



ANNUAL REPORT 2014

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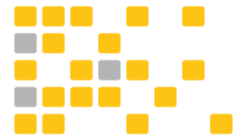
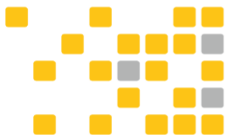
I. Organization's Profile

The Media Law Institute is a civil society organization, set up in 2005. It is a think tank based in Kyiv that pools together media lawyers and experts specializing in media policy and human rights protection.

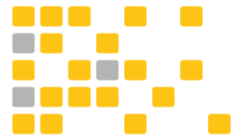
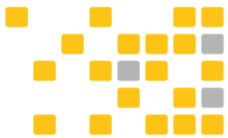
MLI's mission is contributing to the development of the society of active citizens through:

- support to civic initiatives,
- impartial and professional media expertise,
- elaboration and implementation of high quality information law,
- education,
- legal protection of journalists and citizens' rights,
- promoting freedom of speech and fundamental human rights.

Fulfilling its mission, MLI teams up with other civil society actors in a range of coalitions and movements, incl. the Stop Censorship, the Reanimation Package of Reforms, the CHESNO movement, the New Citizen initiative and For a Smoke-Free Ukraine coalition. MLI experts are also members of four civil councils at the Ukrainian public institutions, as the national regulator and the parliamentary committee concerned.



Media Law Institute staff in 2014



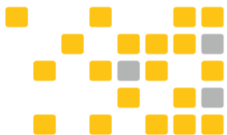
II. Highlights of 2014

The year of 2014 appeared remarkably intensive for MLI owing to changing factors that made activity environment unprecedentedly restrictive in the beginning, but provided numerous opportunities for reform at the end of the year with re-election of the Parliament of Ukraine.

Ukraine`s civil society organisations doubled their advocacy efforts with the adoption of radical laws on January 16th implying a crackdown on democratic freedoms, as the freedom of speech or assembly, the freedom to fair trial and the right to association or to access information. After ousting Yanukovych`s regime, MLI joined other colleagues in elaboration of and pushing for reforms in the media and information sphere, going beyond this with civic coalitions by demanding financial transparency from politicians and adopting pro-European laws from the Parliament.

MLI also mobilized its advisory support given that Ukrainian journalists appeared under all-round assault in 2014. Major challenges included numerous attacks on journalists and their abduction on Maidan, restrictions through accreditation of media for the 16th of March Crimea referendum, along with shutting off and blocking of the Ukrainian TV channels in Crimea, Donetsk and Lugansk regions.

During two election phases in Ukraine – the presidential in May 2014 and the parliamentary in October 2014 – MLI intervened by providing its consultations and expert commentaries to journalists, legal support to the CHESNO movement and the 1st National channel on TV candidate debates.



Within this environment, MLI team is pleased to highlight its core achievements reaped in 2014:



1. Adoption of the law on access to public information in March 2014

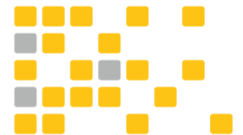
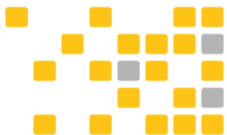
The law No. 0947 harmonized the national legislation on access to information, easing sittings of the Parliament and local councils, easing journalistic activity. MLI was involved in its elaboration and eagerly promoted it in cooperation with partner organizations.

2. Adoption of the law on Public Service Broadcasting (PSB) in April 2014

This law No. 1227-VII provides a model for the PSB system introduction in Ukraine and shall ensure transformation of the National TV Company of Ukraine into a transparent and independent public broadcaster. MLI elaborated some proposals to the PSB law and advocated for its passing for the last years, and worked further on SWOT analysis and practical embodiment after its entry into force in May 2014.

3. Successful advocacy against legislative initiatives jeopardizing the freedom of speech

Thanks to MLI and partner CSOs` efforts, incl. campaigns by the Stop Censorship, the antidemocratic laws of January 16th were cancelled; detrimental for media provisions of the draft law "On Sanctions" were rejected; and Russian propaganda was referred to in PACE recommendation on media freedom in Europe.



4. Institutional support to and expert work within the Reanimation Package of Reforms (RPR)

MLI got support from the European Union and UNDP for institutional setup of the RPR – a flagship civic initiative driving the reform process in Ukraine after Maidan – uniting top Ukrainian CSOs in various areas. MLI also took the lead of the Media Expert Group within RPR to work out and push for media reforms.

5. Achieving access to the Verkhovna Rada sittings

Sittings of Ukraine`s Parliament got open for any citizen for the first time in its history thanks to MLI advocacy and litigation efforts; and the asset declarations of MPs and financial reports by some political parties were disclosed.

