

*Legal questionnaire completed by NOBLES Law Firm • August 2025*

This document contains responses from the law firm listed above to a questionnaire distributed by NCMEC (questions are in **bold text**). Responses to the questionnaire may be limited to officially enacted legislation; it is possible that actual practice or enforcement of the law varies, and relevant court rulings or case law may also differ from legislative text. Responses have been reformatted and may have been slightly edited for clarity. Furthermore, responses may include commentary, paraphrasing, and unofficial translations of source material (e.g., national legislation) originally produced in other languages. Only official source documents in official languages should be relied upon as legally binding. This document serves to inform further research and does not constitute legal advice from NCMEC or the listed law firm.

**1. What laws and regulations contain legal definitions of the following terms or corresponding terms in your local jurisdiction (links to existing U.S. legal definitions are included, where relevant, as background for comparison – please include definitions of any corresponding terms in your country):**

**a. child or minor (18 U.S.C. 2256(1), <https://www.law.cornell.edu/uscode/text/18/2256>)**

Under Ukrainian law, the terms “*child*,” “*minor*,” and “*underage*” are defined differently depending on the legal context.

According to [Article 1 «Definition of terms» of the Law of Ukraine «On Protection of Childhood»](#), a “child” is defined as «a person under the age of 18 (age of majority), unless, under the law applicable hereto, such person acquires the rights of an adult earlier» (*Unofficial English translation*).

[Article 6 «Child» of the Family Code of Ukraine](#) provides that «a person shall be deemed a child until they reach the legal age of majority». According to the same provision, a «minor» is defined as a child under the age of 14, while an «underage» is defined as a child aged 14 to 18.

According to the Family Code of Ukraine, underage people between the ages of 14 and 18 may exercise certain (but not all) acts of civil life; however, minors under the age of 14 are incapable of performing the acts of civil life.

In contrast, the Criminal Code of Ukraine, while not explicitly defining these terms, uses them differently: considers the term “minor” as a person aged from 14 to 18, and the term “child” as a person under the age of 14.

This divergence reflects differing legal frameworks and should be taken into account when applying definitions.

**b. child sexual exploitation (Missing Children’s Assistance Act of 2023, Section 2, (a)(1)(9), <https://www.congress.gov/118/bills/s2051/BILLS-118s2051es.pdf>)**

There is no single definition nor universal use of the term “child sexual exploitation” in Ukrainian law.



There are several sections of the Criminal Code of Ukraine which criminalize conduct which can be considered 'sexual exploitation' but do not use the exact term. These sections contain definitions of other terms that may be relevant. These sections of the Criminal Code of Ukraine are produced below, with a summary "term" or crime above each section:

### 1. Child Trafficking for the Purpose of Sexual Exploitation

The Criminal Code of Ukraine criminalizes human trafficking, including child trafficking. The term "*exploitation*" is explicitly defined to include sexual exploitation, involvement in the porn industry etc.:

"Exploitation of a human being shall mean all forms of the sexual exploitation, using in the porn industry ..." ([Article 149 «Trafficking in human beings», Note 1 of the Criminal Code of Ukraine](#))

When the victim is a minor or a child, then this is considered as a crime with aggravating circumstances.

Penalty: imprisonment for a term of three to eight years for trafficking in human beings; imprisonment for a term of eight to fifteen years with or without forfeiture of property in cases with aggravating circumstances.

### 2. Pimping or engaging a minor in prostitution

[Article 303 «Pimping or engaging person in prostitution» of the Criminal Code of Ukraine](#) establishes criminal liability for:

«Engaging person in prostitution or compulsion to engage in prostitution, involving deception, blackmail or vulnerable state of a person, with imposition of violence or threat of violence, or pimping»

Engaging a minor in prostitution is a crime with aggravating circumstances.

Penalty: imprisonment for a term of three to five years for pimping; imprisonment for a term of eight to fifteen years with or without the forfeiture of property in cases with aggravating circumstances.

### 3. Forcing a minor to participate in the creation of child pornography

[Article 301-1 «Obtaining access to child pornography, its acquisition, storage, import, transportation or other movement, production, sale and distribution», parts 3,4 of the Criminal Code of Ukraine](#) provides for criminal liability for:

«Production, distribution, sale of child pornography or forcing a minor to participate in the creation of child pornography»

Forcing a minor to participate in the creation of child pornography is a crime with aggravating circumstances.



