movement – the result of a political and social crisis that struck Ukraine in 2014,[2] and that is still visible today. The conditions of the Minsk Protocol,[3] which was supposed to result in a ceasefire in the Donbass region, have not been met; the country's young male population is still being mobilised; and the annexed Crimea is still under Russian rule.

However, despite the conflict, Ukrainian culture seems to be having its moment of revival,[4] with Hromadske.TV playing an important role in this process. Hromadske.TV not only grew into a resource of political commentary and information, but also into a broader platform to talk about cultural and social issues – including refugees, gender rights, and lesbian, gay, bisexual and transgender (LGBT) issues – at a time when the country was still trying to rebuild its cultural and social identity after the painful events of 2014.

This was mostly only possible because Hromadske.TV is available on the internet – most Ukrainian TV stations are owned by the state or by oligarchs. Hromadske.TV "broadcasts" live, has a YouTube channel where its programmes can be watched, has a very busy social media presence, and its website in available in three languages: Ukrainian, Russian and English.[5] It is a good example of how the internet helps Ukrainian citizens speak out about all sorts of economic, social and cultural issues and encourages them to define their own future.

Political context

Ukraine ratified the International Covenant on Economic, Social and Cultural Rights (ICESCR) on 12 November 1973 when still a part of the USSR, the former Soviet Union. However, despite the considerably early date of involvement with ESCR issues, Ukrainian policy regarding ESCRs today is quite weak.

Firstly, torn apart by the civil war and the political crisis, the country simply has no economic resources to take care of ESCRs. Secondly, the new parliament has prioritised political issues over social, cultural and economic ones. As a result, the internet has started playing an increasing role in influencing and educating audiences and preparing them for conscious choices in all aspects of cultural and social life.

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1   This document was supposed to start the process of integrating Ukraine into the European Union; however, the process was frozen by President Viktor Yanukovych. This provoked public disapproval, resulting in the civil war. To read the whole document, please go to: mfa.gov.ua/en/about-ukraine/european-integration/ua-eu-association

2   Also known as the Ukrainian Revolution of 2014, the Euromaidan Revolution or Revolution of Dignity, a series of violent events that took place in the main square in Kiev (called Maidan – hence the name). The pro-European part of the population gathered to protest against the freezing of the EU-Ukraine integration process. The events involved riots, fights between protesters and the police, as well as snipers shooting (over a hundred civilians were killed). This resulted in the ousting of Yanukovych, and was followed by a series of changes in Ukraine's sociopolitical system, including the formation of a new government, the restoration of the previous constitution, and a call to hold impromptu presidential elections within months. The events usually connected to the Ukrainian Revolution are the annexation of the Crimean Peninsula, as well as the civil war in the Donbass region.

3   Representatives of Ukraine, the Russian Federation, the Donetsk People's Republic (DPR) and the Lugansk People's Republic (LPR) signed the Minsk Protocol, an agreement to halt the war in the Donbass region of Ukraine, on 5 September 2014.

4   Lepeska, D. (2016, 31 August). Kiev's New Revolution: Young Ukrainians spur cultural revival amid the conflict. *The Guardian*. https://www.theguardian.com/cities/2016/aug/31/kiev-new-revolution-young-ukrainians-cultural-revival-amid-conflict

5   en.hromadske.ua

Hromadske.TV appears to be the best illustration of this. It was formed by the journalists who stopped believing in the state-funded and state-ruled television, and who wanted to make a difference in society. However, television production and operation is an expensive enterprise, and the founders of the project say it was hard to imagine how they could raise enough money back in 2013 to start a television station.[6] It is important to understand that the initial stages of the project were funded by the Embassy of the Kingdom of the Netherlands and the United States Embassy, as stated in the station's Annual Financial Report 2013.[7] However, later that year the project managed to raise UAH 461,000 (USD 44,906) in the first 25 days of one of the most successful crowdfunding campaigns in the history of crowdfunding in Ukraine.[8] This proved that an enterprise like this – the delivery of independent, unbiased information – was a necessity in Ukrainian society.

But has Hromadske.TV managed to meet people's expectations?

