

policy brief

**WHEN DOES
ANTI-CORRUPTION
ACTIVISM IN UKRAINE
HAVE IMPACT?**

LESSONS FOR
INTERNATIONAL
ASSISTANCE

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INTRODUCTION

Corruption is viewed by Ukrainians as the most pressing issue for the country on a par with the military conflict in the Donbas.¹ Since the 2013-2014 Euromaidan Revolution, the government of Ukraine has undertaken - with mixed results - a range of anti-corruption reforms. Select Kyiv-based organizations with strong professional capacity and extensive ties to Ukraine's international partners play a prominent role in the reform process by scrutinizing responsible authorities and by advocating for further reforms. At the same time, hundreds of civil society-driven anti-corruption initiatives have emerged in recent years in the regions of Ukraine. This wave of anti-corruption activism is highly diverse and includes NGOs working with foreign funding as well as improvised grassroots initiatives; organizations embracing European integration and nationalist militias; and organizations involved in 'traditional' NGO activities such as awareness-raising and advocacy but also organizations employing coercive methods. The fight against corruption attracts great interest among Ukraine's international partners, who view its success as vital to the country's stability, democratization, and economic development in the years ahead. Across Ukraine they support civil society anti-corruption initiatives but they often lack insight into the needs of activists and the specific (political) environment in which they operate. In this brief we report the main findings from a comprehensive study of anti-corruption activism outside Kyiv, and we discuss the implications of these findings for practitioners of international assistance.

