



INTERNATIONAL
CONFERENCE

LEGISLATION ON AUDIOVISUAL SERVICES: EUROPEAN STANDARDS AND UKRAINIAN PERSPECTIVES

KYIV, 28 MARCH 2016

LOCATION: RADISSON BLU HOTEL, CONFERENCE EMBASSY SUITE
22 YAROSLAVIV VAL, KYIV 01054, UKRAINE



PARLIAMENTARY COMMITTEE
ON FREEDOM OF SPEECH
AND INFORMATION POLICY



NATIONAL TV AND
RADIO BROADCASTING
COUNCIL OF UKRAINE



STATE COMMITTEE
ON TELEVISION AND
RADIO BROADCASTING

Programmatic Cooperation Framework for
Armenia, Azerbaijan, Georgia, Republic of Moldova, Ukraine and Belarus

Funded
by the European Union



Implemented
by the Council of Europe

Рамкова програма співпраці для
Вірменії, Азербайджану, Грузії, Республіки Молдова, України і Білорусії

AGENDA

09:00 – 09:30 Registration, welcome coffee

OPENING

09:30 – 10:00 **Vladimir Ristovski**, Ambassador, Head of the Council of Europe Office in Ukraine
Victoria Syumar, Chair of the Parliamentary Committee on Freedom of Speech and Information Policy
Yuriy Artemenko, Chair of the National TV and Radio broadcasting Council of Ukraine
Bogdan Chervak, First Deputy Chair of the State Committee on TV and Radio

EUROPEAN STANDARDS AND UKRAINE'S COMMITMENTS TO EU AND COE IN THE SPHERE OF MEDIA REFORMS

Moderator: **Vladimir Ristovski**, Ambassador, Head of the Council of Europe Office in Ukraine

10:00- 10:20 **Ad van Loon**, Council of Europe expert (The Netherlands)
Andriy Pazuik, Council of Europe Consultant (Ukraine)

PANEL DISCUSSION 1: LICENSING AND REGISTRATION IN THE SPHERE OF AUDIO-VISUAL SERVICES

Moderator: **Igor Rozkladay**, lawyer Media Law Institute, RPR-media coordinator

10:20 – 10:25 Presentation of the corresponding part of the Draft Law on AVMS (moderator)

10:25 – 10:35 **Peggy Valcke**, Council of Europe expert (Belgium)
 Overview of European standards and practices in the sphere

DISCUSSION

10:35 - 11:00 **Uliana Feschuk**, Deputy Chair of the National TV and Radio broadcasting Council of Ukraine
Olga Bolshakova, Head of advocacy and lobbying center, Independent Association of Broadcasters;
Natalia Klitna, Vice-President of copyright holders and content providers,
Konstantyn Hrytsak, Telecommunications Chamber of Ukraine;
Petro Semerey, Director of "Networks Ukraine"

11:00 - 11:10 **Conclusions and short analysis of panel 1**
Peggy Valcke, Council of Europe expert (Belgium)
 Moderator

11:10 – 11:30 Coffee-brake

PANEL DISCUSSION 2: REQUIREMENTS TO AUDIOVISUAL INFORMATION AND AUDIOVISUAL SERVICES PROVISION

Moderator: **Igor Rozkladay**, lawyer Media Law Institute, RPR-media group coordinator

11:30 – 11:35 Presentation of the corresponding part of the Draft Law on AVS (moderator)

11:35 – 11:40 **Ad van Loon**, Council of Europe expert (the Netherlands)
 Overview of European standards and practices in the sphere

DISCUSSION

11:40 – 12:10 **Uliana Feschuk**, Deputy Chair of the National TV and Radio broadcasting Council of Ukraine
Mariana Zakusylo, Deputy chief editor of "Detector Media"
Roman Golovenko, Lawyer of NGO "Institute of Mass Information", "Problems of non-regulation of content of broadcasters"
Ivan Shestakov, Marketing Director of MEGOGO

12:10 – 12:20 **Conclusions and short analysis of panel 2**
Ad van Loon, Council of Europe expert
 Moderator

PANEL DISCUSSION 3: NATIONAL TV AND RADIO BROADCASTING COUNCIL OF UKRAINE AND ITS AUTHORITY

Moderator: **Igor Rozkladay**, lawyer Media Law Institute, RPR-media group coordinator

12:20 – 12:25 Presentation of the corresponding part of the Draft Law on AVMS (moderator)

12:25 – 12:35 **Peggy Valcke**, Council of Europe expert
 Overview of European standards and practices in the sphere

DISCUSSION

12:35 – 13:05 **Uliana Feschuk**, Deputy Chair of the National TV and Radio broadcasting Council of Ukraine
Tetyana Popova, Deputy Minister of Information Policy of Ukraine
Lyudmila Vasylenko, Head of the Center for Democratic Reforms and Media