6. A range of popular training programmes for various target groups

Already 10th International Media Law Summer School was organised by MLI; lawyers-alumni of the School different years were gathered for a 3-day conference in Kyiv to enhance their knowledge; and trainings by the Institute`s experts on information and media law proved popular among judges, civil servants and professors from the journalist faculties of the higher education establishments.



III. Achievements by MLI Activity Areas

Strategic Goal 1. Support and protection of enabling environment for media

1. Media Law Development and Advocacy

Within this activity area, the Media Law Institute – by its legislative inputs, raising awareness on their advisability and gaining support for their adoption – strived to influence on shaping the environment conducive for efficient work of mass media as the watchdog of democracy in times of revolution and transformations in Ukraine.

SUB-OBJECTIVE 1.1. ELABORATION AND ADVOCACY-SUPPORT OF PRIORITY LAWS

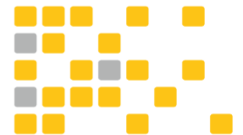
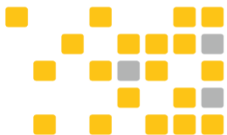
1.1.1 Media and Elections

Soon after Maidan, in March 2014, MLI and other partner organizations gathered for an expert meeting, which resulted in a [joint resolution](#) on major media reforms to be immediately adopted by the Parliament.

MLI developed media-related amendments to the draft law on local elections to introduce clearer rules on political advertising and on campaigning at the state budget expense. Registered by MP Andriy Shevchenko under [No 2664](#), it was adopted in April 2014, yet MLI's alterations were rejected. The team equally strived to explain its legislative initiatives and the latest changes, their advisability and get wider support for by preparing 4 publications on media and elections, namely:

- outline of the amended [election legislation](#);
- on [misuse of state resources](#);
- on necessity to [restrict political advertising](#) during elections;
- on legislative requirements to [the televised candidate debates](#).

After the October election parliamentary campaign, MLI launched a series of expert meetings devoted to media and elections. At the [first meeting](#) in December 2014, with participation of former MP Yuriy Kliuchkovsky, ex-head of the Committee of Voters of Ukraine and now MP Oleksandr Chernenko, MLI director Taras Shevchenko proposed a set of relevant amendments by MLI – for the new Parliament agenda.



1.1.2 Public Service Broadcasting

MLI pro-actively partook in elaboration of [the PSB law](#) No. 1227-VII and advocated for its passing for the last years, and further worked on after its adoption on 17 April and the entry into force on 15 May 2014.

With a view to build-up support for the PSB reform, explain it, and influence it in practice, MLI released some publications/appeals – jointly with other media CSOs [on the legal form of the PSB entity](#); with the StopCensorship coalition on the [immediate switchover to PSB](#); and [on delaying the process of PSB switchover](#). As a part of advocacy campaign MLI joined the Reanimation Package of Reforms (RPR) coalition to increase expert society's pressure on the Parliament. In April 2014, MLI with NGO Telekritika [held a round table](#) that allowed to consider the transformation of the state regional TV companies into the PSB system.



MLI established tight working liaisons with the new National TV Company of Ukraine (NTCU) head, screened NTCU legal documents, provided helpful legal advice and regularly participated in the working groups on the ongoing transformation process. MLI developed a draft law No 4224a, registered in the Parliament and supported by the parliamentary Freedom of Speech Committee. A [SWOT-analysis](#) was prepared by MLI lawyer Igor Rozkladaj explaining the most feasible legal form for PSB.

After the new Parliament was elected, ad-hoc working group at the parliamentary Freedom of Speech and Informational Policy Committee was established in December 2014. MLI lawyer Igor Rozkladaj was a key lawyer involved therein, who supported the PSB reform by his [presentations](#), [public speeches](#), [interventions on TV](#), and [publications](#) – throughout the year. So, a [new draft No 1357](#) was developed by the working group with MLI lawyer I. Rozkladaj as a key expert. It was adopted in the first reading already in January 2015.



1.1.3 Switchover to Digital Broadcasting

Within the Public Council at the National Council on TV and Radio Broadcasting, MLI experts initiated discussions on possible ways of changes in the digital switchover sphere in February, May and June 2014. So, the expert community called the national regulator to cancel Irdeto encoding, and to ask the Antimonopoly Committee of Ukraine to define the dominating or monopoly status of Zeonbud Ltd – the company owning the infrastructure for the DVB-T2 broadcasting. Finally, in December 2014, the Anti-Monopoly Committee adopted a decision stating that Zeonbud Ltd Company was a monopoly.

1.1.4 Denationalization of State and Municipal Press

The draft Law «On Reforming the State and Municipal Print Media» [No 2600](#) was also marked as a hi-priority draft for the Association Agreement signing with the EU, but unlike the PSB Law was not passed in the 2-nd reading of the Parliament and was rejected in April 2014. So, MLI included privatization of the print press as one of the [main priorities](#) of the Media reform under the Reanimation Package of Reforms' *Road Map* that became a [part of the Coalition Agreement](#) of the Parliament.