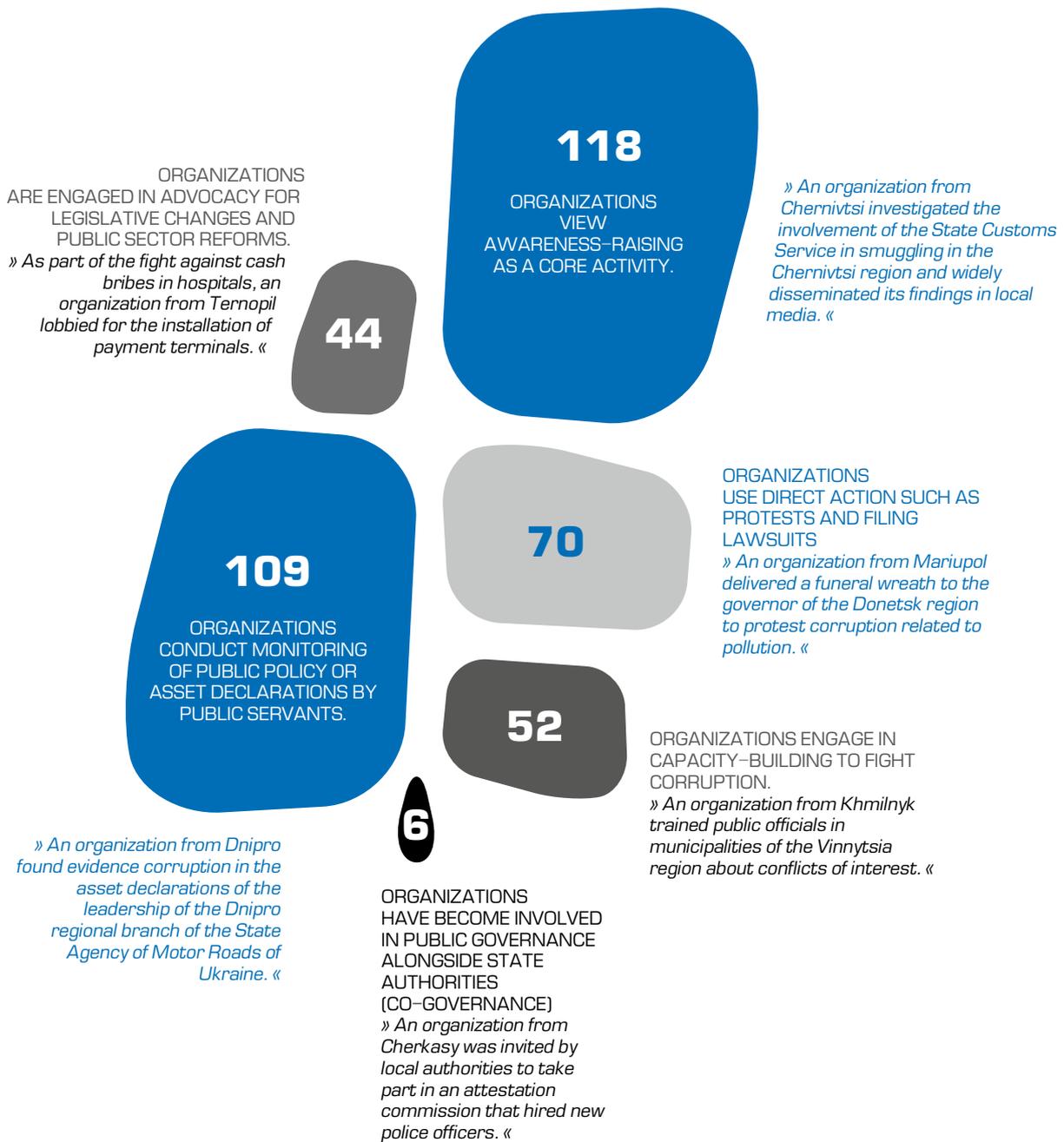
ANTI-CORRUPTION ACTIVISM IN UKRAINE

For the purposes of our study, we have constructed a dataset containing publicly available information of anti-corruption organizations based outside the Ukrainian capital Kyiv. In addition, we have conducted 242 semi-structured, confidential interviews of on average one to one and a half hours with representatives of these organizations between June 2018 and May 2019.

A review of empirical studies suggests that the activities of anti-corruption civil society organizations fall under six categories: monitoring and reporting, awareness-raising, advocacy, direct action, capacity-building, and co-governance. The graph below shows which of these types of activities are most common among anti-corruption organizations in the regions of Ukraine and provides examples of these activities.²