A new kind of media, a new form of accountability

It seems so. Hromadske.TV's YouTube channel had 325,704 subscribers with over 21 million views in 2013,[9] and in November 2014 it was announced that its YouTube channel recorded its highest number of live-streaming hours.[10] Its Facebook page now has more than half a million people subscribed to it. The founders of Hromadske.TV confess that this surprised them at first – they did not expect the figures to be so high so quickly.[11]

Partly this success was due to Hromadske.TV's content: fresh independent investigations that offered reportage from the frontline of the war, and socially relevant content such as interviews with political prisoners and the military, as well as content on refugees and gender minorities – something that the state-funded TV could not afford to cover

Obtained Funds by Hromadske TV

politically. Partly it is to do with the platform it is shared on. Back in 2014, the president of tech company Internet-Invest called Hromadske.TV "a brand new kind of media that has not existed in Ukraine before, and that would influence the media future of the country."[12]

It was indeed a new kind of media – a TV channel funded by viewers, shared via internet, and using social media as complementary platforms, which allowed direct, interactive communication with its audience. Much of this interaction draws on the potential for creative political expression. For example, Hromadske.Culture[13] launched a project called "Creative Constitution" where artists and viewers depicted different chapters of the Ukrainian constitution using different media (graffiti, dance, music, theatre, etc.).[14] "We use our constitutional rights to express our opinion," says one of the artists who created a graffiti artwork based on the constitution's chapter on freedom of expression. This project aimed to stress the constant violation of basic rights in Ukraine.

Many Hromadske.TV initiatives were designed to incorporate internet users (or the audience) in this way. For example, they put out a call for stories to be collected by their audience in the outlying regions in Ukraine, and to publish these on social media. "There is too much bad news in this country, so we decided to change it and just look for the stories of little victories," one user wrote on the

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6   AIN. (2014, 9 February). What Hromadske.TV Is Made of: Figures, Money, People. *AIN.UA*. ain.ua/2014/02/06/511834

7   See the Cash Flow Statement of the Hromadske.TV Annual Financial Report 2013: hromadske.ua/finreports/Annual%20 Fin%20report%20-%20ENG.pdf

8   Watcher. (2014, 20 May). Hromadske.TV has raised 461 thousand hryvnas on Internet in 25 days. *Watcher.com.ua*. watcher.com.ua/2014/01/20/ hromadske-tb-za-25-dniv-zibralo-v-interneti-461-tys-hrn

9   teleprostir.com/news/companynews/ show-21957-gromadske-tb-b-e-rekordi-pereghliadiv

10   ru.telekritika.ua/rinok/2014-11-26/100859

11   AIN. (2014, 9 February). Op. cit.

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12   Ibid.

13   A recent cultural addition to the station's programming that is becoming more and more popular, and shows that Hromadske.TV has moved from being mainly concerned with political issues to a true socio-cultural platform that helps to define new Ukrainian culture. See: hromadske.ua/culture (All Hromadske.TV content is available in Ukrainian, Russian and English.)

14   hromadske.ua/posts/vidkryi-konstytutsiiu-iak-osnovnyi-zakon-ukrainy-staie-mystetstvom

station's Facebook page after posting her story of a young girl who created an art gallery in her little village.

However, exposure on the internet and social media comes with responsibility – and even danger to the lives of those whose share stories or whose stories are shared. While the UN Committee on Economic, Social and Cultural Rights often receives reports from civil society about journalists who report on socioeconomic rights facing threats from authorities, a recent letter[15] signed by 301 NGOs and addressed to the Committee highlighted the threats that human rights defenders face in the field. This letter followed the murder of Berta Cáceres, a Honduran indigenous and environmental rights activist. Journalists working at Hromadske.TV find themselves in a similar situation. Many Hromadske.TV journalists have reported threats on their lives in comments posted on their Facebook pages and other online accounts. Ekaterina Sergatskova, who has been a journalist at Hromadske.TV since 2014, shared the following with me in an interview conducted for this report:

> I and many of my colleagues regularly get threats to our lives, but they usually come from individuals and rarely go beyond the virtual space. I can give you the latest example: Dmitry Korchinskiy, the famous provocateur and the founder of the "St. Mary Battalion",[16] wrote a Facebook post about me calling me an agent of the Federal Security Service [FSB, Russia's secret service], which I regard as a potential threat, because many of his soldiers may perceive it as a call to action: FSB agents must be destroyed.[17]

Ekaterina – and her colleagues from Hromadske.TV, Natalya Gumenyk and Nastya Stasyuk, who are also two of the founders of the station – stress that threats often come from government officials, primarily Ukrainian Interior Minister Arsen Avakov, who calls the journalists "liberal separatists", and says their lives are less important than the lives of soldiers. These threats by the interior minister make the job of the Hromadske.TV journalists more difficult, and put their lives at risk, Ekaterina says.

