IMS Digital Security Lab Ukraine

MEDIA AND DIGITAL RIGHTS REGULATION IN UKRAINE

Digest #40 - October 2026

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 Council on Television and Radio Broadcasting of Ukraine (hereinafter - NBC) in the area of Media Law implementation.

EVENTS AND HIGHLIGHTS

On 13 October, **the EU opened the chapters within Cluster 3 for negotiation in the EU-Ukraine accession process.** This cluster includes Chapter 10 on digital transformation and media. In its common position, the EU set the benchmark under the chapter to be met if "*Ukraine has aligned its national legislation with the EU acquis on electronic communications - including the provisions on the independence of the National Regulatory Authority, on digital services and markets, digital trust and cybersecurity, data, semi-conductors, artificial intelligence and audiovisual media services*" and shows sufficient administrative capacity to enforce such legislation.

On 20 October, **the list of candidates for three NBC positions under the Verkhovna Rada's quota was published** on the official website of the Parliament. Among the candidates are Ganna Krasnostup, Vadym Perenchuk, Taras Shevchenko, Mykola Shevchuk, and Oleksandr Burmahin, who is up for re-election.

On 26 October, the **President of Ukraine signed a new Order on the Martial Law Extension**. The Order **extends the martial law period until 29 January 2027**. It will also extend the applicability of specific additional restrictions, such as the aggression-related exceptions under the Law on Media.

On 28 October, **Draft Law #16000 on the State Budget of Ukraine for 2027 was voted on in the first reading by the Parliament**. The defense and security sectors remained a priority in the budget allocation. The Verkhovna Rada of Ukraine has also adopted proposals from the MPs before finalizing the document, in particular, regarding the local budget and salary increases for military personnel. **The funding allocated for the media sector remained unchanged from the initial draft:** 280.28 million UAH was designated for the NBC, 3.05 billion UAH for the National Public Broadcasting Company of Ukraine, and approximately 84.8 million UAH for the parliamentary TV channel "Rada". The draft law is now being prepared for the second reading, which is expected to happen at the end of November.

FREEDOM OF EXPRESSION AND MEDIA REGULATION

On 26 October, **Draft Law #16186** was submitted to the Parliament. The **draft law amends the Law on the Rules of Procedure of the Verkhovna Rada, establishing clear timeframes for the draft law's consideration** during first, second, and (when applicable) third readings. In this regard, the **parliamentary committee is required to prepare the draft law for the first reading no later than 30 days** after it is included in the agenda of the Verkhovna Rada's session, **with the possibility of extension for 15 more days**. Similarly, the text with relevant amendments for the second reading must be prepared within 30 days; however, this period may be extended by another 30 days or more, depending on the number of amendments submitted. Overall, this legal initiative is a positive step and might accelerate the sometimes-delayed process of law adoption. **The Parliamentary Committee on Rules of Procedure, Deputy Ethics and Work Organization processes the draft**.

Draft Law #10242, which establishes stricter criminal liability for disclosing information from public registries, was returned to the parliamentary agenda. Registered in 2023, the draft law was voted on in the first reading and, following criticism from media experts and journalists, submitted for a repeated second reading. The media and human rights organizations urged the Rada not to support the draft law due to **threats to the freedom of speech and media, as well as the absence of safety mechanisms for investigative journalists and whistleblowers in Ukraine**. Since the updated draft law was neither withdrawn from consideration nor reviewed

to eliminate risks, the Media Movement once again urged the Verkhovna Rada not to support the revised version. As of now, **the draft law was withdrawn from the parliamentary agenda for the upcoming weeks.**

There was no progress on drafts described in the previous digests and voted upon in the first reading, including Draft Law #7033-d on the prevention of disclosure of certain information in the texts of court decisions, Draft Law #12111 on Amendments to Certain Laws of Ukraine on Media Activities, and Draft Law #12253, which improves the legal provisions of the Law on Advertising. Draft Laws #15186 on criminalizing Ukrainophobia, #15192 on criminalizing public denial of the Holodomor in Ukraine, #15256 on specifics of the publication of laws, #15563 on mandatory openness of the court proceedings regarding the approval of plea agreements, and two draft laws prohibiting ukrainophobia and racial discrimination (#16023 and #16022), analyzed in the previous digests, are still being considered by the respective parliamentary committees. No legislative steps were taken regarding Draft Law #16117 on combating SLAPPs, analyzed last month.