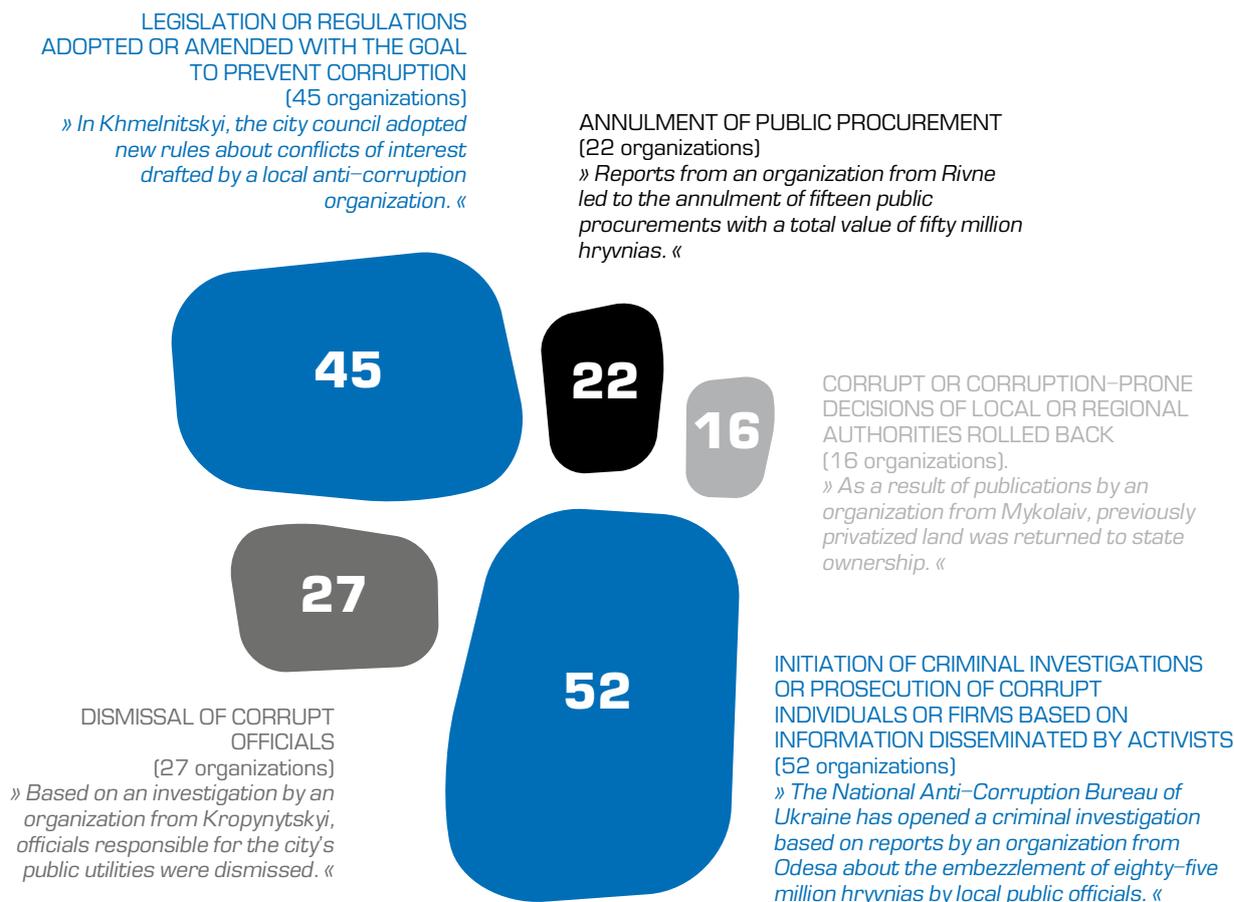
1 "Public Opinion Survey of Residents of Ukraine, March 15-31, 2018", retrieved at http://www.iri.org/sites/default/files/2018-5-21_ukraine_poll_presentation_0.pdf (p.41); "Otsinka problematyki koruptsiyi v hromadskiy dumtsi", retrieved from <https://dif.org.ua/article/otsinka-problematiki-koruptsii-v-gromads>

2 Most organizations are involved in more than one type of activity.



How effective are these activities? Most of our interlocutors from among the anti-corruption organizations indicate that they have difficulty creating substantial impact. Among the reasons for their limited effectiveness they most often mention a lack of financial and human resources, passivity among the public, and intimidation, from the side of the authorities or others, including violence and threats. Despite these difficulties, many activists can point to concrete examples of impact of their work. Positive impact from the work of anti-corruption organizations can be separated into counteracting corruption as it occurs (ex post anti-corruption) and preventing corruption from occurring in the first place (ex ante anti-corruption). The most common forms of ex post anti-corruption effects include the

annulment of public procurements following a publication or an official appeal by activists; the initiation of criminal investigations or prosecution of corrupt individuals or firms based on information provided by activists; the rolling back of corrupt or corruption-prone decisions of local or regional authorities; and the dismissal of corrupt officials. Overall less common are examples of ex ante anti-corruption effects, in which legislation or regulations are adopted or amended with the goal to prevent corruption. The graph below shows the frequency of these positive effects, with selected examples.



PATHWAYS TO IMPACT

Insights from academic and practitioner literature suggest that success in anti-corruption activism is often related to capacity (in terms of financial and human resources) and to the support base of anti-corruption organizations, as well as to the extent of political will among relevant authorities. As noted in Freedom House's 2018 Nations in Transit report for Ukraine, there is a large discrepancy in the country between the capacity of civil society organizations at the national and local level.³ Anti-corruption organizations working outside Kyiv invariably rely on a small group of activists and in a significant number of cases on the dedication of one individual. This seems to corroborate the long-established diagnosis of low levels of activity in civil society organizations in post-Soviet Ukraine. According to recent sociological research, 60% of citizens argue that civic organizations have an important role to play in their communities, but only 7% of people are involved in civic activism.⁴ Because they rely on a

small number of activists, the anti-corruption organizations often lack the knowledge and professional skills that are required for effective activism.