Independent researchers seem to confirm what Ekaterina says. The authors of *Attacks on the Press: Journalism on the World's Front Lines*[18] and *Beyond the Cold War of Words: How online media can make a difference in the Post-Soviet Space,*[19] both list Hromadske.TV among the channels that have journalists who work under constant threats to their lives. However, this does not make the channel stop operating. On the contrary, it continues to fundraise, and its content is expanding to include talk shows with controversial figures, interviews with political prisoners, and an increasing number of cultural and social initiatives.

Many interesting cross-media collaborations have emerged. For example, even the state broadcasting channel *Suspilne Movlennya* (Public Speech)[20] has collaborated with Hromadske.TV, broadcasting some of its content. Another similar collaboration exists with an online channel in Russia called *Dozd TV* (TV Rain).[21]

Conclusions

Hromadske.TV is a non-profit crowdfunded project with transparent financial reporting. Since its launch, much of its programming has shown an awareness of human rights issues in the Ukraine, and how they impact on Ukrainian society.

The founders of Hromadske.TV – Gumenyuk, Stanko and Andrei Saichuk – say that when Hromadske.TV was founded back in 2013, a focus on ESCRs was an important part of the content. They are constantly aware of the problems of inequality, regularly report on economic issues, and develop the concept of Ukrainian culture as opposed to "global" or "post-Soviet" culture.[22] At the same time, Hromadske.TV appeared to be a powerful platform that challenged traditional media.

However, history has shown that any new media innovation can be used for positive or negative ends. "I think that today Ukraine is the perfect place for the study of propaganda in the digital world of new media," Natalya Gumenyuk says. "Whatever

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15 "Situation of defenders of economic, social and cultural rights", a letter initiated by the International Platform against Impunity, the International Service for Human Rights and the Global Initiative for Economic, Social and Cultural Rights, 24 May 2016. globalinitiative-escr.org/global-civil-society-alerts-un-committee-to-risks-facing-esc-rights-defenders

16 This is a territorial defence battalion established in mid-2014, during the early stages of the war in the Donbass. It consists of volunteer military units of the Armed Forces of Ukraine under the command of the Ukrainian Ministry of Defence in 2014-2015.

17 Here Ekaterina refers to the Russian-Ukrainian conflict in the Donbass which she reported on many times as an independent journalist. Interview conducted for this GISWatch report on 5 August 2016 via email.
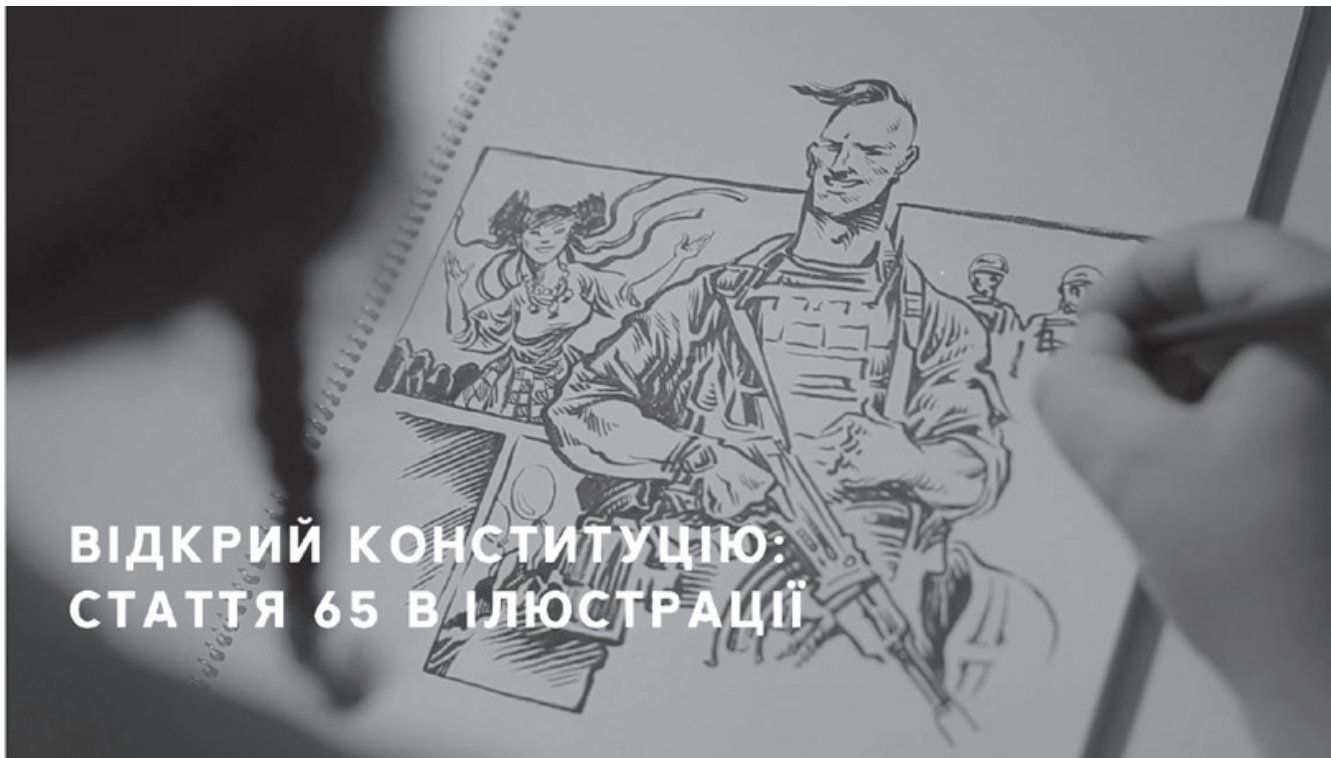
18 Committee to Protect Journalists. (2015). *Attacks on the Press: Journalism on the World's Front Lines.*

