

# 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 29 October, **the President's [Order on the Martial Law Extension](#) was approved by the Parliament**. The Order extends the martial law period for another 90 days, until 7 February 2025. This will also extend the applicability of specific additional restrictions, such as [the aggression-related exceptions under the Law on Media](#).

The Parliament has also adopted **Draft Law #12000 on the State Budget of Ukraine for 2025**, analysed in detail in the [September digest](#), in the first reading on 31 October. As of the moment of its adoption, the funds allocated for the media regulator and public broadcasters remain unchanged from the initial draft.

On 31 October, the Parliamentary Committee on Humanitarian and Information Policy held a **hearing to recommend the candidates for the NBC member position** described in detail in the [March digest](#). The Committee formally recommended all three candidates, Maksym Onopriienko, Hanna Krasnostup, and Iryna Poliiektova, for parliamentary voting, leaving the MPs with the discretion to select the candidate on the plenary. The selection process did not correspond to the timelines and procedures under the Law on Media, though this does not influence the regulator's legitimacy.

## **Freedom of Expression and Media Regulation**

**Draft Law #12111 on Amendments to Certain Laws of Ukraine on Media Activities** was registered in October. The draft aims to **improve current provisions of the [Law on Media](#)**. In particular, the draft keeps the procedures of the NBC members' dismissal from the post compliant with international standards while ensuring its adherence to the constitutional norms on the necessity for the parliament to adopt the decision on the resignation of the regulator's members, improves the language of provisions on content restrictions, including the protection from aggressor-state media resources under Section IX of the Law. It also includes recommendations for the media's use of artificial intelligence within the mandates of the co-regulatory bodies in the media sphere. Currently, the **draft is being processed by the Parliamentary Committee on Humanitarian and Information Policy**.

On 10 October, **Verkhovna Rada adopted Draft Law #11153**. This law, analysed in [April](#), **amends the rules on the journalists' work trips to the emergency areas**, shifting the burden of supplying the media staff with insurance on the media they represent. It is now awaiting the President's signature.

There were no legislative steps taken regarding other 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. Verkhovna Rada did not adopt the drafts, which were voted for in the first reading in [July](#), namely [#5870-d](#) and [#11321](#). Both drafts, namely [#12062](#) on the Responsibility for the Propaganda of the Symbols of Russian Imperial Policy in Ukraine and [#11538](#) on Criminal Liability for International Crimes, analysed in [September](#), are still being processed by the Parliamentary Committee on Law Enforcement Activities.

## **Privacy and Data Protection**

**Draft Law #12088 on Establishing Liability for Criminal Prosecution (Stalking)** was submitted to Verkhovna Rada in October. In particular, the **draft introduces the term "cyberstalking"**, which involves constant monitoring of a person without one's consent or legal permission using information and communication technologies. The Parliamentary Committee on Law Enforcement Activities processes the draft.

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

## **[Internet Regulation](#)**

**Draft Law #12102 on Formation and Maintenance of a List of Terrorist Organisations (Groups)** was registered in the Parliament on 8 October. The legal basis is the [Law #2997-IX](#), which implements anti-terrorist measures. In this regard, the **draft authorises the Security Service of Ukraine (SSU) to form and maintain a special List of terrorist organisations and groups** that will clarify the individuals/entities who are considered to be “terrorists” under Ukrainian legislation. The information about the terrorist group included in the List will be publicly available on the SSU’s official website. The draft is also supposed to solve the uncertainty as to [which terrorist organisations will be subjected to sanctions, including website blocking](#). Currently, the **draft is being processed by the Parliamentary Committee on National Security, Defence and Intelligence**.

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, [Draft Law #11115](#) on Regulation of Information-Sharing Platforms That Disseminate Mass Information (analysed in the [March digest](#)), and two sanctions-related drafts ([#11492](#) and [#11492-1](#)).

## **[National Broadcasting Council](#)**

The NBC mostly continued its work on registration and licensing. The Council has also **expanded the [List of Persons Threatening National Security](#)** by including four artists who supported the full-scale invasion and justified the aggressor state’s war policy.

Under its sanctioning powers, on 10 October, the regulator [issued](#) prescriptions for four media that did not comply with the advertising regulations and, in one case, provided media activities without obligatory registration. On 25 October,



NBC [fined](#) three media subjects for non-compliance with the Law on Media regarding informing the regulator of any changes within the media ownership structures.

On 15 October, the co-regulatory body in the sphere of audiovisual media [announced](#) the admission to the respective union, recruitment of experts to the working group to develop the codes in the field of audiovisual media services, and the vacancy of the director of the respective co-regulatory body.

---

**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**