Penalty: arrest for a term of three to six months or restriction of liberty for a term of up to five years, or imprisonment for a term of two to six years, deprivation of the right to hold certain positions or engage in certain activities for up to three years; imprisonment for a term of nine to fifteen years with deprivation of the right to hold certain positions or engage in certain activities for a term of up to three years.

4. Involvement of or forcing a minor to participate in an entertainment show of sexual nature

[Article 301-2 «Conducting entertainment show of sexual nature with the participation of a minor», part 3 of the Criminal Code of Ukraine](#) provides for criminal liability for:

«Involvement of a minor in an entertainment show of sexual nature, including the use of information and telecommunication systems or technologies, or forcing a minor to participate in such a show through deception, blackmail, vulnerable condition or the use of threat of violence»

Involvement of or forcing a minor or a child to participate in an entertainment show of sexual nature is a crime with aggravating circumstances.

Penalty: imprisonment for a term of five to seven years with deprivation of the right to hold certain positions or engage in certain activities for a term of up to three years for conducting entertainment show of a sexual nature in which a minor is involved; imprisonment for a term of eight to fifteen years with deprivation of the right to hold certain positions or engage in certain activities for a term of up to three years.

c. **sexually explicit conduct (18 U.S.C. 2256(2),**  
<https://www.law.cornell.edu/uscode/text/18/2256>)

“Sexually explicit conduct” is not specifically defined in Ukrainian Law; however, wording «sexual behavior» appears in the child-pornography definition. [Article 156-1 «Harassment of a child for sexual purposes», Note 2 of The Criminal Code of Ukraine](#) defines child pornography by reference to “depicting in any way a child or a person who looks like a child, in a real or simulated sexually explicit image or involved in real or simulated sexual behavior, or any image of the child's genitals for sexual purposes”.

d. **child sexual abuse (18 U.S.C. 2243(a),** <https://www.law.cornell.edu/uscode/text/18/2243>)

The Criminal Code of Ukraine criminalizes sexual abuse, including child sexual abuse. According to [Article 153 «Sexual violence» of the Criminal Code of Ukraine](#), sexual abuse is defined as «committing any sexual violence, not related to the penetration into another person's body, without the voluntary consent of the victim».

e. **child pornography or child sexual abuse material (CSAM) (18 U.S.C. 2256(8),**  
<https://www.law.cornell.edu/uscode/text/18/2256>)

According to [Article 156-1 «Harassment of a child for sexual purposes», Note 2, of the Criminal Code of Ukraine](#), «child pornography shall mean depicting in any way a child or a person who looks like a child, in a real or simulated sexually explicit image or involved in real or simulated sexual behaviour, or any image of the child's genitals for sexual purposes».



There is no specific definition of «child sexual abuse material». There are sections of the Law of Ukraine «On Media» and the Criminal Code of Ukraine that include definitions of similar terms or crimes. The most relevant are:

[Article 36 «Restrictions on the content of information», part 1, clause 6 of the Law of Ukraine «On Media»:](#)

On the territory of Ukraine, it is prohibited to distribute the following in the media and on video-sharing platforms:

pornographic materials, as well as materials that encourage sexual exploitation and violence against children, depict sexual relations involving children, or use images of children (visual recordings of children) in entertainment events of a sexual or erotic nature» (*Unofficial English translation*).

[Article 301-2 «Conducting entertainment show of sexual nature with the participation of a minor», part 3 of the Criminal Code of Ukraine provides for criminal liability for:](#)

«Involvement of a minor in an entertainment show of sexual nature, including the use of information and telecommunication systems or technologies, or forcing a minor to participate in such a show through deception, blackmail, vulnerable condition or the use of threat of violence»

*Note:* In this article, an entertainment show of sexual nature shall mean a public display in any form of products of sexual nature or stage actions aimed at the embodiment of acts of sexual nature.

Penalty: imprisonment for a term of seven to ten years with deprivation of the right to hold certain positions or engage in certain activities for a term of up to three years.

- f. **computer-generated images or videos of child pornography or CSAM (created by artificial intelligence or morphed) (18 U.S.C. 2256(8) & (9), <https://www.law.cornell.edu/uscode/text/18/2256>)**

The definition of «computer-generated images or videos of child pornography or CSAM» is not specifically defined in Ukraine. There are sections of the Law of Ukraine «On Media» and the Criminal Code of Ukraine that include definitions of similar terms or crimes.

