

Draft Bill to Allow Blocking of Internet Sites Without a Court Order

On 4 July 2018 the Committee of the Verkhovna Rada of Ukraine (Ukrainian Parliament) on National Security and Defence approved draft law No. 6688, which might allow the Prosecutor's Office of Ukraine and the Council of National Security and Defence of Ukraine to block without a court order Internet sites, posing a threat to the national security.

However, the conclusion of this Committee with respect to draft law No. 6688 reads as follows: "To recommend that the Verkhovna Rada of Ukraine, based upon the results of the consideration of the draft law, to approve the draft law in principle in the first reading and to entrust the Committee of the Verkhovna Rada of Ukraine on National Security and Defence with follow-up revision of the said draft law, taking into account the comments and proposals of the authorities having the right of legislative initiative and the decisions of the European Court of Human Rights taken while considering applications against rulings on the restriction of access to information resources (Ahmet Yildirim v. Turkey of 18 December 2012, and others), and to submit the draft law to the Verkhovna Rada of Ukraine for consideration in the second reading."

On 5 September 2018 draft law No. 6688 was analysed by the Main Scientific Experts Department of the Verkhovna Rada of Ukraine, which concluded that, "According to the results of the consideration of the draft law in the first reading, it would be advisable to return the draft law to the authorities having the right of legislative initiative for follow-up revision taking into account the expressed comments and proposals."

Moreover, the mentioned draft law was considered by the Committee of the Verkhovna Rada of Ukraine on Prevention of and Counteraction to Corruption on 16 January 2019, which recommended that draft law No. 6688 to be returned for follow-up revision given the conflict of its provisions with certain norms of the legislation in force.

Any draft law in Ukraine is analysed by members of the public and experts of international organisations represented in Ukraine before being submitted for voting in the Ukrainian Parliament. This is a necessary requirement within the framework of developing civil society in Ukraine.