A new draft No 1123 on denationalization was registered by MP Mykola Tomenko in December 2014. Thus, MLI lawyers started analysing it for further amendments, which will be proposed to MPs/core committee after the first reading in 2015.

SUB-OBJECTIVE 1.2. ELABORATION AND ADVOCACY-SUPPORT OF OTHER LAWS

1.2.1 Other legislation

On 27 March 2014, the Parliament adopted as a whole the draft law No 0947 on access to information, after almost three years of its preparation by CSOs and consideration by MPs. MLI was involved in its elaboration and eagerly promoted it in cooperation with partner organizations. MLI released its [expert comments](#) explaining the effects of the adopted law. This law harmonized the national legislation on access to information, easing sittings of the Parliament and local councils, easing journalistic activity, other.

Amendments to the other laws were included by MLI to [the Media Reform road map](#), promoted by RPR, encompassed media-concerned amendments to the Constitution, transparency of media ownership, and dismissal of two public bodies having censorship and restrictive powers for the freedom of speech.



1.2.2 Legislative initiatives jeopardizing the freedom of speech

Monitoring all legislative initiatives in the realm of media law, foremost, MLI focused on **the 'dictatorship' laws of 16 January 2014**.

They sought to re-establish criminal responsibility for slander, disallowed any journalistic investigations regarded corruption in police, prosecutor offices and court system by establishing strict prohibition on interference with private life, without any exceptions such as public interest. These laws, adopted in unconstitutional way, provided an obligation for all Internet media to register as information agencies, thus allowing the government to use unfair procedures for registration and for forced closure of media outlets. MLI started [a public campaign](#) in media to explain the major threats of these laws. Because of great pressure made by MLI and other NGO, journalists and activists these laws later were dismissed.

As for preventing the detrimental legislation, MLI made a statement on some dangerous amendments proposed by the draft law **“On Sanctions”** of August 2014. Under the bill, any media could be shut down without any court decision. MLI and its partners made [a short assessment](#) of, [a public statement](#) on, [expert comments](#) on and, finally, the Prime-Minister called the Parliament to dismiss these dangerous articles. In fact, the Law “On Sanctions” was adopted [without media-related articles](#), just leaving some possibilities to forbid using radio spectrum of Ukraine and to provide telecom services in the country.



For the international advocacy purposes, [MLI intervened](#) at the OSCE Human Dimension Implementation Meeting – the Europe's largest annual human rights and democracy conference held in Warsaw, in September 2014. MLI made a substantiated [public statement](#) thereat.



2. Ensuring Judicial Protection of Information Rights

With a view to promote due application of the media legislation in Ukraine MLI proceeded with strategic litigation of those cases important for ensuring that journalists or civic activists get their professional rights protected in national courts and even before the European Court of Human Rights, combined with wide visibility campaigns on high-profile cases.

SUB-OBJECTIVE 2.1. PROVIDE CITIZENS AND JOURNALISTS WITH A POSSIBILITY OF JUDICIAL PROTECTION OF THEIR INFORMATION AND PROFESSIONAL RIGHTS

MLI judicial protection work in 2014 aimed at ensuring proper implementation of legislation on access to public information, as well as shaping of judicial practice on the laws, adopted in 2014. **Overall, under the MLI-created [Fund for Protecting the Right to Access Information](#) and other projects 14 lawsuits got support last year.** The Board that managed this Fund continued to consider applications from journalists and civil society activists eager to receive legal support in litigations. Legal support allowed journalists and civil society activists to defend their rights thereby providing civil society with information sought.

In 2014, MLI's previously launched campaign for access to the declarations of assets, income, expenses and financial liabilities of public officials met with success.

- A case was won with MLI support – initiated by NGO "Transparency International Ukraine" against the Ministry of Internal Affairs of Ukraine, Ministry of Energy and Mines, Ministry of Environment and Natural Resources, and the Ministry of Health – on access to declarations of the ministers and their deputies.
- Successful appeal in the case against the Verkhovna Rada of Ukraine, which concerned the failure to provide information on publication of MP Yefremov's declaration for 2012.
- Efficient follow-up in each of these cases have not only been taken in favor of the plaintiffs, but also fully implemented in the enforcement proceedings, resulting in the provision of full information to the requests.



- A lawsuit of the Information Agency "Ukrainian News" against the Parliament on access to declarations of MPs Sergei Pashynsky and Andrei Senchenko led to the voluntary provision of information by the Parliament.

Nowadays, any Ukrainian citizen is free to attend the parliamentary sittings, with a help of MLI's strategic litigation and campaigning with Centre US partners.