While anti-corruption organizations operating outside Kyiv are similar in that they rely on a small number of activists, they are diverse in the amount of funding with which they carry out their work. The 2018 USAID Civil Society Sustainability Index notes that the amount of external funding for civil society organizations working on issues such as citizen engagement, regional development, and the fight against corruption has recently increased. At the same, the issue of funding is noted in the Index as the weakest point in the sustainability of civil society organizations in Ukraine.⁵ Many anti-corruption organizations lack any financial resources besides voluntary contributions of core activists. Of the organizations in our dataset which have sources of

3 Freedom House Nations in Transit 2018, retrieved at <https://freedomhouse.org/report/nations-transit/2018/ukraine>.

4 Ilko Kucheriv Democratic Initiatives Foundation, "Hromadyanske suspiilstvo v Ukraini: vyklyky i zavdannya", retrieved at <https://dif.org.ua/article/gromadyanske-suspilstvo-v-ukraini-viklyki-i-zavdannya>. By comparison, the percentage of people involved in civil society organizations in Poland, for instance, is 20%. See "2016 Report on the State of Civil Society in the EU and Russia", p.80, retrieved at https://eu-russia-csf.org/fileadmin/State_of_Civil_Society_Report/18_05_2017_RU-EU_Report_spaudai_Hyperlink_Spread.pdf

5 "2017 USAID Civil Society Sustainability Index", retrieved at <https://www.fhi360.org/sites/default/files/media/documents/resource-civil-society-organization-2017-regional-report.pdf>

funding beyond contributions of their own activists, almost all funding comes in the form of grants from international organizations and Western governments such as UNDP, the Renaissance Fund, US-AID, and grant programs of national embassies in Ukraine. 103 organizations (43%) have indicated in interviews conducted for this study that they currently receive one or more grants or have received one or more grants in the recent past. Most such grants, however, are small and short-term and therefore generally do not allow to hire a core staff and compete with salaries in the private sector. The lack of alternative sources of funding moreover has negative implications for the sustainability of anti-corruption activism: once a grant expires, the activism in most cases is interrupted.

Several organizations in our dataset receive (or have received) several grants at one time, including in some cases a grant for institutional development. Our data suggest that a substantial amount of foreign funding is clearly related to effectiveness. Multiple grants or large grants do not yet make recipient organizations wealthy, but they do allow these organization to employ several people and plan activities beyond their current grants. Institutional grants in particular enable these organizations to allot time to fundraising. Most organizations with little funding are forced to focus on one type of activity or on corruption in one particular area. The organizations with multiple grants or a large institutional grant, by contrast, tend to pursue a multipronged approach employing diverse methods of activism and addressing more than one type of corruption.

Foreign funding of civil society organizations is often blamed for undermining the grassroots nature of local initiatives. Studies of anti-corruption activism suggest that grassroots initiatives, building on existing social capital, are on average more effective than other initiatives. Among anti-corruption organizations in the regions of Ukraine that do not receive foreign funding, some clearly have a genuine grassroots base that helps them to create impact. An organization from Mariupol consisting of workers from one of the city's major enterprises, for instance, has been effective in uncovering corruption at the enterprise and raising awareness about the corruption. In another example, an organization from Ternopil which was established by local fishermen and which focuses on the issue of poaching and other forms of illegal use of water bodies, has won a number of court cases. What such grassroots initiatives have in common is a clear focus related to the personal or professional background of their

activists. What they also have in common is that, as theory would predict, they do not receive foreign funding. While their grassroots nature strengthens their ability to generate impact, the lack of material capacity impedes their effectiveness. Without the type of funding that foreign grants provide, grassroots organizations have, for instance, fewer resources to employ people, hire consultants, pay legal fees, or print newspapers. The grassroots nature of these organizations therefore is at the same time a strength and obstacle.

