

Media and digital rights regulation in Ukraine

DSLJ 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.

Freedom of Expression and Media Regulation

In a process led by DSLJ and involving a wide range of stakeholders, the Ministry of Digital Transformation of Ukraine endorsed and co-drafted a set of **recommendations for the responsible use of AI in the media**, focusing on risk mitigation. These recommendations encompass various aspects, such as the requirements to the transparency of AI systems employed by the media, identification and labelling of the AI-generated content, verification of the authenticity of information, and ensuring responsible handling of personal data by AI.

On 1 January 2024, certain provisions of the Law on Media entered into force, resulting in an **increase of the Ukrainian language quotas in media**. Under the updated rules, the quota of Ukrainian-language programs for the national and regional linear audiovisual and audio broadcasters has increased up to 90% and for local broadcasters – up to 80%. Additionally, the weekly duration of news programs in Ukrainian must make up at least 90% of the total duration of the respective programs – up from the previous 75% requirement. These provisions intend **to further strengthen the role of Ukrainian in the media environment**, thus securing Ukraine's essential cultural and national security interests.

There were neither new draft laws nor any legislative steps taken regarding the previously submitted initiatives described in earlier editions of digests, which include proposals to enhance the transparency of the Parliament, numerous amendments to the speech-related offences in the Code of Ukraine

on Administrative Offences and Criminal Code of Ukraine, decriminalisation of pornography, and the use of English in Ukraine.

Privacy and Data Protection

No progress on **Draft Law #8153 on Personal Data Protection**, analysed in detail in the [previous digest](#), was reported in January. It is still awaiting adoption in the first reading by the Parliament. Similarly, there were no updates on [the 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

MPs did not submit new legal initiatives on Internet regulation to Verkhovna Rada in January. **Draft Law #10101**, analysed in the [October digest](#) and permitting monitoring the Internet to block unlicensed online gambling websites and mobile applications, stalled in the Parliament.

National Broadcasting Council

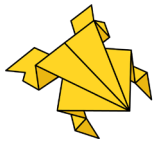
The NBC [launched](#) the trial operation of the TERES-Register in the media sphere, which is a first step towards the introduction of the eCabinet. Its deployment shall simplify the relationship between the media and the regulator and contribute to the overall digitalization trend of Ukrainian public service.

On 25 January, the NBC also approved the **2024 Implementation Plan of the Strategy of Activities for 2024-2026**. To operationalize the Strategy, the Implementation Plan sets out the regulator's main priorities for this year within the declared strategic aims. This document, unfortunately, lacks measurable outcomes and appears to be overly ambitious given the constant lack of proper resources and funding allocated for the regulator's functioning.

Together with the civil society, media actors, and psychologists, the NBC developed and approved **the co-regulatory act on reporting pre-trial investigations involving children**. It was created via cooperation of the key Ukrainian media groups in the working party which had previously developed 5 similar acts on various topics. This act is not a part of a formal co-regulatory system set under the Law on Media, but may be further used by the formally established bodies in the process of drafting their own codes.

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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