[Article 36 «Restrictions on the content of information», part 1, clause 6 of the Law of Ukraine «On Media»:](#)

On the territory of Ukraine, it is prohibited to distribute the following in the media and on video-sharing platforms:

pornographic materials, as well as materials that encourage sexual exploitation and violence against children, demonstrate sexual relations of children, use the image of children (visual recording of the image of children) in spectacular events of a sexual or erotic nature (*Unofficial English translation*).

[Article 156 «Harassment of a child for sexual purposes», Note.2 of the Criminal Code of](#)



Ukraine:

Under this Article and Article 301-1 of the Criminal Code of Ukraine child pornography shall mean depicting in any way a child or a person who looks like a child, in a real or simulated sexually explicit image or involved in real or simulated sexual behaviour, or any image of the child's genitals for sexual purposes.

- g. enticement or grooming (encouraging, persuading, or coercing a child to engage in sexual activity or to create child pornography or CSAM) (18 U.S.C. 2422(b), <https://www.law.cornell.edu/uscode/text/18/2422>)**

This definition is not specifically defined in Ukraine. However, we consider the following pieces/sections of legislation to be relevant to the context of mentioned above term:

Article 156-1 «Harassment of a child for sexual purposes» of the Criminal Code of Ukraine provides for criminal liability for:

- “Proposal of a meeting made by an adult, including through the use of information and telecommunication systems or technologies, to a person under the age of sixteen, for the purpose of committing any acts of sexual nature or debauched acts against him/her, where after such a proposal at least one action was taken to ensure that meeting”.

Penalty: imprisonment for a term of three years; imprisonment for term of three years with deprivation of the right to occupy certain positions or engage in certain activities for a term of up to three years.

- “Proposal to meet made by an adult, including through the use of information and telecommunications systems or technologies, to a minor with the aim of involving him/her in the production of child pornography, if at least one action was taken after such a proposal to ensure that such a meeting took place”

Penalty: imprisonment for a term of two to five years with deprivation of the right to hold certain positions or engage in certain activities for a term of up to three years.

- “Any such actions as provided for by parts 1 or 2 of this Article, committed repeatedly or by a group of persons upon their prior conspiracy, or in respect of a child”

Penalty: imprisonment for a term of three to six years with deprivation of the right to hold certain positions or engage in certain activities for a term of up to three years.

Notes:

- Under Article 156-1 of the Criminal Code of Ukraine, the applicable penalties vary depending on the specific actions described in each part of the Article.
- Under this Article, a meeting shall also mean a meeting, which involves the use of information and telecommunications systems or technologies.



- Under this Article and Article 301-1 of the Criminal Code of Ukraine, child pornography shall mean depicting in any way a child or a person who looks like a child, in a real or simulated sexually explicit image or involved in real or simulated sexual behaviour, or any image of the child's genitals for sexual purposes.

Article 303 «Pimping or engaging person in prostitution» of the Criminal Code of Ukraine:

1. “Engaging person in prostitution or compulsion to engage in prostitution, involving deceit, blackmail or vulnerable state of a person, with imposition of violence or threat of violence”

Penalty: imprisonment for a term of three to five years.

2. “Actions provided for by part 1 of this Article, where committed in respect of several persons or repeatedly, or by a group of persons upon their prior conspiracy, or by an official through abuse of office, from whom the victim was material or otherwise dependent”

Penalty: imprisonment for a term of four to seven years.

3. “The actions provided for by part 1 or 2 of this Article, where committed in respect of a minor or committed by an organised group”

Penalty: imprisonment for a term of eight to fifteen years with or without the forfeiture of property.

Notes:

- Under Article 303 of the Criminal Code of Ukraine, the applicable penalties vary depending on the specific actions described in each part of the Article.
- Under this Article, pimping shall mean any action of a person committed for the purpose of engaging another person in prostitution.
- Under this Article, the liability for engaging a child or a minor in prostitution or compulsion to engage in prostitution shall arise regardless of the fact that such actions were committed with deceit, blackmail or vulnerable state of a person involved, with imposition of violence or threat of violence, abuse of office, or by a person from whom the victim was materially or otherwise dependent.