The right to attend open plenary sittings of the Parliament was provided by the Law No. 1170-VII "On Amendments to Certain Legislative Acts of Ukraine in Relation to Adoption of the Law of Ukraine "On Information" and the Law of Ukraine "On Access to Public Information" that harmonized the legislation in sphere. However, the Speaker Turchynov has not approved any document determining the procedure for access, so citizens had limited opportunities to attend the Parliament. MLI send a public appeal to the Speaker and, after no action, filed a lawsuit to admit unlawful omission by the Speaker and, consequently, to make him devise the procedure for access to public sittings of Parliament. This case got wide resonance and, finally, on 27 October 2014, the Speaker of the Parliament Oleksandr Turchynov signed an order on Access to the plenary sittings of the Verkhovna Rada of Ukraine No. 694.

SUB-OBJECTIVE 2.2. ATTRACTION OF ATTENTION TO THE MOST TOPICAL CHALLENGES OF INFORMATION RIGHTS PROTECTION IN COURTS

MLI continued sharing information on its litigations on the website separate chapter [Access to Information](#), during annual [Forums of Defenders of Access to Information](#), [press conferences](#), and coordination [meetings](#) of media experts. To attract attention to the most topical challenges of information rights, MLI held 4 press-conferences and released over 50 updates on MLI's website and other informational sources. So, the case on access to the parliamentary sittings was widely reported by: [MLI](#), [HromadskeTV](#), [Ukrainska Pravda](#), [Telekrytyka](#), [Korrespondent](#), [IMI](#), [Prozora burokratiia](#), [No corruption](#), [Gromadskyi prostir](#), [Centre for judicial studies](#), [Democratic Alliance](#), [Law and business](#), [Channel 17](#), [RegioNews](#), [Bigmir.net](#), [Sudovo-jurydychna on-line gazeta](#), [Rupor 24](#), [Startnews](#), [Ukrnews](#).



3. Support to the CHESNO Civic Movement

SUB-OBJECTIVE 3.1. PROVIDE THE CHESNO MOVEMENT WITH AN ACTIVITY FRAMEWORK AND LEGAL PROTECTION FOR ITS EFFICIENCY

This work aimed at raising voters` awareness of the candidates, on the one hand, and raising accountability, financial transparency and integrity of politicians – on the other. **Specifically, MLI team channelled its efforts into elaboration with Centre UA of the society requirements to the new target groups of politicians for the CHESNO monitoring:**

- [requirements](#) to the newly appointed members of the Government in February 2014;
- [monitoring methodology](#) of CHESNO campaign “The Honest Rada” for October elections; and
- [requirements](#) to the parliamentary committees as to their openness and accountability.



As a result, the presented requirements induced a tangible public debate on, and even made some top presidential candidates committed to the societal demand for financial openness.

MLI lawyers provided legal consultations to the CHESNO activists, over 60 pieces of advice in 2014.

MLI carried out proofreading of over 20 materials prepared by CHESNO

investigative journalists and analysts before their release. These articles concerned, to name the key ones: corruption suspicions as to ex-ministers of Ukraine [Stavytsky](#), [Tabachnyk](#), [Zakharchenko](#), [Lukash](#); the draconian [anti-democratic laws](#) of 16 January 2014; the [public appeal to the candidates](#) at presidential election of May 2014 on financial transparency; an analysis of [old deficiencies of parliamentary committees](#) of the new Rada; other. This provided an expert assessment of the relevant cases of importance and even led to opening of criminal investigations based on CHESNO materials, as the case of [Tabachnyk](#), for instance.



As several legal proceedings were brought against CHESNO activists, faced MLI provided advocates to protect their rights. The former MP Lukashuk accusing a CHESNO activist in defamation [refused](#) to submit his appeal in the first case; and [the court found](#) CHESNO leaflets of non-campaigning nature in the second case.

SUB-OBJECTIVE 3.2. HELP IN ADVANCING THE PROBLEMS OF OPENNESS AND ACCOUNTABILITY OF THE GOVERNMENTAL BODIES, CANDIDATES AND POLITICAL PARTIES

MLI lawyers delivered analytic materials falling within CHESNO activity that served as basis for [infographics](#), spread by CHESNO. They concerned the most topical issues for the society:

- legislative requirements vs. CHESNO demands on [financial transparency of candidates](#) – during the May 2014 presidential elections;
- [evolution of electoral legislation as to funding of candidates](#) for both the Parliament and the President;
- analysis of [the draft law](#) aimed to secure personal voting of MPs remaining an old CHESNO criteria.

