

# 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 18 November, the Parliamentary Committee on Humanitarian and Information Policy **recommended approving the Resolution on Maksym Onoprienko's dismissal from the NBC**. This decision can be explained by the [ongoing selection process](#) for a new Council member and might indicate that the Parliament will soon vote for the new member as a part of the competition process that [commenced in February](#).

On 28 November, the President of Ukraine signed **Draft Law #12000 on the State Budget of Ukraine for 2025**, analysed in detail in the [September digest](#). In general, funds allocated to the media regulator and public broadcasters remained unchanged, with the exception of [a slight increase](#) in finances allocated to NBC (230,5 million UAH). The comparison with the provisions guaranteeing adequate funding of the media regulator in the [Law on Media](#) demonstrates that **the budget allocated for the regulator falls significantly short, amounting to roughly 40% less than the required financing**.

## Freedom of Expression and Media Regulation

**This month, three draft laws that can influence freedom of expression were submitted to the Parliament. Draft Law #12186 on Amending Code of Ukraine on Administrative Offenses** establishes responsibility in the amount of 425-850 UAH (roughly 10-20 EUR) for failing to disclose video recordings of plenary sessions of local bodies and for interfering by local officials in such video recordings, including their destruction, damage, editing,

etc. Currently, the draft is being processed by the Parliamentary Committee on Law Enforcement Activities.

**Draft Law #12191 aims to decriminalise pornography.** This draft constitutes the revised version of the previously registered drafts, namely [#9623](#) and [#9632-1](#), which pursued analogical goals content-wise. The current draft limits the applicability of the valid criminal provision by **prohibiting the import, storage and transfer of pornography as well as its distribution if the following activities are aimed at minors**, and also prohibits **coercion of minors to engage in porn**. The involvement of underage minors (younger than 14) in the commission of a crime or their coercion significantly increases the gravity of the offence. Depending on the severity of the crime, the sanctions vary between fines and deprivation of liberty. Despite the initial goal, **the draft raises concerns as to its foreseeability** and ability to establish and distinguish the situations when porn is aimed at adults and minors in the course of investigation. The Parliamentary Committee on Law Enforcement Activities processes the draft.

**Draft Law #12253 aims to improve the legal provisions of the [Law on Advertising](#)** and provide additional cohesion with the Law on Media. In particular, the draft distinguishes between “direct advertisement” and other advertising, improves the ways of advertisement’ identification, prohibits unlawful usage of deep fakes in advertising, and clarifies the scope of NBC’s enforcement powers. The Parliamentary Committee on Humanitarian and Information Policy processes the draft.

On 19 November, the Parliamentary Committee for Freedom of Speech approved the text for the **second reading of Draft Law #11321** (analysed in [June](#)). This law strengthens the guarantees of media freedom by allowing accredited journalists to move freely in areas under martial law, even during curfew hours. The amendments proposed by the MPs **are not liable to threaten the media representatives’ freedom of movement and free speech**.

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 prevention of disclosure of certain information in the texts of court decisions, and the amendments to the Law on Media. Verkhovna Rada still has not adopted in full Draft Law [#5870-d](#) on conditional access to audiovisual media services, which was voted for in the first reading in [July](#). Draft Law [#11153](#), analysed in [April](#) and amending the rules on the journalists’ work trips to the emergency areas, still awaits the President’s signature.

## **Privacy and Data Protection**

The Parliament has finally kick-started the adoption of new GDPR-compliant data protection legislation. On 20 November, **Draft Law #8153 on Personal Data Protection**, which was registered almost two years ago, **was voted for by the Parliament and is currently being prepared for the second reading**. Unlike the valid legislation, the **draft offers better protection for data subjects**, mirroring the GDPR standards. At the same time, the current version of the draft remains controversial in some provisions, raising concerns among both businesses and civil society. Some of the issues include the ineffective legislative mechanism of video surveillance usage as well as excessive amounts of proposed fines for violations. MPs can submit amendments to the draft until 4 December.

There was no progress on other drafts analysed in [previous digests](#). These include the drafts on [a unified system of public security video monitoring](#), the [exclusion of prosecutorial discretion](#) in temporary access to sensitive personal data, and the [criminalisation of electronic communication fraud](#) as well as [cyberstalking](#). [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**

On 20 November, **Draft Law #12102 on Formation and Maintenance of a List of Terrorist Organisations (Groups)**, analysed in [October](#), **was voted for by Verkhovna Rada**. The Parliamentary Committee on National Security, Defence and Intelligence is currently preparing it for the second reading. The draft's adoption may clarify the scope of sanctions' use for website blocking.

No legislative steps were taken regarding other 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. On 7 November, NBC [issued](#) prescriptions for four media outlets that did not comply with the media advertising regulations, which was the only significant update on the media regulators' activities during this period.

**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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