**h. legal age of consent for sexual activity**

The age of sexual consent in Ukraine is 16 years. While [Article 155 «Committing acts of sexual nature with a person under sixteen years of age» of the Criminal Code of Ukraine](#) does not explicitly mention the concept of consent or define a child’s incapacity to consent, it criminalizes such acts regardless of whether the child appears to have consented. This interpretation is supported by open-access academic sources.

- i. **Sextortion (extorting money or sexual favors from a child by threatening to share sexually explicit, child pornography or CSAM images of the child) (Missing Children’s Assistance Act of 2023, Section 2, (a)(1)(8), <https://www.congress.gov/118/bills/s2051/BILLS-118s2051es.pdf>)**



Ukrainian legislation does not contain a term “sextortion”, but its content is partly covered by a number of criminal law provisions that provide for liability for similar types of crimes.

[Article 301-2 «Conducting entertainment show of sexual nature with the participation of a minor», part 1,3 of the Criminal Code of Ukraine](#) provides for criminal liability for:

- «Conducting entertainment show of a sexual nature, including with the use of information and telecommunication systems or technologies, in which a minor is involved»

Penalty: five to seven years’ imprisonment and up to three years’ disqualification.

- «Involvement of a minor in an entertainment show of sexual nature, including the use of information and telecommunication systems or technologies, or forcing a minor to participate in such a show through deception, blackmail, vulnerable condition or the use of threat of violence»

Penalty: seven to ten years’ imprisonment and up to three years’ disqualification.

**2. Please explain any legal or regulatory requirement or recommendation for Online Platforms to undertake any of the following activities on their systems to protect children online from sexual exploitation:**

**a. review, screen, moderate, or detect content to identify child pornography or CSAM content**

Ukraine lacks legislative regulation of Online Platforms — there are no rules governing their activities, rights and obligations of founders or owners of such Online Platforms, no legislative definition of «Online platform» is established; therefore, there is no obligation for Online Platforms to review, screen, moderate, or detect content to identify child pornography or CSAM content.

[According to Article 36 «Restrictions on the content of information», part 1, clause 6 of the Law of Ukraine «On Media»](#), it is generally prohibited to distribute pornographic materials, in particular:

On the territory of Ukraine, it is prohibited to distribute the following in the media and on video-sharing platforms:

pornographic materials, as well as materials that encourage sexual exploitation and violence against children, depict sexual relations involving children, or use images of children (visual recordings of children) in entertainment events of a sexual or erotic nature» (*Unofficial English translation*).

[Article 110 «Liability of entities in the field of audiovisual media» of the Law of Ukraine «On Media»](#) establishes liability for the dissemination of relevant materials:

- «1. Violations by entities in the field of linear audiovisual media of the requirements of legislation and/or license conditions, for which the National Council of Ukraine on Television and Radio Broadcasting has the right to apply response measures, are



divided into:

- 1) minor;
- 2) significant;
- 3) gross.

[...]

4. Gross violations include:

[...]

- 4) dissemination of pornographic materials, as well as materials that encourage sexual exploitation and violence against children, depict sexual relations involving children, or use images of children (visual recordings of children) in entertainment events of a sexual or erotic nature;
5. For gross violations, entities in the field of linear audiovisual media shall be subject to a fine of 25 percent of the license fee for licensees or from 10 to 75 minimum wages per day of the violation for registrants.» (*Unofficial English translation*).

The obligation for providers of electronic communications networks and/or services to remove the relevant materials if ordered to do so by the court is contained in the Law of Ukraine «On Electronic Communications» (this law applies to relations in the fields of electronic communications and radio frequency spectrum regarding the provision and receipt of electronic communications services, the supply of and access to electronic communications networks, and the promotion of competition in electronic communications markets.):

[Article 18 «Terms of general authorization in the field of electronic communications», clause 3, paragraph 13 of the Law of Ukraine «On Electronic Communications»:](#)

«Providers of electronic communications networks and/or services are required to comply with the following general authorization conditions:

- based on a court decision, restrict their subscribers' access to resources through which child pornography is distributed;» (*Unofficial English translation*)

The Law of Ukraine «On Electronic Communications» does not provide for liability for violation of the general authorization conditions in the field of electronic communications specified in Article 18.

**b. review, screen, moderate, or detect content to identify enticement, grooming, or sextortion of a child**

The answer to this question is the same as the answer to the above (part 2a).

