



Written by [Angeline Tan](#) on January 24, 2023

Ukraine's New Media Law Stifles Press Freedom, Say Journalists

SINGAPORE — The International Federation of Journalists (IFJ), together with its European branch (EFJ), is urging the European Union (EU) to push Kyiv to reevaluate its contentious Media Law.

In a statement released January 17, the Brussels-based IFJ, which represents 600,000 media professionals in more than 140 countries, declared it had received worrying reports from Ukrainian journalists.

These Ukrainian journalists asserted that the 279-page legislation, which was approved on December 29, undermines media freedom in the country. The law can be invoked to expand the government's regulatory power over news media, they added.

Based on the statement, various representative trade unions of Ukrainian journalists, such as the National Union of Journalists of Ukraine (NUJU), the Independent Media Trade Union of Ukraine (IMTUU), and the National Association of Media of Ukraine lambasted "multiple problematic provisions, starting with the political dependence of the state regulator and the widening of the spectrum of extrajudicial sanctions against the media."

The state media regulator is the National Television and Radio Broadcasting Council (NTRBC) — a constitutional body which, IFJ claimed, "obviously falls under the total control of Ukrainian authorities." This body, it said, has the authority "to regulate print and online media, as well as internet, television, radio, and online platforms such as YouTube and social networks."

Besides, the NTRBC has "the right to fine media outlets, revoke their licenses, and temporarily block certain publications without a court ruling." This new law would empower the regulator to mandate that social-media platforms and search engines, such as Google, take down content that breaches the law.

The NTRBC is a constitutional body, half of whose members are nominated by the president, and half by the parliament. With the existing pro-presidential parliament majority, the body can be said to fall under the authorities' jurisdiction, creating the problem of regulator independence.

The Council of Europe, on its website, clearly "recognizes that to guarantee a wide range of independent and autonomous media in the audiovisual media sector, it is essential to provide for its adequate regulation." Elaborating, the website stated, "A regulation framework must guarantee freedom of expression whilst at the same time ensuring a balance between this freedom and other legitimate rights and interests."



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In a statement, IFJ President Dominique Pradalié cautioned, “Media freedom and pluralism are in danger in Ukraine under the new media law, which could create systemic problems for democracy in the country, as it expands the state control over the media. It is very important for Ukrainians, who are suffering from a terrible war, to be able to rely on credible information.”

Pradalié asserted that “there can be no democracy without independent journalism and a free press.”

When the bill became law, Ukrainian president Volodymyr Zelensky was accused of censorship. Ukrainian authorities have denied that the recent developments are a suppression of press freedom. Ukrainian authorities claimed that the bill aligns the country’s media regulations more with EU law, one of the bloc’s conditions before talks can begin on Ukraine’s accession to the EU. Moreover, the government posited that it would use the new law to combat Russian propaganda during wartime.

The EU Delegation to Ukraine, in contrast with critics, backed parliament’s approval of the bill. “The draft law should ensure a competitive media market with rules for all, an independent regulator, and comply with the EU audiovisual directive,” the EU Delegation posted on Twitter.

The bill encompasses media that is presently not regulated in Ukraine and materials that do not have media status, especially online publications. The legislation would increase government control over pro-Russian news and other media activities in Ukraine.

However, some Ukrainian journalists protested that the new law goes far beyond the prerequisites of the EU. They accused the government of using the prospects of EU membership as a pretext to fortify control over the press.

The NUJU’s stance is that the new bill would pave the way for censorship tools to be introduced, hence enabling the state to meddle with media activities on a larger scale. Lina Kushch, first secretary of the NUJU, asserted that this law was made without talks with media representatives. Although the Committee on Humanitarian and Information Policy of the parliament debated the bill for two days in a closed-door meeting, the press service of the NUJU failed to get a video recording of the meeting, despite trying to do so.

“We do not know what lawmakers discussed and what arguments they used. On Dec. 12, we were given a comparison table of the previous version of the bill and the new one. There are 950 amendments. Next day, the bill was passed. How lawmakers processed 950 amendments in 24 hours is unclear to us,” Lina Kushch remarked.

In a statement, the NUJU asserted, “Free elections and free media are the main things that distinguish the social system of Ukraine from the regime of dictatorial Russia,” adding that, “No one has yet managed to tame freedom of speech in Ukraine. It won’t work this time either.”

The European Federation of Journalists (EFJ)) has protested against the law. General Secretary Ricardo Gutiérrez said, “Media regulation should be implemented by a body independent of the government and its objective should be media independence, not media control.”

Joining in public opposition to the new law, the Committee to Protect Journalists (CPJ) pointed out that the law “threatens to restrict press freedom in the country and would move it away from European Union standards.” Gulnoza Said, CPJ’s Europe and Central Asia program coordinator in New York, lobbied for the authorities to “abandon the bill, or at least pause its progress in parliament until the European Union can weigh in with recommendations,” elaborating that it “seriously imperils press freedom in the country by tightening government control over information at a time when citizens need



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it the most.”

Only one media organization involved with press freedom, the Institute of Mass Information, asserted that it was largely content with the revised bill, but stated that it would keep tabs on its enforcement. The key concern of this group was to guarantee the independence of the NTRBC, which would necessitate amendments to the country’s constitution.

In spite of public and media backlash, the Zelensky administration has contested all allegations that the law would interfere with press freedom. Yevheniia Kravchuk, the deputy chair of the parliament’s information policy committee, admitted that the bill was “broader than the EU directive, because we needed to change and modernize our media legislation, which has not been changed for 16 years.” “It was adopted back when there was no internet at all,” she added.

Suffice it to say that this new media law is not entirely unexpected. The Zelensky government has had a track record of clamping down on media outlets suspected of promoting Russian interests. Frequently, the Zelensky administration has been condemned for attempting to unveil regulations to control the press since 2019.

For example, 2019 saw the government introducing a law that granted the NTRBC the power to issue licenses, organize inspections, and enforce sanctions on television and radio companies.

In 2021, Zelensky closed down TV stations run by Viktor Medvedchuk, Putin’s close ally in Ukraine.

Following the onset of the Russia-Ukraine crisis last year, Zelensky invoked martial law and signed a decree that merged the country’s national television channels into a single platform.

The move was and is regarded by critics as one that deters alternative and anti-government viewpoints from expressing their views.



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