



BRDO ANALYTICS AND INITIATIVES

INSTEAD OF DECRIMINALISATION – INCREASED LIABILITY FOR PORNOGRAPHY: THE PARLIAMENT IS PREPARING AN ALTERNATIVE DRAFT LAW IN CONTRAST TO THE PREVIOUSLY REGISTERED ONE

Two weeks ago, a group of deputies headed by Yaroslav Zhelezniak registered draft law No. 9623, which is designed to decriminalise voluntary adult pornographic materials. The text of the draft law was developed by a working group with the participation of the Parliament Law Enforcement Committee, state bodies and public organisations. BRDO team, together with other public organisations, participated in the development of the draft law and took the initiative of decriminalisation. The draft law proposes to abolish criminal liability for 1) importation, production, sale and distribution of pornographic materials; 2) maintenance of places of debauchery and prostitution. At the same time, criminal responsibility for obtaining access to child pornography, its acquisition, storage, importation, transportation or other movement, production, sale and distribution remains unchanged; distribution of pornography among minors; production, distribution and sale of extreme pornography; distribution and sale of pornography without the consent of the person depicted in it (revenge-porn, deep-fake), as well as the production of pornography without the knowledge of the person depicted in it; involvement in prostitution, pimping, human trafficking.

Nevertheless, almost immediately after the registration of the bill No. 9623, a group of deputies decided to develop an alternative document. As it became known, People's Deputy Vladlen Nekliudov is registering an alternative bill. The authors of the new bill claim that it is designed to protect children and decriminalise those pornographic materials that do not involve receiving monetary compensation. At the same time, the authors of the alternative draft law write that the distribution of porn "for personal non-selfish motives is not socially dangerous", but if it involves a reward, then it is a socially dangerous crime.

Experts from BRDO and public organisations, which took the initiative to decriminalise pornography in Ukraine and participated in the development of the bill No. 9623, analysed the alternative draft law. Our conclusion: the alternative bill strengthens the minimum and maximum liability for adult porn, without changing the liability for child porn. Read more in our explanation.

ARMA HAS RESTORED PUBLIC ACCESS TO THE REGISTER OF SEIZED ASSETS

The National Agency of Ukraine for Asset Search and Management (ARMA) has restored public access to the Unified State Register of assets subject to seizure in criminal proceedings. The register consists of an open part, accessible to every interested person, and a closed part intended for law enforcement officers. The database contains over 129,000 records. About 36,000 of them relate to assets transferred to ARMA management. To recall, in July the RISE Ukraine Coalition, which includes BRDO, addressed ARMA with an official statement demanding to open access to the Unified State Register of Assets. Read more on our webpage.

TRANSPARENT CONSTRUCTION: A DETAILED ESTIMATE OF CONSTRUCTION OBJECTS WILL BE PUBLISHED ON THE EDESSB PORTAL

On the portal of the Unified State Electronic System in the Field of Construction (EDESSB), the service for publishing data on estimate documentation has been updated. What will change? Now, every citizen will be able to view complete information on the expenditure of funds on objects built with state or private funds. Ukrainians will be able to find out how much the developer spent on materials or services and check how transparently the money is spent. For example, in the documentation you can see how much the builder was paid for 1 hour of work. Open access to such data will prevent manipulation and reduce corruption risks in the construction sector. And journalists and the public will be able to more easily control the development of cities and counteract abuses. Details – here.

ATTRACTING FOREIGN INVESTMENTS FOR THE RECONSTRUCTION OF UKRAINE: BILL NO 9627 WAS REGISTERED IN THE PARLIAMENT

The full-scale invasion of the Russian Federation into Ukraine led to the fact that numerous industrial and energy facilities in our country were destroyed or damaged to varying degrees. How to restore the economy of Ukraine in such conditions? First of all, to attract private domestic and foreign investments. This will be facilitated by the simplification of the procedure for changing the purpose of land plots. Draft law No. 9627 of August 21, 2023, registered by the Verkhovna Rada of Ukraine, is intended to implement this plan. The BRDO team participated in the development of the document. What does the bill envisage for? Read in our explanation.

OLEKSII DOROGAN – CHAIRMAN OF THE BOARD OF RISE UKRAINE

On August 10, the Board of the Coalition elected a new Chairman – the CEO of BRDO, Oleksii Dorogan. Viktor Nestulia, the previous Chairman of the Board, became the head of the project office of the State Digital Ecosystem of Recovery Management (DREAM). RISE Ukraine is a coalition of Ukrainian and international public organizations, initiatives, government institutions and activists who have united to promote the principles of integrity and participation for the development of Ukraine, build accountability mechanisms for reconstruction, timely disclosure of data, develop digital solutions for reconstruction and engage citizens and business to planning, monitoring and supervision. Read about the vision, goals and principles of the coalition here.

WE URGE TO REANIMATE OPEN DATA

In January 2023, the RISE Ukraine Coalition published a statement on ensuring the availability of open data. The problems mentioned in this statement persist to this day. Key datasets on which reconstruction transparency and accountability depend are not being made public or are being made public with unjustified restrictions. Key sets of open data, the availability of which depends on the transparency and accountability of reconstruction, are still not available. The RISE Ukraine coalition and the Public Council under the Ministry of Digital Transformation of Ukraine call on administrators to make public open data. For this purpose, we invite the security agencies to public communication with administrators and civil society, and the Ministry of Digital Transformation to discuss the developed changes to Resolution No. 835 of October 21, 2015.

DEREGULATION OF THE CONSTRUCTION INDUSTRY: WHAT DID THE IWG RECOMMEND?

Simplification of the regulatory field in the field of construction and housing and communal services is important, in particular, in the context of the post-war reconstruction of Ukraine. To cancel or optimise almost 75% of state regulation tools in the field of construction, which are taken care of by the Ministry of Development of Communities, Territories and Infrastructure of Ukraine – such recommendations were adopted by the recent meeting of the IWG on deregulation. What is recommended to be cancelled and what – to be optimised? Find out in our material.

A NEW STAGE IN THE DEVELOPMENT OF UKRAINIAN WINEMAKING: WHAT DOES DRAFT LAW 9139 CHANGE?

The Parliament adopted in the first reading draft law No. 9139, which will create conditions for the development of Ukrainian wine production, competitive in the world. First of all, draft law No. 9139 is aimed at implementing relevant EU regulations on viticulture and winemaking, the production of flavoured wine products, and new production standards. The adoption of the draft law is an important stage in the deregulation of the wine industry, as it replaces outdated instruments of market regulation. The corresponding decision to support the need for the adoption of 9139 was supported on May 24 at the meeting of the Intergovernmental Working Group on the Issues of Accelerated Review of Instruments of State Regulation of Economic Activity, in the work of which BRDO participates. We explain in detail, what the law changes.

BILLS THAT WILL ENSURE THE DEVELOPMENT OF AQUACULTURE AND FISHING IN UKRAINE HAVE BEEN REGISTERED IN THE PARLIAMENT

Today, a significant part of the catch of Ukrainian aquatic biological resources and the products made from them are belong to the shadow economy. BRDO together with the Ministry of Agrarian Policy and the State Fisheries Agency are actively working on the introduction of a transparent mechanism in Ukraine that will ensure their traceability and prevent illegal and unregulated fishing. This is necessary for the development of fisheries and aquaculture in our country. The Parliament has taken an important step in this direction: the European integration law No. 9545 and its interrelated No. 9546 have been registered, in the development of which the BRDO team participated. Read more on what the bills envisage for and why their adoption is important.

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