Ukraine lacks legislative regulation of Online Platforms — there are no rules governing their activities, rights and obligations of founders or owners of such Online Platforms, no legislative definition of «Online platform» is established; therefore, there is no obligation for Online Platforms to review, screen, moderate, or detect content to identify enticement, grooming, or sextortion of a child.

The legal provisions cited in response to part 2a above also apply to this question (part 2b), as they address broader content restrictions and criminal liability related to child sexual exploitation online.



- c. report child pornography, CSAM, enticement, grooming, or sextortion that they become aware of or are notified about on their systems to a law enforcement or government agency or nongovernmental organization**

There is no legal or regulatory requirement for Online Platforms in Ukraine to report child pornography, CSAM, enticement, grooming or sextortion that they become aware of or are notified about on their systems to a law enforcement or government agency or nongovernmental organization. In other words, the online platforms are not obliged to report here, they have the option to do so, but there are no legal requirements.

- d. remove or take down any child pornography, CSAM, enticement, grooming, or sextortion that they identify, become aware of, or are notified about**

There is no legal or regulatory requirement specifically on reporting child pornography, CSAM, enticement, grooming or sextortion that the online platforms identify, become aware of, or are notified about. There is no legal or regulatory requirement to remove or take down any child pornography, CSAM, enticement, grooming, or sextortion upon identifying or receiving notice of the same.

- e. review content by human moderators to screen or moderate for child pornography or CSAM**

There is no legal or regulatory requirement specifically relating to the review of content by human moderators to screen or moderate for child pornography or CSAM.

- f. remove child pornography, CSAM, enticement, grooming, or sextortion from their systems when notified of its presence by a victim, non-governmental organization, law enforcement, or government agency**

There is no legal or regulatory requirement to remove child pornography, CSAM, enticement, grooming or sextortion from their systems when notified of its presence by a victim. While the removal of such content may be considered best practice, there is no legal obligation under Ukrainian law for Online Platforms to do so.

- g. use any specific technology to detect, remove, block, or take down any child pornography, CSAM, enticement, grooming, or sextortion, including:**
  - i. “Hashing technology” (<https://www.thorn.org/blog/hashing-detect-child-sex-abuse-imagery/>). Many Online Platforms hash and tag images and videos of child pornography or CSAM and then use hashing technology to scan content on their systems to detect the distribution of child pornography or CSAM online so it can be removed.**
  - ii. Artificial intelligence or machine learning tools to detect the presence of child pornography, CSAM, enticement, grooming, or sextortion.**

There is no legal or regulatory requirement that Online Platforms must use hashing technology, artificial intelligence or machine learning to detect, remove, block or take down any child pornography, CSAM, enticement, grooming, or sextortion.

- h. if the applicable laws or regulations require some, but not all, Online Platforms to perform**



any of the above activities, describe how the differing requirements apply. For example, are differences based on the number of online users, types of services offered, etc.?

No direct legal distinction between online platforms that is relevant here applies since there is no single legislative definition of “Online platform” in Ukraine. However, the definition that aligns quite closely to Online platform is provided in [Article 1 «Definition of terms» paragraph 39, clause 1 of the Law of Ukraine «On Media»](#):

“a platform for shared access to information - a service that provides its users, at their request, with the ability to store and disseminate user information to an unlimited number of persons, if such storage and dissemination is not an insignificant and purely auxiliary function of another service and, for objective and technical reasons, cannot be used without such a service;” (*Unofficial English translation*)

### 3. Are Online Platforms legally required or recommended to implement any method to verify the age of a user before allowing access to an online platform?

As previously noted, Ukrainian legislation does not provide a specific definition of 'Online Platform.' However, there are certain legal requirements concerning age verification that apply to related digital services. In particular, Ukrainian law requires providers of video sharing platforms to verify users' age before granting access to content that may be harmful to the physical, mental, or moral development of children. These providers are also required to ensure the availability of parental control systems to protect children from such content.

Additionally, there is a separate legal obligation for prior age verification on websites operated by manufacturers and importers of devices for the consumption of tobacco products without combustion and/or electronic cigarettes, before granting access to product-related information.

[Article 23 «Requirements for providers of video sharing platforms», paragraph 1, clause 3 of the Law of Ukraine “On Media”](#) provides following obligation for video sharing platform provider:

“3) To ensure verification of the user's age before granting them access to information that may harm the physical, mental, or moral development of children, and ensure the possibility of using parental control systems to protect children from such information;” (*Unofficial English translation*)

In Ukraine there is no legal definition of Online Platforms, however there are similar definitions like website, providers of video sharing platforms etc.

