

# 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

On 23 July, the Parliament **approved the President's [Order on the Martial Law Extension](#)**. According to the Order, **it will be in force till 9 November 2024**. This will also extend the applicability of specific additional restrictions, such as [the aggression-related exceptions under the Law on Media](#).

On 10 July, the Parliamentary Committees on Humanitarian and Information Policy and Freedom of Speech [held a public discussion of \*\*Draft Law #11115 on Regulation of Information-Sharing Platforms That Disseminate Mass Information\*\*](#) (analysed in the [March digest](#)). The debate involved MPs, law enforcement bodies and the media community, mainly focusing on developing practical legislative tools to counter information attacks by the aggressor state. The discussion signifies the potential desire of the Parliament to adopt this piece of legislation in some form in the near future.

## Freedom of Expression and Media Regulation

In July, the final batch of legislative norms regarding the Ukrainian language in print media and on television [entered into force](#). For instance, **dissemination of statements insulting or denigrating a state language becomes a punishable offence** under the Law on Media. Secondly, according to the [Law of Ukraine "On Ensuring the Functioning of the Ukrainian Language as a State Language"](#), **all printed media in Ukraine must be available in the state language**. While the production of other language versions

of the print media is allowed, it must have the identical name, content, volume, printing method, and issue numbering and be issued on the same day. Lastly, the [Law on Media](#) **strengthens the requirements for using the state language in audiovisual media**. In particular, live program participants can use other languages for spontaneous remarks or speeches, except for presenters (announcers), as long as these remarks do not exceed 10% of the program's duration. In cases of recorded broadcasts, any performances must be dubbed, voiced over, or subtitled in Ukrainian language.

Verkhovna Rada adopted three drafts in the first reading this month. First of them, **Draft Law #5870-d on the Protection of Media Services Provided Using Conditional Access** prohibits advertising, promotion, and popularisation of illegal conditional access devices without the provider's permission or services related to such devices and **was passed in the first reading** on 18 July. The draft is awaiting the second reading by the Parliamentary Committee on Humanitarian and Information Policy.

The second of the three drafts, **Draft Law #11321**, analysed in [June](#), strengthens the guarantees of media freedom, allowing accredited journalists to move freely in areas under martial law, even during curfew hours. Lastly, **Draft Law #11153**, analysed in [April](#), amends the rules on the journalists' work trips to the emergency areas, requiring them to obtain insurance at their own expense. Both **drafts were adopted in the first reading on 16 July**, thus awaiting a second reading by the Parliamentary Committee on Freedom of Speech.

**Draft Law #10196**, analysed in the [November digest](#), was **recommended for adoption in the first reading** by the Parliamentary Committee on Law Enforcement Activities on 27 June. It eliminates the legislative lacuna and proposes that cases involving the use of St George's ribbon should be heard before the courts.

No legislative steps were taken regarding the previously submitted initiatives described in [earlier editions of digests](#), which include proposals to enhance the Parliament's transparency, numerous amendments to the speech-related offences in the Code of Ukraine on Administrative Offences and Criminal Code of Ukraine, the decriminalisation of pornography, and the prevention of disclosure of certain information in the texts of court decisions.

## **Privacy and Data Protection**

**Draft Law #11228-1** on counterintelligence activities, analysed in [May](#), still awaits the second reading by the Parliamentary Committee on Law Enforcement Activities. No progress on other drafts analysed in previous digests was indicated in July, namely the drafts on [a unified system of public security video monitoring](#), [personal data protection](#), [porn-related draft laws](#), [exclusion of prosecutorial discretion](#) in temporary access to sensitive personal data, and [criminalisation of electronic communication fraud](#).

## **Internet Regulation**

No legislative steps were 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**

On 4 July, the **working group on the creation of the co-regulatory body in the sphere of print media was formed**. It consists of only three members who were willing to apply and must now draft a statute, hold a general meeting and register the co-regulatory body as a public union within six months of the initial meeting. It is the fourth of the five working groups the Law on Media envisioned.

On 11 July, NBC **expanded the [List of Persons Threatening National Security](#)** by including six actors and artists who conducted anti-Ukrainian propaganda activities and justified the aggressor state's war policy. Additionally, NBC **expanded the [List of Aggressor State On-Demand Audiovisual Media Services and Services of Audiovisual Service Providers](#)** by adding five media services that used the aggressor state's language as the default language and targeted their advertisements towards the aggressor state's audience.

Lastly, NBC **sanctioned** PJSC "TRK Lux" ("24" TV channel) for **non-compliance with language quotas under the Law on Media**. Since the share of programs in Ukrainian language in the total weekly volume constituted 86,82% instead of the required 90%, the media **was fined** the sum of 88,000 UAH (roughly 1983 EUR).

**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.

**Contact us:** [dslua@dslua.org](mailto:dslua@dslua.org)



**Digital Security Lab**