19 de Jong, S., et al. (2015). *Beyond the Cold War of Words: How online media can make a difference in the post-Soviet space.* The Hague Centre for Strategic Studies.

20 1tv.com.ua/suspilne

21 https://tvrain.ru

22 Interviews conducted for GISWatch 2016.

"Open the Constitution" project by Hromadske.Culture. The caption says (in Ukrainian) "Open the Constitution: Article 65 in Illustration".

they say, the 20th century had never seen information being treated so cruelly by so many different sources: TV, radio, talk shows, tabloids, and on social media…"[23]

Natalya is right. As the founder and the editor of Hromadske.TV she knows that this power of the internet has to be used wisely. And hopefully she will be able to lead her team in that direction.

Action steps

Taking the Hromadske.TV example into account, I suggest the following steps for internet activists dealing with ESCRs in Ukraine, and elsewhere in the world:

- *Crowdfunding is good.* No one at first believed that Hromadske.TV could be successful, but it turns out that the initiative is welcomed by the public, even in times of great turbulence, and particularly when the government does not take progressive steps to fulfil social and cultural rights.

- *Use the digital space to its limits.* Hromadske.TV is internet TV – a new type of television. Internet is young, Hromadske.TV journalists are young, their viewers are young. And that is your power. Keep exploring the digital space. Be proud of

Skype interviews and iPhone reportage. That's *your* world.

- *Let your viewers become more than just viewers.* Let them create the news themselves. Let them say what they believe in. Create no boundaries between you and your audience. Do not create impersonal content. Invite them to collaborate. Teach them. Be proud of them.

- *Let everyone know you believe in human rights, and do everything to show it.* Many people in Ukraine and elsewhere in the developing countries have literally forgotten what human rights represent. Constantly keep reminding them. Treat the constitution as a screenplay. Make it interactive. Sing it, dance it, as Hromadske.Culture did.

- *Protect yourself.* Threats to your life are common if you enter a public domain at a time of conflict. Name the threats when they occur. Talk about them and about the people who make the threats, so the public is aware of them. Take steps to legally protect yourself if necessary. In case of a serious threat to your life, approach the Committee to Protect Journalists[24] for help and protection.

23 Argumentua. (2014, 10 October). Natalya Gumenuk: Donbass has lost fear. *Argumentua.com*. argumentua.com/stati/ natalya-gumenyuk-donbass-utratil-strakh

24 https://cpj.org

Maria M. Pasholok

Introduction

The image of young, blonde Ukrainian women with half-naked bodies and sexual rights slogans painted on their breasts has become one of the most recognisable and scandalous phenomena worldwide in recent years. They are Femen,[1] one of the best-known feminist carnivalesque protest groups, founded in Ukraine to fight for sexual equality and sexual and political freedoms.

