



Protesters clashing with police on Maidan. Photo by Mstyslav Chernov.

REFORMING UKRAINE

CIVIL SOCIETY AND THE FIGHT AGAINST CORRUPTION

*MATTHEW SCHAAF
IN PROFILE*

BY MASHA UDENSIVA-BRENNER

When Matthew Schaaf ('11), a project director at Freedom House, the Washington, D.C.-based freedom- and democracy-promoting NGO, moved to Kyiv to establish the organization's first Ukrainian office in August 2016, there was reason to lament the state of the country—the prominent journalist Pavel Sheremet had recently been assassinated by a car bomb in central Kyiv; oligarchs continued to have disproportionate power within the Ukrainian government; and the war in the east of the country showed no signs of abating. But there was a lot worth celebrating, too. Civic engagement was at an all-time high, and, despite initial skepticism about its staying power, the partnership between political leaders and civic actors—human rights activists, anticorruption organizations, independent advocacy groups—that had been established during the Euromaidan revolution nearly three years prior was still in effect. “It has been the deciding factor in terms of implementing reforms in Ukraine,” Schaaf told me over Skype from Kyiv.

The reforms included an overhaul of the *militsiya*—the national police force inherited from Soviet times—replaced by a more modern organization, with new officers trained in tolerance and nondiscrimination by human rights activists; a new constitutional amendment granting more independence to the judiciary; the creation of a national anticorruption bureau (a precondition for visa-free travel to the European Union); and a public, electronic income and asset declaration requirement for government employees that went into effect in October 2016. These important measures would never have been adopted without civic pressure and facilitation by Ukraine's civic organizations and activists. In Freedom House's 2016 *Nations in Transit* report, civil society was named “the strongest element in Ukraine's democratic transition.”

In March 2017, however, the Verkhovna Rada (Ukrainian parliament) passed an amendment to the Law of Ukraine on Prevention of Corruption that would seriously curtail civil society's role in Ukraine's transition process. In response to the income and asset declarations imposed on civil servants, which exposed and embarrassed public officials, the parliament retaliated with a similar requirement for anyone involved in anticorruption work. “There's a quote from the deputy head of the presidential administration of Ukraine, summarizing the parliament's position: ‘You want to check us, we'll check you,’” explained Schaaf.

In accordance with the new legislation, organizations and individuals connected with anticorruption work will be required to submit lengthy financial reports. Failure to submit them by the established deadline will result in large fines and the loss of nonprofit status. The amendment is vaguely phrased and thus obligates *anyone* connected with anticorruption to make public their income and assets. This includes not only activists but also journalists, any organizations that have publicly voiced support for anticorruption work, and anyone employed by what the government deems to be anticorruption organizations—janitors, graphic designers, caterers. Schaaf sees the measure as a Russian-style attempt to crack down on public engagement in civic life. “Of course, this law is going to affect people's ability to work,” he told me. “If I were a trash collector, I could quite easily say, ‘You know what, I'm not going to work there anymore; I'm not going to provide services to this organization, because it requires that I publicly announce to the whole world what my income is and what my assets are and violates my own privacy.’”

In response, Freedom House has continued working with civil society organizations to try to inoculate them against new challenges with grants and other support. Schaaf regularly publishes an op-ed column for *Ukrinform*, a Ukrainian government newswire, which he uses to garner public attention and put pressure on public officials. “There are lots of opportunities for us to engage and to be supportive,” he told me. “And that's the reason we're here.”

Though his interest in the post-Soviet region dates back to his time at the University of Rochester, where he majored in political science and Russian studies, Schaaf did not foresee his career leading him to Ukraine. Back in college, he barely spoke Russian and had only superficial knowledge of regional politics. After graduating in 2004, he wanted to do something “interesting” and found a job as an English teacher in Vladimir, a small Golden Ring city about three and a half hours to the east of Moscow. When he wasn't teaching, Schaaf explored Russia—Ufa, Nizhny Novgorod, the Golden Ring cities around Vladimir. For winter break, he went to Kaliningrad, a Russian exclave sandwiched between Poland and Lithuania, and traveled over to Vilnius to bring in the New Year. It was December 31, 2004, the tail end of the pro-Western Orange Revolution in Ukraine that overturned the fraudulent election



Collective portrait of activists as the clashes stop; Euromaidan, Kyiv, Ukraine (February 22, 2014).

runoff victory of the pro-Russian presidential candidate Viktor Yanukovich. Just three days prior, the pro-Western candidate Viktor Yushchenko had been declared the new president-elect of Ukraine. Schaaf, who was in Vilnius alone, ended up celebrating New Year's Eve with a group of elated Ukrainian activists who had just come from Kyiv. But, at the time, the developments in Ukraine did not concern him. "The Orange Revolution felt very far away," he told me. "It wasn't something I was paying close attention to."