Finally, MLI joined other CHESNO partners in at least five advocacy campaigns and helped to substantiate these campaigns, content wise:



- advancing the civil society requirements to the newly appointed [members of the Government](#);
- removal of non-integral [outdoor commercials](#) in May 2014 by the candidates for the President's post;
- demands for [financial transparency](#) of candidates and parties running at the elections in October 2014;
- [removal from the parties' list](#) those candidates who voted for the anti-democratic laws of 16 January 2014 or were involved in corruption cases mentioned in journalistic or other reliable investigations.

As a result of these advocacy efforts, CHESNO managed to attract public attention to the integrity and accountability of politicians, as well as to obtain commitments by candidates on these matters. Overall, CHESNO Movement activity in 2014 had its **impact on raising accountability, financial transparency and integrity of lawmakers and public officials in Ukraine** –the OSCE/ODIHR [in its report](#) refers to CHESNO impact; while the issues raised by CHESNO appear of great public importance, upon [public polls](#).



4. Support to Civic Initiatives: Smoke Free Kyiv

MLI further supported the national Coalition “For a Smoke Free Ukraine” and to promote efficient implementation of [the Law of Ukraine # 3778](#) that totally bans all kinds of advertising, sponsoring and sales promotion of tobacco goods, came into force yet in September 2012.

SUB-OBJECTIVE 4.1. SUPPORT THE COALITION OF CSOs ‘FOR A SMOKE FREE UKRAINE’

MLI supported initiatives by the Coalition, became a member of the Public Council at the State Inspection of Consumers’ Rights, and took part in its every [Public Council](#)’s meeting in 2014. MLI provided its legal consultations to the Coalition, organized public events to release its [monitoring results](#) that allowed raising awareness of the challenges in implementing the law banning smoking in all indoor public places. [Over 30 publications](#) were released by MLI to report on implementation of tobacco ads ban. The stickers’ campaign helped to get Kyiv marked with 2000 [“No smoking” signs](#) in places, where smoking is prohibited by local/national laws. [MLI’s stickers on ban of smoking](#) were placed at all Kyiv stops, [placed](#) in public transport.

SUB-OBJECTIVE 4.2. FACILITATE EFFICIENT IMPLEMENTATION OF THE TOBACCO ADS BAN LAW

MLI raised the issue at public events, as an anti-award ceremony [“Golden Plait”](#), and sent a dozen of complaints were to the Kyiv State Inspection of Consumer Rights. MLI’s monitoring of the ban law proved that provision on interdiction of direct advertising of tobacco products was **implemented 100%**.

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5. Support to Other Civic Initiatives and Civic Councils

MLI's support to civic initiatives, incl. the Stop Censorship and the Reanimation Package of Reforms aimed at reinforcing their capacity to act and impact of the work; whereas participating in civic councils of the public bodies MLI experts influenced decision-taking by initiating its own proposals.

SUB-OBJECTIVE 5.1. PROVIDE SUPPORT TO THE STOP CENSORSHIP INITIATIVE

Striving to enhance the Stop Censorship initiative with its participation, MLI joined a dozen of public petitions thereof and supported 5 advocacy initiatives in 2014. They were of reactive and pro-active nature: on Ukrainian journalists as deliberate targets of police ([Jan 2014](#)); all-Ukrainian mobilization against Yanukovych regime ([Jan 2014](#)); election of MLI director Taras Shevchenko as member of the National TV and Radio Council ([May 2014](#)); deliberate delay in the public broadcaster reforming ([Dec 2014](#)); other.

Advocacy by Stop Censorship focused on: priority media reforms ([March 2014](#)); the appointment process of members of the National TV and Radio Council ([March 2014](#)); immediate reform of the 1st National channel into public broadcaster ([March 2014](#)); responsibility of violators of journalists' rights in Ukraine ([Sept 2014](#)); and on the expected media reforms appealing to the newly elected MPs and the President ([Nov 2014](#)).



MLI's input allowed Stop Censorship to well-grounded public petitions and substantiated advocacy actions.

SUB-OBJECTIVE 5.2. PROVIDE SUPPORT TO THE NEW CITIZEN COALITION

As representatives of the New Citizen coalition took part in the work of coalition "Civic Sector of Maidan", MLI joined its coordination meetings when the draconian laws of 16 January were adopted, and its public statements, as one on all-Ukrainian mobilization against Yanukovych regime ([Jan 2014](#)).



MLI joined the Reanimation Package of Reforms (March 2014) that was created [upon initiative](#) of New Citizen initiative and Civic Sector of Maidan and proved the most efficient civic initiative generating reform agenda for the Parliament after ousting of former President Yanukovich.

On the one part, MLI strived to enhance the Reanimation Package of Reforms (RPR) initiative of CSOs, where MLI was represented by Taras Shevchenko as the key expert and Igor Rozkladaj as a Media Group manager. MLI provided special communication materials, as [legislative summaries](#) for the future reforms and reform [explanatory infographs](#), taking part in numerous RPR coordination meetings, [public rallies](#) in front of Rada.