Despite the obviously provocative component of their spectacular protests (or even performances?), the group largely owes its worldwide popularity to new media and the internet. For example, in 2010 Google searches for "Femen" had surpassed searches for "feminism" and "sextremism" (a term coined by the group leaders).[2] Focusing on Femen in my report, and especially on their idea of promoting revolutionary sexuality as opposed to the patriarchal eroticism and pornography found on the internet, I would like to discuss the broader context of sexual rights in the Ukraine – a country of Soviet heritage whose citizens "endure regular discrimination and violence for which there is rarely accountability."[3]

I will especially focus on the violence and abuse that Femen has to face during each of their public appearances, and the way the group deals with it online.

Policy and political background

Human Rights Watch regularly reports on violations of sexual rights in the Ukraine in its yearly World Reports. 2014 raised perhaps the biggest concern in legal terms as two homophobic bills were pending in parliament, proposing fines or a prison sentence of up to six years for the production, publication or distribution of materials aimed at the "promotion" of homosexuality among children.[4] The same year, Rada – the Ukrainian parliament – twice postponed consideration of amendments to the Labour Code protecting against discrimination on the grounds of sexual orientation.

All this happened at the time of a serious political and military crisis that is still unfolding in Ukraine as a result of the 2014 Euromaidan movement[5] which led to the re-election of parliament and the annexation of the Crimean peninsula by Russia in March 2014.[6]

It is important to understand that the Euromaidan movement in Ukraine started as a desire among citizens of the country to join the European Union (EU). The EU requires Ukraine to adopt comprehensive anti-discrimination legislation on sexual rights, and so the sexual rights agenda in Ukraine during that time became highly politicised. Femen took an active part in these processes. Notably, the range of issues addressed by the movement also grew, and now started to include a lot of different political statements.

A new kind of radical feminism

In February 2008 a group of half-naked Ukrainian women protested against sexism in Ukrainian universities by re-enacting X-rated provocative scenes of sexual inequality in the classroom. This example is only one of the numerous protests organised by

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1   femen.org

2   The term "sextremism" is believed to combine three related concepts: sexism, extremism, and feminism. It was used in Femen's manifesto, but has not gone far beyond the group's own vocabulary. Some experts tend to understand it as an extreme form of feminism.

3   The most recent example was the Kyiv Equality March that took place in June 2015, and was followed by violent attacks in which nearly two dozen police officers and participants were injured. See Human Rights Watch. (2015, 5 August). *Joint Letter to the President of Ukraine on Sexual Orientation and Gender Identity as Grounds of Non-Discrimination in the Constitution.* www.hrw.org/news/2015/08/05/joint-letter-president-ukraine-sexual-orientation-and-gender-identity-grounds-non

4   Human Rights Watch (2014). *World Report 2014: Ukraine.* www.hrw.org/world-report/2014/country-chapters/ukraine

5   A political movement that was part of the Ukrainian crisis of 2013-2014, and which called for the country to join the European Union and for the resignation of President Viktor Yanukovych.

6   The Euromaidan protests lasted for three months, from December 2013 to March 2014. The protests reached a climax on 18-20 February, when police and protesters fired guns, and several people were killed on both sides. Following these tragic events, Ukrainian President Victor Yanukovych promised the opposition and the people to end the crisis, having signed an agreement on the settlement of the political crisis. However, in spite of the agreement, people of the Euromaidan claimed they would engage in armed conflict if Yanukovych did not resign by 10:00 a.m. 21 February. The next day, Yanukovych was removed from office by parliament, and the government was replaced with a pro-European one.

Femen since 2008, when their organisation was founded by Hanna Hutsol.

At the moment, Femen are a well-known yet unregistered group of female protesters, who regularly go topless with traditional Ukrainian flower garlands in their hair, wear knickers made from surgical masks, and even mud-wrestle naked to draw attention to their cause. The group has about 400 members, all with Ukrainian backgrounds, located across the world. They are in their 20s, look like models, and have all gone to university. Hutsol is still the ideological leader of Femen and takes care of the group's management, logistics and financial and creative concerns, as well as developing ideas and designs for the new protests.