To Russia's political leaders, however, the Orange Revolution could not have felt closer. President Vladimir Putin saw it as a Western attempt to diminish Russian influence in the region and was growing increasingly paranoid about the possibility of a similar event occurring in Russia. It was not unusual for the FSB (Russia's Federal Security Service) to keep tabs on foreign visitors, but in this context, Schaaf—a U.S. citizen traveling to various corners of the country and associating with Ukrainian activists—must have appeared particularly suspicious. That spring, FSB



Schaaf poses before an old brick building, one of his favorite architectural features of Ukraine and Russia (2008).

officers showed up at the school where Schaaf taught English and questioned his colleagues. “They wanted to know who I was, what I was doing there, and whether or not I was an agent,” he recalled. Schaaf was surprised. “I figured what I was doing was pretty harmless—just a young American guy exploring Russia.” His brief confrontation with the Russian government ignited his interest in the post-Soviet region from a human rights perspective.

In 2008, three years after his return from Vladimir, Schaaf moved to Moscow for a position with Human

Rights Watch (HRW), where he researched civil society issues and developed and maintained relationships with other NGOs in the region. It was during this period that he traveled to Ukraine for the first time, on vacation, to the Ukrainian city of Kharkiv. “It was quite a change from Russia,” recalled Schaaf. “I was surprised to see that people actually smiled on the streets.”

After a year and a half at HRW, Schaaf knew he wanted to make human rights in the post-Soviet region the focus of his career. In 2009, while vacationing in Morocco to escape the harsh Moscow winter, he submitted his application for admission to Columbia’s School of International and Public Affairs (SIPA).

Schaaf enrolled in SIPA in the fall of 2009. While at Columbia, he spent the majority of his time at the Harriman Institute. He worked on book projects with Harriman professors (including Alexander Cooley, whom he helped research and edit his 2012 book, *Great Games, Local Rules*) and took advantage of funding opportunities that enabled him to spend a summer in Kyrgyzstan interning at the Eurasia Foundation, among other things. “Harriman shaped my SIPA experience,” he said, listing a number of memorable endeavors—a Human Rights discussion circle with the late Catherine Nepomnyashchy; a Russian blogosphere conference where he presented a paper on the use of antiextremism legislation to censor online content in Russia; and memorable events, such as a discussion with the renowned Russian human rights activist Ludmila Alekseeva, which he reported on for the Harriman Institute’s website.



Taking a break from his work in Moscow, Schaaf visits Kharkiv and sees the world's largest samovar at the train station (2008).

His studies paid off. After his graduation in May 2011, Freedom House hired Schaaf as a program officer in Washington, D.C.

The new position required frequent travel to the post-Soviet region, taking Schaaf out of the country several times per year, often for weeks at a time. While abroad, he attended civil society conferences, met with activists and leaders of nongovernmental organizations, and gathered research on post-Soviet countries for Freedom House's annual *Freedom in the World* reports. Passionate about LGBTI issues since college, he also became a key figure at Freedom House in promoting the rights of sexual minorities in the former Soviet space, advising LGBTI rights organizations across the region (he would eventually become director of the Eurasia and Ukraine LGBTI program).

Then, in early April 2012, Schaaf was sent to Ukraine as part of an independent international Freedom House delegation that would meet with political leaders, key opposition figures, and civil society activists all over the country. By this point, Schaaf had already familiarized

himself with Ukraine's political landscape, having helped prepare a series of reports on the democratization crisis there. The trip, however, would be his first true immersion into the complex world he had researched.

The delegation's visit took place more than eight years after the leaders of the Orange Revolution had promised to democratize Ukraine and eradicate corruption. The promises had not been kept, and, if anything, the country was slipping backward, with Viktor Yanukovich—the pro-Russian presidential candidate whose election in 2004 the revolutionaries had declared fraudulent—legitimately voted into power in 2010, and corruption running rampant as ever. The group, led by Freedom House president David Kramer and comprised of eight prominent Americans and Ukrainians, was in Ukraine to assess the state of democracy and human rights and to compile information for a report and policy recommendations to be published that summer. It received much press attention as it made its way around the country.

Perhaps the most memorable part of the trip was a visit to Kachanivska Female Penal Colony No. 54, where former prime minister and opposition politician Yulia

Tymoshenko had recently started serving a seven-year prison sentence on charges widely believed to be politically motivated. The Freedom House group was the first independent international delegation allowed to visit Tymoshenko since she had been transferred to the prison the previous December, and the government's willingness to facilitate the meeting was a victory of sorts. But, of course, there were strings attached—the meeting with Tymoshenko was scheduled for the same date and time as the group's visit to President Yanukovich. "They clearly wanted us to choose between the two," Schaaf told me. "But we decided to split up instead." Schaaf was part of the group that went to the prison.

Tymoshenko, a natural-gas magnate turned politician turned opposition leader, had once been the face of the Orange Revolution. Always appearing in designer suits with the traditional Ukrainian peasant braid crowning her head, she had managed to turn herself into an international symbol, even making it to number 3 on *Forbes Magazine's* 2005 list of the world's most powerful women. But the 2008 global financial crisis dealt a devastating blow to Ukraine, and Tymoshenko—who ruled as part of a fragmented and paralyzed coalition of contradicting, and often corrupt, political forces—proved unable to deliver on the promises of the revolution. She began to lose popularity, and many came to per-

ceive her as the face of the revolution's failures. In 2010, Tymoshenko lost the presidential race to Yanukovich. Not long thereafter, she was thrust into the international spotlight once again, this time as a political prisoner of the new regime.