On the other part, MLI undertook the EU-funded support that allowed to develop the institutional framework for RPR, with back-up office for such flanking functions and advocacy, PR management, SMM and



financial management, and agree upon internal RPR procedures. Taras Shevchenko was elected as a member of the RPR Council – a supervisory board of RPR that ensures strategic management, internal evaluation, disputes resolution and risk management.

Overall, [18 RPR-generated pieces of legislation](#) were adopted by the Parliament of Ukraine in 2014, incl. the media-related Law [No. 0947](#) harmonizing legislation on Access to Public Information and “On Public Broadcasting in Ukraine” [No. 1076](#). Other strands of media reform have been included in [the Coalition Agreement](#) of the re-elected Parliament.



Pleasure to note that wide visibility of the RPR platform itself and its products has been achieved, as the [public polls](#) prove. Another result is that MLI with its RPR partners established work liaisons with decision-takers at the Parliament, Government, and the President's Administration.



MLI also supported related grassroots non-profit initiatives striving to work as a new type of media under the PSB standards. MLI supported mainly Hromadske TV, which gained its popularity during the Euromaidan protests, as they conveyed information of significant public interest from the scenes, live streams of the protests, reports of investigative journalists on non-integrity of top public officials and invited bright speakers to comment on the current developments. Therefore, MLI lawyers provided general expertise and particular advice on activity of journalists. By its support, MLI helps to get them enhanced as actors that have impact on the media environment, especially as they are shaping public opinion.

SUB-OBJECTIVE 5.4. ENSURE CONSIDERATION OF THE MOST TOPICAL MEDIA ISSUES AT THE CIVIC COUNCILS

In 2014, MLI participated in a dozen of the Civic Councils sittings at the media state bodies with a view to observe transparency of the state decision taking and influence it by tabling its own initiatives. MLI experts put on their agenda a number of matters, namely, the council at the National Council for TV and Radio voted for MLI lawyer Igor Rozkladaj [in charge of the tasks](#) "Elaboration of Amendments to the Law on PSB" and "The Order of Filing Information Requests" under the Action Plan of this Civic Council for 2014-2015. In her part, MLI lawyer Tetiana Semiletko at the sittings of the Civic Council of the State Committee TV and Radio, put on the agenda [expert proposals](#) on feasible and transparent government buying under the "Ukrainian Book" programme, designed to distribute budget expenses for the book publishing; as well as on advisably dismissal of the National Expert Council on Public Morality as a cost-consuming public body with doubtful competencies duplicating functions of 9 other bodies.

In cooperation with the State Committee on TV and Radio and NSJU, the Vice Prime Minister of Ukraine Oleksandr Sych, MLI convened [a public discussion](#) of *Ukraine's Strategy for the Information Space Development until 2020* to consider the matter of efficient information steps for Ukraine at the expert level.

MLI's intervention inside the Civic Councils at the above media state bodies allowed to observe transparency of the state decision-taking and influence this process by tabling its own initiatives.



6. Network of Defenders of the Right to Access Information

In 2014, MLI sought to widen the network and raise competences of its members – lawyers and civic activists – in the sphere of access to public information, thereby, preparing strong actors able to defend their own or clients' information rights.

SUB-OBJECTIVE 6.1. TO WIDEN THE NETWORK OF DEFENDERS

With a view to ensure comprehensive implementation of the Law of Ukraine "On Access to Public Information" and the respective coordination of lawyers' and activists' efforts, MLI created a nationwide [Network of the Access to Information Activists](#) in 2012. **In 2014, the Network got involved already 105 members (civic activists, advocates, NGO managers and lawyers)** with a considerable potential in assisting people from different regions of the country in obtaining access to information of public importance.

SUB-OBJECTIVE 6.2. TO INITIATE INTERACTION AND EXPERIENCE SHARING AMONG THE NETWORK MEMBERS

As a tool for efficient internal communication between members of the Network, MLI supports and administrates the respective Google-group (merzha_infodostup@googlegroups.com) and [Facebook group](#). Summing up, more than 80 information updates on access to info matters were distributed among the network members and about 20 expert discussions were initiated by MLI in 2014 – thereby MLI facilitated

their knowledge sharing and updating on the legislative changes.

MLI convened the [3rd Forum of Access to Information Activists](#), on 18-19 June 2014 in Kyiv for 50 participants – the Forum served well for joint consideration of topical issues, and resulted in proposals on upgrading its own work and [expert recommendations](#) to the media authorities.



7. Providing Legal Consultations

Within this activity area, MLI aimed to make permanently available its advisory service to the media environment actors, thereby, improving their professional efficiency as well as helping them to avoid legal risks, as defamation lawsuits.