From the very first protests, the media claimed Femen was the advent of a new kind of radical feminism "causing outrage among feminists and traditionalists alike."[7] Hutsol has made it clear that Femen's main motive is to highlight the negative impact that sex tourism and prostitution have had on the Ukraine since the fall of the Soviet Union. However, she has chosen to address this in a very unusual manner.

Tracking Femen's activities on the internet since their formation in 2008, I have noticed several highly creative and unexpected methods with which the women address their chosen topics.

For example, they start their manifesto in a pseudo-Biblical style, hinting at the universality of their approach:

> In the beginning, there was the body, feeling of the woman's body, feeling of joy because it is so light and free. Then there was injustice, so sharp that you feel it with your body, it immobilizes the body, hinders its movements, and then you find yourself your body's hostage. And so you turn your body against this injustice, mobilizing every body's cell to struggle against the patriarchy and humiliation. You tell the world: Our God is a Woman![8]

What follows is a touch of romanticism:

> FEMEN is an international women's movement of brave topless female activists painted with the slogans and crowned with flowers.[9]

Moving on towards a clear and bold political statement:

> We live in the world of male economic, cultural and ideological occupation. In this world, a woman is a slave, she is stripped of the right to any property but above all she is stripped of ownership of her own body. All functions of the female body are harshly controlled and regulated by patriarchy. Separated from the woman, her body is an object to monstrous patriarchal exploitation, animated by production of heirs, surplus profits, sexual pleasures and pornographic shows.[10]

And ending with an original and highly creative message:

> FEMEN's naked attack is a naked nerve of the historic woman-system conflict, its most visual and appropriate illustration. Activist's naked body is the undisguised hatred toward the patriarchal order and new aesthetics of women's revolution.[11]

We can see that Femen have a strong and well-thought-out agenda, the group using their bodies as a means of political activism. The images of these bodies became viral on social media, making the girls recognisable and famous. These steps were "inevitable", in the words of the group's organisers, in order for them to be heard.

One of Femen's leaders, Inna Shevchenko, admitted in an interview in *The Guardian* that no one had been listening before they started stripping off. "At the beginning, we were not protesting topless but we realised we had to do something really radical. We don't have people to promote or help us, or big money. Everywhere – from TV channels to magazines – you see naked girls selling something. We are trying to say: 'You should not show your body like that; you should use it to protest and fight.'"[12]

Such a perspective has not only resulted in various responses from the public, but has also at times placed the topless women in real danger. In December 2011 several Femen activists protested against long-serving Belarus President Alexander Lukashenko. The young women wearing Lukashenko style moustaches had red stars painted on their chests and bellies alongside the slogans "Freedom to Political Prisoners" and "Long Live Belarus". Soon afterwards the three Femen women and a

7   Khaleeli, H. (2011, 15 April). The nude radicals: feminism Ukrainian style. *The Guardian*. . www.theguardian.com/lifeandstyle/2011/apr/15/ukrainian-feminists-topless-campaign

8   femen.org/about

9   Ibid.

10 Ibid.

11 Ibid.

12 Khaleeli, H. (2011, 15 April). Op. cit.

photographer who accompanied them during the Minsk protest went missing. Later it was revealed that the women were kidnapped by six unknown men, who Femen claimed were Belarusian secret police. They took the women to the forest, made them strip, cut their hair short and threatened to kill them.[13] Afterwards the women were found and brought to Ukraine safely; however, this incident proved in a paradoxical way that what Femen were fighting against was the reality of post-Soviet everyday life.

The incident indeed made them famous worldwide. From 2011 on, Femen started protesting weekly, addressing almost any topic that they considered worthy of public response. And every time, the public response online was immediate.

It is important to understand that Femen rely on the media for exposure – it serves their advocacy purpose when their protests are recorded and make the front pages. The media spectacle that is the result of their protests is as much a part of their advocacy agenda as the public symbolism of their naked bodies. From the start the media recorded and tried to explain the actions of the young female activists. Alongside coverage of the protests, they have also taken an interest in the everyday lives of the activists – in this way showing that the protests are the actions of normal, everyday people.