13:05 – 13:15 **Conclusions and short analysis of panel 3**
Peggy Valcke, Council of Europe expert
 Moderator

13:15 – 14:00 Extended coffee-brake

PANEL DISCUSSION 4: DEALING WITH CASES OF BREACH OF LEGISLATION IN AREA OF AUDIO-VISUAL SERVICES AND LIABILITY FOR VIOLATIONS

Moderator: **Igor Rozkladay**, lawyer Media Law Institute, RPR-media group coordinator

14:00 – 14:05 Presentation of the corresponding part of the Draft Law on AVMS (moderator)

14:05 – 14:15 **Ad van Loon**, Council of Europe expert
 Overview of European standards and practices in the sphere

DISCUSSION

14:15 – 14:45 **Uliana Feschuk**, Deputy Chair of the National TV and Radio broadcasting Council of Ukraine
Olga Bolshakova, Head of advocacy and lobbying centre, Independent Association of Broadcasters
Oksana Prykhodko, Director of iNGO "European Media Platform"

14:45 – 14:55 **Conclusions and short analysis of panel 4**
Ad van Loon, Council of Europe expert
 Moderator

CONCLUSIONS

14:55 – 15:10 **Council of Europe experts**
Victoria Syumar, Chair of the Parliamentary Committee on Freedom of Speech and Information Policy
Uliana Feschuk, Deputy Chair of the National TV and Radio broadcasting Council of Ukraine

INTERNATIONAL EXPERTS



Peggy Valcke is research professor ICT and media law at KU Leuven, and visiting professor at the University of Tilburg. In 2014, she was part-time professor at the European University Institute in Florence; in 2006, she was visiting professor at Central European University in Budapest, Hungary. She is member of the management board of the Leuven Centre for IT

& IP Law (formerly known as ICRI and CIR), and one of the research leaders in the Security Department of iMinds.

Peggy has a broad experience with working in international and interdisciplinary research teams. In previous years she has been involved in over 30 research projects – funded by the European Commission, KU Leuven, Fund for Scientific Research-Flanders, the Agency for Innovation by Science and Technology, iMind and others. In particular in 2008-2009, she served as project leader for the EU funded study “Indicators for Media Pluralism in the Member States – Towards a Risk-Based Approach”.

Other topics she worked on include: fundamental rights of the digital citizen, data protection and media freedoms, data portability, right to be forgotten, big data, media convergence, social media, personalized media, user-generated content, online journalism, media concentration and ownership, market regulation and competition in media and telecommunications, public service broadcasting and state aid, co- and self-regulation in the media, privacy in electronic communications and social networks.

Mrs Valcke has served as an expert for organisations like the European Commission, the Council of Europe, the German Media Concentration Commission, as well as administrations and authorities in Belgium.

Peggy is assessor of the Belgian Competition Authority and member of the General Chamber of the Flemish Media Regulator since 2008. She was a member of Google’s Advisory Council on the Right to be Forgotten and is currently a member of Digital Minds for Belgium, a working group convened by Belgium’s Minister for Telecommunications and Digital Agenda.



Ad van Loon created X-Media Strategies in January 2008 to provide intellectual capital to the media and telecommunications business.

Ad studied Law at the University of Tilburg in The Netherlands (1987), worked at the Institute for Information Law at the University of Amsterdam (notably on media and competition law issues,

on which he wrote several reports and many articles), participated in several studies for the European Commission and has advised broadcasters, operators of distribution platforms, film and television producers, national law makers, national regulatory authorities in the media and telecommunications sectors and international organisations.

Since 1989 Ad has provided assistance to governments in Central and Eastern European countries in aligning their media policies and media legislation with European standards (most recently in Ukraine: Sept 2008 – May 2010) Ad also worked at the European Audiovisual Observatory and in the Media Division of the Council of Europe. He was Secretary to the Standing Committee which was created under the European Convention on Transfrontier Television and Secretary of the Council of Europe’s intergovernmental committee on copyright matters. He represented the Council of Europe in the Contact Committee which was created under the European Directive on ‘Television without Frontiers’ and also at WIPO meetings and meetings of the European Platform of Regulatory Authorities in the broadcasting sector (EPRA).

In his role as Manager Legal and Regulatory Affairs for NLkabel, the trade association of cable operators in the Netherlands he negotiated distribution agreements with broadcasters and collective rights management organisations; furthermore, he represented NLkabel in Cable Europe’s Regulatory Group. At New York Law School Ad taught annual courses on European Telecommunications Law, on Broadcasting Regulation in European States and a summer course on European IP Law. He also taught European Telecommunications Law at the University of Sergio Arboleda in Bogota, Colombia.