SUB-OBJECTIVE 7.1. ENSURE BENEFICIARIES WITH ADVISORY SUPPORT IN MEDIA LAW

In 2014, MLI team further channelled consultations through its legal hotline (tel +38094 9279044), email (hotline@medialaw.kiev.ua), and direct consultations for enhancing legal knowledge of journalists in access to information and media sphere. This ensured Ukrainian media representatives and citizens with permanent access to consultancy on media matters, and continuous raising of legal literacy of lawyers.

The team provided **over 100 pro bono consultations** to the media outlets and media workers so that journalists could fully enjoy their professional rights or got facilitated access to the info, got familiar with the practical tips. Also, MLI provided **74 free consultations on access to information**.

MLI also got new beneficiaries of its legal support – the investigative journalists` team producing the programme [*Schemes: corruption in details*](#) that is broadcasted by the First National Channel.

SUB-OBJECTIVE 7.2. RAISE LEGAL LITERACY OF STAKEHOLDERS IN TOPICAL MEDIA MATTERS

A dozen of the most useful consultations were published on MLI`S website www.medialaw.kiev.ua and send to over 500 of [MLI`s Digest](#) subscribers. As we deemed them of most importance, a dozen of detailed consultations by MLI were released, among them: on the [new amendments](#) to the law on access to public information; access to info in the [high education sphere](#); on [how to receive public information](#) without paying for copying/printing; on [classifying the information on bomb shelters](#); on legislative requirements to [the televised candidate debates](#); on the rules for [approving the interview taken](#); on [access to the city master plan documentation](#); a step-by-step instruction on [how to get to the parliamentary sitting](#).



8. Education and Legal Expertise



Institute's education tools and legal expertise were available not only for media representatives and CSOs, but also to citizens at large with a view to raise their literacy in media standards and law, to keep updated as to regulatory changes, and on how to make better use of their information rights.

SUB-OBJECTIVE 8.1. EQUIP JOURNALISTS/ LAWYERS/ACTIVISTS WITH KNOWLEDGE IN MEDIA LAW/ DEEPEN IT

- **Distant-learning course on Media Law**

Thanks to Institute's traditional distant-learning course on Media Law, about 50 journalists, editors and civic activists from various regions of Ukraine received 21 lessons on MLI's online platform to enhance their knowledge on the foundations of media law, European standards and practices.

- **Distant-learning course on Access to Public Information**

This course of 7 lessons proved popular in 2014, being designed for journalists and civic activists, who have interest in improving their knowledge about procedures and arguments to access information, which is kept by public bodies, e.g. how to receive important data for their investigations, publications or monitoring of the public officials' integrity. [As a result](#), about 50 trainees from 12 regions of Ukraine received the knowledge and skills gained proved useful, especially for investigative journalists and civic activists handling.

- **Distant-learning course on Judiciary and Media**

In 2014, journalists from different regions of Ukraine were successfully trained within special distant learning on "Judiciary and Media". The course curriculum, elaborated and offered by MLI lawyers, comprised the following subject-matters: judiciary system of Ukraine, types of court decisions, protection of journalist sources, access to court hearings, right to fair trial, presumption of innocence, dissemination of information about the court, judges and the proceeding or investigation. Participation in this course helped over 40 trainees to deepen knowledge on the judiciary system in general, on due interaction with the judiciary, court reporting and getting important information while the hearings in courts.



- **X International Media Law Summer School**

In July 2014, MLI held its annual [X International Media Law Summer School](#). Thanks to this programme, participants from Kazakhstan, Moldova, Georgia, Belarus, Russia and Ukraine had a chance to complete three weeks of intensive and comprehensive training. Lectures were delivered by prominent media experts, as Toby Mendel (Canada), Nataša Pirc (Slovenia), Ad van Loon (Netherlands), ECHR lawyer Olga Dmytrenko.

As a result, 23 lawyers increased their qualification in media law foundations, international standards, in access to public information, Internet and new media regulation, regulation of media during election campaigns, protection of copyrights and public morals.

- **International conference on media law**

In November 2014, the Media Law Institute held [an international conference](#) on *Modern challenges for freedom of speech in Ukraine, Russia, Moldova, Belarus, Central Asia and South Caucasus states*. This allowed to convene about



50 alumni of MLI Summer Schools` since 2005, and over 20 representatives of the public bodies, media and civic activists. Among [prominent speakers](#) were: co-founder of the “Stop Fake” initiative, Margo Gontar; international expert Ad van Loon, X-Media Strategies expert (Netherlands); ECHR lawyer Artem Lazarev; a successful Ukrainian investigator journalist Nataliya Sedletska; MP Svitlana Zalishchuk and CHESNO activists.