The [Resolution of the Cabinet of Ministers of Ukraine No. 839 dated August 11, 2023](#), established the Procedure for preliminary identification of the age of users of websites of manufacturers and importers of devices for the consumption of tobacco products without combustion and/or electronic cigarettes. (*Unofficial English translation*)

**Please include details about age of the child and any parameters for how the consent must be obtained and is managed.**

According to the above-mentioned Procedure access to information about the range, consumer characteristics, maintenance, and use of devices for consuming tobacco products without burning

them and/or electronic cigarettes on the manufacturer's website is provided by the website owner, subject to prior identification of the age of the website user using an identity document in any of the following ways:

- 1) submission of information (details, data) contained in an e-passport, e-passport for travel abroad, in the manner and procedure provided for the submission of electronic copies of e-passports and e-passports for travel abroad, as well as other means of identification that allow for the unambiguous establishment of a person's identity and age;
- 2) using facial recognition technology:
  - the user on the manufacturer's or importer's website shows their face and identity document through the appropriate module;
  - the manufacturer's or importer's website automatically verifies the authenticity of the user's image using a liveness detection method, recognizes the document, and, if the image of the face matches the document, identifies the user's age;
- 3) With the involvement of an operator:
  - The user demonstrates their face and identity document in real time on the manufacturer's or importer's website using the appropriate module.
  - The operator performs remote identification of the user and verifies their age.

The protection of personal data during the identification of the user's age using an identity document is carried out in accordance with the requirements of the Law of Ukraine "On the Protection of Personal Data."

A website user who has passed the preliminary age identification procedure is granted one-time access to the website. (*Unofficial English translation*)

#### **4. Are Online Platforms legally required or recommended to implement any method to obtain parental consent before a child uses the services of such Online Platforms?**

As mentioned before there is no definition of Online platform in Ukraine. Ukrainian legislation does not contain specific provisions obliging online services (such as websites and video-sharing platforms) to obtain parental consent before a child uses their services. Online services (such as websites and video-sharing platforms) are not legally required or recommended to implement any method to obtain parental consent before a child uses their services.

#### **5. Are there legal remedies for children who have been victimized by online child sexual exploitation? This may include children who are victimized by the distribution of child pornography or CSAM imagery in which they are depicted, or children victimized by enticement, grooming or sextortion. If such legal remedies exist, do they include:**

In Ukraine legal remedies only for above mentioned children are absent. However, there are some legal remedies for victims of any crime or violation in general, according to the [Article 56 "Rights of the victim", paragraph 1 of the Criminal Code of Ukraine](#) and [paragraph 1, Article 16 of the Civil Code of Ukraine](#).

##### **a. The ability to stop the publication of the pornography or CSAM imagery by the Online Platform?**



As mentioned before there is no definition of Online platform in Ukraine. There is no special legal remedy for this in Ukraine. According to sources of publicly available information Ukrainian Cyber Police and courts can order website owners to remove/block such content.

**b. An obligation on the part of the Online Platform to take active steps to remove the pornography or other imagery from their servers?**

No, online services (such as websites and video-sharing platforms) themselves have no voluntary “notice and takedown” system— removal is typically driven by law enforcement orders.

**c. An ability to get an injunction or other court order against the Online Platform to stop them from publishing the pornography or imagery?**

Yes, you can file a lawsuit with the court requesting that certain actions be taken to prohibit the publication of illegal content through a mechanism for protecting rights.

[Article 16” Protection of civil rights and interests by the court” of the Civil Code of Ukraine:](#)

1. Every person has the right to apply to the court for protection of his/her personal non-property or property rights and interests.
2. The following may be used as means of protecting civil rights and interests:
  - 1) recognition of a right;
  - 2) recognition of a transaction as invalid;
  - 3) termination of an action that violates a right;
  - 4) restoration of the situation that existed prior to the violation;
  - 5) compulsory performance of an obligation in kind;
  - 6) change of legal relationship;
  - 7) termination of legal relationship;
  - 8) compensation for losses and other means of compensation for property damage;
  - 9) compensation for moral (non-property) damage;
  - 10) recognition of decisions, actions, or inaction of a state authority, an authority of the Autonomous Republic of Crimea, or a local government authority, their officials, and civil servants as unlawful.

