

Media and digital rights regulation in Ukraine

DSLU monthly digest on media and digital rights regulation in Ukraine provides an overview of the proposed and adopted legislation in the spheres of freedom of expression, media regulation, privacy and data protection, Internet regulation in general, and the activities of the National Broadcasting Council in the area of Media Law implementation.

Events and Highlights

Within Ukraine's obligations as a candidate country for the EU, on 23 April, Ukraine participated in the explanatory session of the European Commission dedicated to digitalisation and media. The first meeting was held to assess the compliance of Ukrainian legislation and EU law. The EU Commission representatives underlined their expectations for Ukraine to transpose new regulations in the spheres of media and platform regulation, such as the European Media Freedom Act, Digital Services Act, Digital Markets Act, and Artificial Intelligence Act.

Freedom of Expression and Media Regulation

Draft Law #11140 was registered at the beginning of April and aims to improve the coverage mechanism of the Parliament's work. The draft offers free admission of the accredited media representatives (not more than 100 persons) during open plenary sessions of the Verkhovna Rada of Ukraine as well as suggests financing of the "Rada" channel solely for coverage purposes. It is another attempt by the opposition MPs to open up Verkhovna Rada for the journalists during the third year of the full-scale Russian invasion, similar to Draft Law #10156 (analysed in October), which made no further progress in the months after its submission to the Parliament.

On the topic of media security, Draft Law #11153 intends to amend the rules regarding journalists' work trips to the emergency areas and align them with

the [Law of Ukraine “On Insurance”](#). Under proposed amendments, the media service providers are obliged to obtain insurance for journalists working in warzones at their own expense or from legally permissible sources, whereas previously, this norm was formulated in the terms that allowed its circumvention.

There were certain legislative steps taken regarding the initiatives analysed in the [previous digests](#). **Draft Law #10313**, aimed at the protection of military personnel, was signed by the President on April 2 without controversial provisions restricting the use of social media by the soldiers. The Parliamentary Committee on Humanitarian and Information Policy published the second-reading version of **[Draft Law #9432 on the use of English in Ukraine](#)**, analysed in detail in the [July digest](#). In the text suggested for the adoption, there are no norms influencing the language quotas for the media or the use of languages in cinema.

Verkhovna Rada of Ukraine did not proceed to the next stages of reviewing other drafts, described in the previous digests, which include amendments proposals to enhance the transparency of the Parliament and local self-governance, numerous amendments to the speech-related offences in the Code of Ukraine on Administrative Offences and Criminal Code of Ukraine, and decriminalisation of pornography.

[Privacy and Data Protection](#)

No progress on drafts analysed in previous digests was indicated in April. They include the drafts on [a unified system of public security video monitoring](#), [personal data protection](#), [porn-related draft laws](#), [Draft Law #10190](#), which criminalises electronic communication fraud, as well as [Draft Law #9396](#), which excludes prosecutorial discretion in temporary access to sensitive personal data.

[Internet Regulation](#)

There were no legislative steps taken regarding the previously submitted initiatives, namely **[Draft Law #10101](#)**, which permits the monitoring of the Internet to block unlicensed online gambling websites and mobile applications and **[Draft Law #11115](#)**, analysed in detail [in the March digest](#), which aims to regulate the information-sharing platforms.

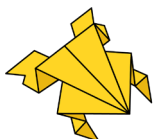
National Broadcasting Council

In April NBC was focused on the scrutiny of the media services' activities as well as the sanctioning measures which followed as a result of violations. In particular, NBC issued [a prescription order to the non-registered online media from Kryvyi Rih](#) due to the publication on its website of the photo of the kidnapped child, which made it possible to identify his identity. According to NBC, such publication was irrelevant since the child had already been found at that time.

On 25 April, NBC [registered](#) two sports channels ("SPORT 1" and "SPORT 2") and the movie channel "KINO 1" – which originate from the USA – as foreign linear media. On the same day, "Slidstvo.Info" registered as an online media. Additionally, NBC [expanded](#) the [List of Persons Threatening National Security](#) by including two actors (Maxim Gromov and Alexander Panov) who starred in a propagandistic anti-Ukrainian video aimed at disruption of mobilisation measures in Ukraine.

Digital Security Lab Ukraine is a non-government organisation aiming to create a human-rights-centered digital environment in Ukraine. We work toward achieving this goal by providing digital security support for high-risk Ukrainian human rights and media organisations and by contributing to policy development in the field of human rights on the Internet through conducting legal monitoring, research and analysis, advocacy, and awareness-raising campaigns.

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