- **Training for academics of journalistic faculties**

As a training for trainers, MLI held [a two-day seminar](#) on current media law issues for academics/lecturers of journalistic faculties at Ukrainian higher education establishments with support of the Swedish Government. 23 lectures from different regions of Ukraine teaching media law have enhanced their competencies in media law and got necessary information for improving their teaching courses. Specifically,



participation in this seminar helped to deepen and update the knowledge of trainees on filing information requests, on novels of the national legislation, court practice, mitigation of defamation risks and the respective court practice, current issues of media reform, photo and video recording rules.

- **Moot court**

In 2014, Media Law Institute selected and trained the team of 3 Ukrainian law students for the Monroe Price Media Law Moot Court Competition at the Oxford University in the UK. To participate in the Competition, students were required to provide comparative research of regional and international Freedom of Expression standards and to develop substantial arguments orally and in writing based on the suggested fictional “court case”. Although [two team members](#) were not given visas to UK, representative of the Ukrainian team Andriy Humenchuk [performed well](#) at the oral rounds of the Competition and was awarded a special prize – “Best Spirit of the Moot Award”.



- **Book on ECtHR Decisions on Access to Information**

Thanks to Media Law Institute's publication of the collection *ECtHR*

Decisions on Access to Information – uploaded on [MLI's website](#) and [presented by MLI](#) at a press conference – journalists and civic activists obtained important data for their investigations, research, publications or civic campaigns. This edition provides a collection of landmark judgments of the European Court of Human Rights (ECtHR) on public information access, in Ukrainian language that enables civic activists, lawyers and judges directly refer to the position of the ECHR and fully enjoy their rights to access official documents.

- **Analytics, news updates and expert comments**

Within its monitoring of policy-making and regulatory changes, the Media Law Institute prepared more than [160 media law updates](#) in 2014. Those pieces of news were published on the MLI's website, Facebook page, and shared in a form of [MLI's Digest](#) two times a month. Many of them were reprinted further by media or specialised sources, mainly by [Telekritika](#). In 2014, MLI provided more than [120 expert comments](#) to journalists that were used mainly in the preparation of their journalistic materials, so the level of the published materials was either improved, or underpinned by an expert comment.

In parallel, MLI experts produced analytic articles offering insight into media environment of Ukraine – responding to topicality of the matters, namely:

1. Deliberate attacks on Ukrainian journalists by types of violations ([Feb 2014](#));
2. Visiting the Parliamentary sessions is on paper only ([June 2014](#));
3. Mediarevolution – substantiation of media reforms needed ([Nov 2014](#));
4. On the membership of opposition in the Rada Committee for the Freedom of Speech ([Nov 2014](#));
5. Is a separate committee needed to protect the freedom of speech, comparative study ([Nov 2014](#));
6. The Ministry of Truth ([December 2014](#)).

- **Translated summaries of ECHR case-law**

With a view to improve public knowledge of the media law norms, in 2014 MLI translated and published 5 summaries of case-law of the European Court of Human Rights ([Remuszko v. Poland](#)), ([Youth initiative for human rights v. Serbia](#)), ([Braun v. Poland](#)), ([Matúz v. Hungary](#)), and ([Axel Springer AG \(no. 2\) v. Germany](#)).



IV. MLI's Institutional Capacity Building



MLI proceeded with tangible changes in its set-up of governing bodies and their competence, enacted new 3-year strategy and operational planning, standardisation of internal procedures with gradual switchover from the project-based activity to the work in line with all-organisational goals.

- **Governance and Strategic Management**

The improvements shall ensure a well-coordinated work of Organisation's governing bodies, with checks and balances, regular involvement of the Supervisory Board into substantial and financial decision-taking. Since a new version of Organisation's Charter was registered in March 2014, the Supervisory Board started performing its functions as a governing body. The Board involved five external media experts/lawyers, who sit to take decisions on risk management, approve strategies and policies, plans and reports by MLI. MLI elaborated the M&E Framework to launch a systemic and consistent monitoring and evaluation (M&E) practice within Organisation.

- **Operational Management**

MLI further enhanced its shift from the project-based activity to the work under the Strategic Plan, improved its operational planning at the weekly staff meetings, continued elaborating further its policies, and involved MLI Supervisory Board in decision-making within strategic management. MLI elaborated the HR Policy and the Framework on Assessing Efficiency of the Personnel Work. Communication Strategy for 2014-16 was updated and a standardised approach to its project management practice elaborated.

- **Financial Management**

MLI has successfully undergone an organizational financial audit for 2014. The independent auditors' opinion states that the financial statements comprised of Balance Sheet, Income Statement and Cash Flow Statement for the year 2014, were prepared in line with the Ukrainian Accounting Standards and the applicable Ukrainian laws. MLI developed the policies and procedures for financial management, a system for approval and authorization of payments indicating the number of the project upon approval.