Draft Law #5870-d on conditional access to media services and Draft Law #12320 on safeguarding the barristers' activities are still awaiting the President's signature.

PRIVACY AND DATA PROTECTION

On 5 October, **Draft Law #16123** was registered in the Parliament. The draft law, in particular, amends the Law of Ukraine "On Electronic Communications" regarding security of electronic communications networks. **The draft law obliges providers of electronic communications networks – upon a written request from the Head of the Security Service of Ukraine or its high officials – to provide data identifying the legal entities and/or natural persons who are users of the relevant services** (without disclosing the content of the information transmitted and/or received by the user) as a measure for rapid response to cyber incidents, cyberattacks, and cyber threats. The Parliamentary Committee on Digital Transformation processes the draft.

No progress was made on other previously analyzed documents, such as the draft laws on personal data protection, third parties' access to public electronic registers, and Draft Law #15289 prohibiting hate speech against politicians. Draft Law #15150 on the new draft of the Civil Code of Ukraine,

Draft Law #13181 on the Ukrainian Parliament Commissioner for Human Rights, and Draft Law #15294 on decriminalization of the voluntary creation and distribution of pornography by adults are still being prepared for the second reading. Draft Law #15379, which criminalizes fraud committed through AI systems, and Draft Law #16014, criminalizing fraudulent electronic communication organizations, analyzed in the previous digest, did not undergo any legislative developments.

INTERNET REGULATION

No legislative steps were taken regarding the previously submitted initiatives, namely Draft Law #14278-1 on digital accessibility and Draft Law #12349 on the Cyber Forces of the Armed Forces of Ukraine. Draft Law #11115 on Regulation of Information-Sharing Platforms That Disseminate Mass Information, which was recommended to be adopted in the first reading, is yet to be voted on.

NATIONAL COUNCIL ON TELEVISION AND RADIO BROADCASTING OF UKRAINE

In October, the **NBC entered the final phase of forming Suspilne's Supervisory Board**. On 9 October, the Public Commission, in its final meeting, reviewed the documents submitted by 25 civil society organizations and decided on their eligibility to participate **in the conference to elect members of Suspilne's Supervisory Board in the sphere of rights protection**. This is the last of nine conferences to be held by the NBC as part of the process of forming the new composition of Suspilne's Supervisory Board.

On 14 October, the NBC **expanded its List of the Aggressor State On-Demand Audiovisual Media Services and Services of Audiovisual Service Providers** by ordering the blocking of two newly prohibited services (TAS-IX.MEDIA and KINOHYPE).

On 19 October, the **co-regulatory body in the sphere of audiovisual media services announced a competitive selection of candidates for the Expert Panel on Protecting National Interests and Countering Russian Aggression**, which is to consist of 5 members. Applications can be submitted until 14 November.

On 29 October, the **NBC approved the criteria for classifying entities as subjects in the sphere of online**. The media regulator prepared the draft document independently since the co-regulatory body was unable to develop criteria within the timeframe required by the Law on Media. During the final drafting, **the NBC partially took into account the proposals from media and human rights experts**. Overall, the document outlines **seven criteria** based on which the entity may be regarded as online media: alignment of activities with the goals and purpose of the media, existence of editorial control, regularity of mass information dissemination, public nature of the activity, use of a permanent name, dissemination of information via a dedicated website and/or through dedicated accounts on information-sharing platforms, and absence of the characteristics defining audiovisual media.

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

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