A Reuters photographer, Gleb Garanich, who had been photographing Femen for five years, says that they do not seem to be extraordinary at all: "I think they are normal girls with normal problems, ideas and ideals who manage to break out of the routine and desperation during their protests, which sets them apart from many others who have moved to Kiev from smaller cities and towns."[14]

And paradoxically, this normality makes them strong. As Garanich says, "They have done more for Ukraine and its European aspirations than all the politicians and all the expensive adverts ordered by the government."[15]

Conclusions

The Femen phenomenon will by no means become the rule in the global fight for sexual rights. On the contrary, the movement follows an exceptional strategy that cannot be generalised. In fact, many feminist scholars even refuse to see Femen as a part of the global feminism movement, because the group goes far beyond "acceptable" feminist practices.[16]

On the other hand, the group has recently started employing more traditional methods in their protests. For example, Femen is taking part in an International Feminist Training Camp in France in August 2015,[17] and, importantly, they will not be employing nudity.

Recent years have seen the spread of the Femen movement beyond the borders of post-Soviet states. By the end of 2012 the group claimed it had about 40 activists in Ukraine, and another 100 all over Europe. In October 2013, from their headquarters in Paris,[18] Femen announced that the organisation had officially opened its Turkey office, and was hoping to establish a "homegrown" branch in the United Kingdom.[19] But still their largest support base is online, with as many as as 20,000 supporters in the Russian social network Vkontakte[20] and more than 30,000 on Facebook[21] – and the numbers keep growing, with more supporters declaring themselves Femen internet activists.

Despite the many social stigmas that surround Femen, the group has now generated significant social capital with which it is able to advocate for sexual rights via the internet without putting their activists in actual danger. While Femen's unorthodox tactics may still prevent them from cooperating with other activists, who might see the group as a distraction – a show for the sake of the show – their contribution to sexual rights activism in Ukraine and worldwide cannot be ignored. As anthropologist Jessica Zychowicz suggests, "Perhaps we have a lot left to learn from Femen as their movement changes and they learn from themselves; continuing to embed their words, their images, and their bodies in history."[22]

13 RT. (2011, 21 December). First FEMEN images after alleged KGB torture. *RT*. www.rt.com/news/kgb-protests-belarus-femen-337

14 Garanich, G. (2012, 1 March). The femen phenomenon. *Photographers Blog*. blogs.reuters.com/photographers-blog/2012/03/01/the-femen-phenomenon

15 Ibid.

16 See the relevant discussion in Zychowicz, J. (2011). Two Bad Words: FEMEN and Feminism in Independent Ukraine. *The Anthropology of East Europe Review, 29*(2), 215-227. scholarworks.iu.edu/journals/index.php/aeer/article/view/1266/1336

17 Débat d'idées – International Feminist Training Camp, 29-30 August 2015. www.eventbrite.fr/e/debat-didees-international-feminist-training-camp-2015-tickets-18190798167?aff=affiliate1

18 The group relocated after being unwelcome in the Ukraine, and also in order to establish a more international presence.

19 Holman, Z. (2013, 19 October). Fearless … and topless: Femen activists to bring 'sextremism' to the UK. *The Guardian*. www.theguardian.com/world/2013/oct/20/femen-activists-uk-branch-feminism

20 vk.com/club2672464

21 www.facebook.com/FEMEN.International.Official

22 Zychowicz, J. (2011). Op. cit.

Action steps

Taking the above into account, I can suggest the following advocacy steps for internet activists in the Ukraine and worldwide who would like to learn from Femen, the world's most provocative and arguably most visible sexual rights organisation. This might look like advice on how to successfully market yourself. However, one of the main lessons Femen has taught us is that modern activism, whether on behalf of a charity or a political organisation, is highly dependent on the mass media, both online and offline. It is therefore necessary to consider how to tailor your advocacy message so that it grabs the media's attention.

- *Choose just one target at a time.* The number of advocacy issues you take on can increase in the future once you are successful with the first one you have selected. Femen started with just sexual rights as their key concern, and only then expanded their advocacy concerns to include human rights and other political issues.

- *Be simple and original.* That does not necessarily mean being provocative. Arguably the Femen phenomenon received the kind of attention it did because the public meaning they created was easy to understand, and the expression of this meaning using their naked bodies was original.

- *Reflect content in form.* By using their bodies as symbols of protest, Femen represented women everywhere who had experienced violations of their sexual rights. In this way they gained trust.

- *Be smart and clear.* Most Femen activists have a higher education, some even two university degrees. They have a very clear message on their website, connecting their movement to the past and the future, cleverly referencing source material that shows they are well-educated and analytical in their approach.

Dr Maria Korolkova @makoro_18 · Nov 15, 2019

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