*(Unofficial English translation)*

**d. A protective order or other court order that prohibits the person who posts the pornography or imagery from doing so in the future on the same or other Online Platform?**

Yes, but only partly. As stated above, in the civil sphere, it is possible to obtain an injunction requiring the person who posted the pornography to remove it from the website. This is based on the following article:

[Article 18” Terms and conditions of general authorization in the field of electronic communications”, paragraph 3, clause 13, the Law of Ukraine “On Electronic Communications”:](#)

“[...]”



3. Providers of electronic communications networks and/or services are required to comply with the following general authorization conditions:

[...]

- 13) on the basis of a court decision, restrict their subscribers' access to resources through which child pornography is distributed;"

*(Unofficial English translation)*

- e. **the ability to seek financial damages or any sort of monetary recovery from an offender who has shared the child's image or video, either in a civil or a criminal proceeding?**

In Ukraine, the law provides for the general possibility of recovering monetary compensation (for both material and moral damage) from the offender. This is based on the following articles:

[Article 22 "Compensation for losses and other methods of compensation for property damage" of the Civil Code of Ukraine:](#)

- "1. A person who has suffered damage as a result of a violation of their civil rights is entitled to compensation.
2. Damage includes:
  - 1) losses incurred by a person in connection with the destruction or damage of property, as well as expenses that a person has incurred or must incur to restore their violated rights (actual damages);
  - 2) income that the person could have actually received under normal circumstances if their right had not been violated (lost profits).
3. Damages shall be compensated in full, unless the contract or law provides for compensation in a lesser or greater amount.  
If the person who violated the right received income in connection with this, the amount of lost profits to be compensated to the person whose right was violated cannot be less than the income received by the person who violated the right.
4. At the request of the person who has suffered damage and in accordance with the circumstances of the case, property damage may be compensated in other ways, in particular, damage to property may be compensated in kind (transfer of an item of the same type and quality, repair of the damaged item, etc.), unless otherwise provided by law."

*(Unofficial English translation)*

[Article 23 "Compensation for moral damage", paragraphs 1,2 of the Civil Code of Ukraine:](#)

- "1. A person has the right to compensation for moral damage caused by the violation of his or her rights.
2. Moral damage consists of:
  - 1) physical pain and suffering that a natural person has experienced in connection with injury or other damage to health;
  - 2) mental suffering that a person has experienced in connection with unlawful behavior towards them, their family members, or close relatives;
  - 3) mental suffering that a person went through because of the destruction or damage to their property;



4) humiliation of a person's honor and dignity, as well as the business reputation of a person or company.”

*(Unofficial English translation)*

**f. the ability to seek any other forms of victim compensation/recovery/services provided for under the law and/or by a government-funded source?**

No.

**g. notification to a victim when an offender is arrested for distributing child pornography or CSAM in which the child is depicted?**

No.

**6. “Safety by Design” is defined as tools or processes that are built into an Online Platform to protect children by making it easier for the relevant Online Platform to detect or prevent the distribution of child pornography or CSAM.**

**a. Are Online Platforms legally required to incorporate “Safety by Design” into their systems?**

No. As previously mentioned, Ukrainian legislation does not define the term “Online Platform,” and there are no legal provisions requiring online services (such as websites and video-sharing platforms) to incorporate “Safety by Design” into their systems.

The concept of “Safety by Design” is not implemented in Ukrainian law in any form. The legislative approach in Ukraine is primarily reactive rather than preventive — focused on criminalizing and prosecuting online child sexual exploitation (including CSAM) after it occurs, rather than mandating systemic preventive measures at the platform design stage.

Accordingly, Online Platforms in Ukraine are not legally required to proactively prevent the distribution of CSAM through built-in safety features but may be subject to criminal enforcement measures once such content is discovered.

- i. If so, must these steps be taken before the launch of an Online Platform?**
- ii. If so, if an Online Platform has already been in public use, when must they have incorporated “Safety by Design” measures?**
- iii. For each of 6(a)(i) or (ii) above, please describe the legal requirement or recommendation.**

**b. Please include information about the parameters for monitoring, management, and enforcement of any legal or regulatory requirements for the Online Platform’s incorporation of “Safety by Design”?**