Forum resolution
Kiev, the 28th of September 2012

Summarizing the discussion and advisement of problem issues, that were held during the Third Ukrainian Internet Governance Forum (IGF-UA) sessions, and estimating prospects of Ukrainian information society development and required measures and resources, the participants of IGF-UA consider necessary:

1) to reverse harmful Ukrainian draft legislation, such as: the draft bill “On the Introduction of Changes to Some Laws of Ukraine due to Foundation of the Universal Service Fund”, the draft bill № 9695 «On the Introduction of Changes to the Law of Ukraine that Prohibits Use of the Terminals, which Were Bought Abroad », the draft bill № 10620 «On the Introduction of Changes to the Tax Code of Ukraine Concerning the Mechanism of Cinema Field Support », the draft bill concerning improvement of the procedure of receiving information about consumers of telecommunication services by the law enforcement agencies and the procedure of obligatory exhibition of consumer’s id card during the process of SIM-cards purchasing in order to get an access to telecommunication service (the developer of current draft bill is the State Service of Special Communication and Information Protection of Ukraine);

2) to establish moratorium on the next regulatory documents coming into force: “Rules for Activity in the Field of Telecommunication (Activity of Rendering Internet Access Services)”, “The procedures for organization of the state supervision over the telecommunications market”, “Regulation on the telecommunication networks measurement on purpose of the state oversight in the area of telecommunications” until the changes to the laws of Ukraine “On telecommunications” and "On Local Self-Governance”, that forbid any actions of local governance bodies or officials, which makes obstacles to the activity of the internet access service activity, would be applied.

3) To make changes to the resolution of the National Commission for the state regulation of communications and information, which would prevent from unilaterally breaking of interconnections, that is done without the decision of the National Commission for the state regulation of communications and information, and provide execution of the law of Ukraine “On telecommunications” concerning consumer's rights protection.

4) To take attention of Executive power bodies of Ukraine to necessity of directing all energies toward implementation of the Decree of the President of Ukraine dated by 21.03.2012 “On Establishment of the Newest Technologies in the Field of Telecommunications that Corresponds to the International Standards and Provides Citizens Right to Free Internet Access” relating to establishment of the common rules for telecommunication networks placement in constructions of municipal and other forms of ownership, and also toward the necessity of immediate enactment of the resolution of the Cabinet of Ministers of Ukraine «On Approval of the Rules of access for operators, providers of telecommunications to housing resources» and the law of Ukraine “On common use of telecommunication infrastructure”.

5) To renew the balance in regulatory policy and eliminate contradictions concerning adjustment of government and local self-governance authorities’ activities for the purpose of assistance to the Internet access spreading, to create the mechanism of bringing to justice local executive body officials, who neglect the disconnection or demounting of the networks without adjudged court decision.

6) To appeal to the President of Ukraine, the Prime Minister of Ukraine, the Ministry of Internal Affairs of Ukraine, the Prosecutor General of Ukraine, the heads of local state administration with the demand to start investigations of offences, committed by local government bodies and
relevant municipal utilities, against telecommunication networks, related to unopposed delegation of powers for collection of payment from operators and telecommunication provides to enterprises, without coordination with the bodies of the Antimonopoly Committee of Ukraine.

7) To preserve equal and multilateral approach to Internet governance during the consideration of changes to International Telecommunication Regulations, to prevent from attempts of unreasonable superfluous regulation on the international level in order to avoid protectionism and discrimination on the grounds of territorial, industrial or political principles, and from the appearance of the regulation of internet traffic exchange rates; to preserve commercial mechanisms of international services providing, based on the development of bilateral model of commercial interaction; to address a letter to Conference on International Telecommunications of International Telecommunication Union, that will be in Dubai, 3-14 December 2012, on behalf of the core associations of ICT field, in order to prevent Ukraine from voting for reinforcement of Internet control, during consideration of making changes to International Telecommunication Regulations.

8) For the National commission for the state regulation of communication and informatization to make changes to current procedure of permission on importation of electronic items and radiating devices, and establish that import permit fee for terminals should be paid directly during the customs clearance based on invoice of the amount of products that is brought in Ukraine in fact.

9) To establish a Workgroup of the core associations in ICT sphere of Ukraine, in order to draw up a plan for development and assistance of broadband expansion in Ukraine.

10) To appeal to suppliers of the Internet services on reasonability of adhering to the recommendations of the Committee of Ministers of the Council of Europe № R (99) 5 from 23.02.1999 by member states of European Union «On Inviolability of the Private Life in the Internet».

The participants of the Third Ukrainian Internet Governance Forum welcome the participation of representatives from other countries, particularly from Belorussia, Denmark, Germany, Russia, France, Switzerland, and express gratitude to


General Internet Partner – “Adamant” company;

The Embassy of France in Ukraine.