There is great variation across Ukraine in the extent of political will on the part of local and regional authorities to address corruption. Whether or not the attitude to corruption of local authorities is aligned with that of anti-corruption activists has major implications for the advocacy strategies that activists pursue. The existence of political will among local authorities allows for the application of non-confrontational methods such as advocacy of legislation and regulations. Altogether our interlocutors have mentioned 59 examples of concrete impact through advocacy. Some of these examples are impressive, such as the adoption by city councils in Kropyvnytskyi and Dnipro of a set of anti-corruption regulations that were drafted and proposed by activists, or the creation of an integrity bureau at the city council in Lutsk. The presence of political will to address corruption also enables certain forms of cooperation between anti-corruption organizations and authorities in the form of, for instance co-governance, the implementation of memorandums of understanding, and participation in expert councils.

Where cooperation with local authorities is not possible, anti-corruption organizations have little choice but to employ confrontational methods such as monitoring of (potentially) corrupt actors, awareness-raising about corruption, and direct action including the filing of lawsuits and the organization of demonstrations. Through such confrontational methods, anti-corruption organizations in the regions of Ukraine have sometimes achieved considerable impact. Overall, however, as our data suggest, non-confrontational methods are more likely to generate results that are both substantial and sustainable.

CONCLUSIONS AND IMPLICATIONS

In their struggle to create impact, anti-corruption activists in the regions of Ukraine face two key dilemmas. Many organizations lack sufficient capacity in terms of financial and human resources to be effective. Without sufficient funding, anti-corruption organizations cannot hire necessary staff and services, and have fewer opportunities to acquire knowledge and skills that could help make their work more effective. Secondly, many organizations lack a credible support base. They are far from the ideal type of community-based organizations that represent the interests of their members and contribute to building social capital. Most of them instead rely on the dedication of, usually, between one and five activists. Because they do not have a substantial support base, anti-corruption organizations, like many other types of civil society organizations in Ukraine, cannot mobilize supporters to help them advance their cause and are often seen as lacking legitimacy to promote change for the public good.

Our findings show that the anti-corruption organizations that are most effective tend to be those that convincingly solve either one of these two dilemmas. Some organizations solve the capacity dilemma by attracting sustained and substantial funding, typically in the form of international assistance, allowing them to hire a core staff, purchase professional services, and engage in multi-year planning. Other organizations solve the support dilemma by drawing from a real base of support, such as the workers of an organization or a group of people directly affected by a certain type of abuse. We also find that political will among local authorities is an important conducive factor to the effectiveness of anti-corruption activism as it creates, in particular through advocacy efforts and cooperation with authorities, more opportunities for impact.

These findings carry a number of implications for practitioners of (international) assistance. First, what types of effects can be achieved in anti-corruption activism and which activities generate more effect depends on the local political context and especially on the extent of political will among authorities. International assistance is therefore more likely to create impact when decisions about funding are based on substantial knowledge of the local political environment. Second, the often small and short-term grants that anti-corruption organizations in Ukraine receive from foreign donors ac-

centuate rather than solve their capacity dilemma, as the grants do not allow to hire a core staff and otherwise build a professional organization. Once such grants expire, the activism moreover is in most cases interrupted. International assistance is therefore more likely to be effective when it prioritizes substantial, multi-year funding to select organizations over small grants scattered across a larger number of organizations. Finally, while capacity for the anti-corruption organizations outside Kyiv is mostly determined by material resources, they also often lack, by their own admission, necessary professional skills and knowledge. At the same time, a small number of Kyiv-based anti-corruption organizations do possess the professional capacity to effectively carry out anti-corruption activism through, among other things, advocacy, raising awareness, and conducting investigations. A potentially productive avenue of international assistance is to help facilitate the transfer of knowledge and skills from higher-capacity anti-corruption organizations to lower-capacity organizations.

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