

## The Law of Ukraine



### "On Protection of Public Moral"

Date of Entry into Force:

December 26, 2003

**(Summary version from 20 Nov 2003)**

The Law sets legal principles of protection of society from distribution of products that negatively influence on public moral.

The law defines public moral as the system of ethic norms, rules of behavior, that were formed in the society on the basis of traditional spiritual and cultural values, concepts of good, honor, dignity, civil duty, conscience and justice.

Pursuant to the Law it shall be prohibited to produce and distribute products which:

- propagandize war, national and religious enmity, violent change of constitutional system or territorial integrity of Ukraine;
- propagandize fascism and neo-fascism;
- humiliate or offend nation or personality as representative of certain nationality;
- propagandize barbarity, sacrilege, and disrespect to national and religious sacred objects;
- humiliate personality, is a kind mockery from physical defects (cripple), mentally ill and elderly people;
- propagandize ignorance, disrespect to parents;
- propagandize drug addiction, toxicology, alcoholism, smoking and other bad habits.

The Law also prohibits distribution and circulation of any form of pornography. The criteria referring products to such that are of pornographic nature shall be set by the specially authorized body of executive power in the field of culture and arts. Pursuant to the Law pornography is a vulgar-naturalistic, cynical, indecent fixation of coitus, self-centered, special demonstration of genitals, anti-ethic scenes of coitus, sexual perversions, sketches from nature that do not correspond to moral criteria, offend honor and dignity of a man, inducing obscene instincts.

**Article 7** of the Law prohibits:

- involvement of minors in the activity related to production and circulation of products of sexual or erotic nature, pornographic materials, rendering of services as well as for organization and conducting of spectacular measures of sexual or erotic nature;
- distribution of products of sexual or erotic nature, pornographic materials, rendering of services as well as conducting of spectacular measures of sexual or erotic nature;
- placement of advertisements about intimate meetings for reward and deviant forms of intimate relations in non-specialized mass media.

Distribution of products of sexual or erotic nature shall be permitted at presence of positive conclusion of the National Expert Commission for Public Moral Protection and only in the places specially allocated for that.

Distribution of products of sexual or erotic nature shall be permitted only in specialized shops. The owner of the shop which sells respective products shall inform the citizens about its specific character. Products of sexual or erotic nature may be distributed only on condition of its inaccessibility to minors and unobtrusiveness to consumers.

Conditions and procedure of licensing of activity related to circulation of products of sexual or erotic nature are set by Article 9 of the Law.

Products and spectacular measures of sexual or erotic nature shall be examined for preparing conclusions about permit of their circulation. Expert activity in this sphere shall be conducted only by bodies of state power.

The Law defines:

- conditions of sale and distribution of printed products of sexual or erotic nature;
- the procedure of organization and conducting of spectacular measures of sexual or erotic nature;
- the procedure and conditions of public show of products that have elements of erotic by mass media;
- the procedure of conducting advertising activity and its peculiarities during sale of products of sexual or erotic nature.

State supervision over adherence to the requirements of current legislation in the sphere of protection of public moral shall be conducted within their competence by the Ministry of Culture and Arts of Ukraine, the Ministry of Health of Ukraine, the Ministry of Justice of Ukraine, the Ministry of Education of Ukraine, the Ministry of Internal Affairs of Ukraine, the General Prosecutor's Office of Ukraine, the State Customs Service of Ukraine, the State Committee for TV and Radio Broadcasting of Ukraine, the National Television and Radio Broadcasting Council of Ukraine, the National Expert Commission of Ukraine on Public Moral Protection. Control over presence of licenses at business entities, their adherence to license conditions shall be conducted by the specially authorized body which issued the respective license, law-enforcement bodies and other bodies of executive power within their authorities by holding planned and unscheduled examinations.

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