Schaaf, along with three colleagues and an interpreter, made his way past a crowd of journalists and demonstrators waving "Free Tymoshenko" signs, and into the former prime minister's living quarters. Schaaf was surprised by the amenities—the room was more like a dormitory than a prison cell. Tymoshenko, who had been complaining of chronic back pain since her imprisonment, greeted them from a cot in another room. She was lying down, hair unkempt, and spoke in a barely audible voice. It made for a striking picture. "It was strange to see someone normally so accustomed to presenting this image of power, in a situation when she appeared so vulnerable," Schaaf told me. "Of course," he added, "I think this was the image she wanted to project."

The group spent ninety minutes next to Tymoshenko's cot, discussing her medical issues, Ukraine's upcoming parliamentary elections, the government's efforts to eliminate the opposition, and her role in trying to unite opposition forces. "Up to that point, I didn't have much experience with political and human rights issues in Ukraine," Schaaf told me. "This was my entrance into the project."

Protesters throwing trees into the fire they set to prevent internal forces from crossing the barricade line; Kyiv, Ukraine (January 22, 2014).





Demonstrator wearing Ukraine state flag colors facing the massive fire set by protesters to prevent internal forces from crossing the barricade line; Kyiv, Ukraine (January 22, 2014).

In December 2013, Schaaf went to Kyiv for the OSCE (Organization for Security and Co-operation in Europe) Parallel Civil Society Conference, an annual gathering of civil society leaders from all fifty-seven OSCE states that would precede the twentieth OSCE Ministerial Conference ending Ukraine's yearlong chairmanship of the organization. The Parallel Conference takes place alongside the Ministerial Conference every year, but that year was different. Protests had erupted on Maidan Nezalezhnosti, Kyiv's Independence Square.

The demonstrations, which had begun peacefully in opposition to President Yanukovich's decision to suspend preparations to sign the association agreement between Ukraine and the European Union, had turned violent just two days prior, when government forces attacked the demonstrators and demonstrators rioted in response. As peaceful protesters populated the square once again, Schaaf and his colleagues were in a convention center, attending panels on issues such as international freedom of expression, combating xenophobia and discrimination, and democratic development. Some of the participants began to wonder why they were attending panels instead of partaking in the demonstrations. It was not long before the group dispersed, effectively end-

ing the conference. Some participants went to monitor peaceful assembly, and others, Schaaf among them, joined the protesters.

Schaaf became a regular on Maidan over the next several months, observing the events unfold and trying to make sense of the chaos around him. The atmosphere was exhilarating and unpredictable, and Schaaf felt as if he were getting a deeper understanding of the various undercurrents guiding Ukrainian political culture than ever before. Nearly two years had passed since Schaaf's visit to Tymoshenko's prison, and he was now a leading force behind Freedom House's efforts in Ukraine. Meanwhile, Tymoshenko was released from prison in February 2014, appearing on Maidan's stage and addressing the crowd from a wheelchair, her signature braid back in place. She urged the crowds to entrust her with Ukraine's political future once more, but, to no avail. In May, Ukrainians elected the oligarch Petro Poroshenko to lead them.

In late 2014, after Russia invaded Crimea and civil war engulfed the eastern part of the country, Schaaf, along with a few colleagues, started urging Freedom House's leadership to open an office in Ukraine. "It was a good, strategic move," said Schaaf. "Ukraine is a really import-



“Euromaidan” by Christiaan Treibert.

ant project for democracy and human rights in the whole region, and there are many people who think that if Ukraine is not successful, then it doesn’t bode well for the other countries.”

Schaaf’s efforts proved fruitful, and, less than two years after he’d proposed the idea, he moved to Kyiv to open the Freedom House office—an endeavor that involved “a frightening amount of bureaucracy and paperwork.” In addition to running the office, the bulk of his work revolves around supporting civil society organizations in Ukraine, where Freedom House provides financial backing to twelve partner organizations and offers technical assistance and support to journalists and other NGOs. At present, the partners are on unsure footing. President Poroshenko has vowed to rescind the income and asset declaration requirements for NGOs, but his proposal to do so has included other, more problematic anti-NGO rules and requirements. And civil society is being squeezed in other ways, too. Since Schaaf arrived in Ukraine, he’s seen an intensified effort to discredit activists. “There have been very suspicious, very sensationalistic investigative reports that create the impression that anticorruption activists are wealthy, greedy, and living the high life by tak-

“Ukrainian civil society is amazing, diverse, and very strong. They are making up for the weakness of the government in so many ways.”

ing all these grants and buying fancy cars and apartments,” he told me. “That they’re in cahoots with the Russians, that they’re stealing money from the U.S. government and the Ukrainian government.”

But, Schaaf feels optimistic nevertheless. “The Ukrainian people want us here, and that is a good sign,” he told me. “And Ukrainian civil society is amazing, diverse, and very strong. They are making up for the weakness of the government in so many ways.” ■