

iMoRe # 89 New laws on the national security and copyright

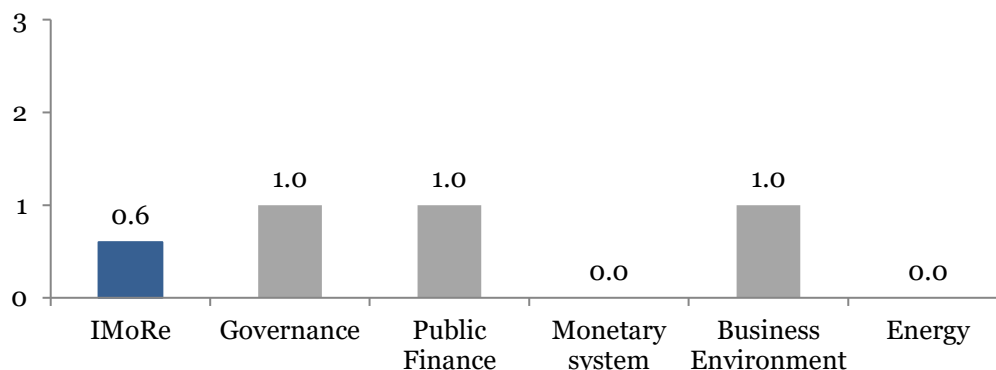
The index for monitoring of reforms (iMoRe) is +0.6 points for the period from July 2 - July 15, 2018. The main events of the round are the adoption of the laws national security and the effective management of copyrights.

Chart 1. iMoRe dynamics



iMoRe can take values from -5 to +5
with value above +2 considered an acceptable pace of reforms

Chart 2. iMoRe and its components in the current round



The major events of the release

1. Law on Copyright Management, +2 points

According to the International Property Rights Index, Ukraine ranks 93rd out of 127 countries in terms of protection of intellectual property rights.

One of the problems that exists in this area is the ineffective regulation of institutions that manage rights of intellectual property owners. According to the law "On Copyright and Related Rights", the management of copyrights is carried out by collective management organizations. They are authorized, on behalf of the authors, to conclude contracts with users, agree upon the amount of remuneration when concluding the contract, collect, distribute and pay out the collected remuneration.

Such institutions are essential because authors, as a rule, are not able to independently track the use of their own works (records), negotiate remuneration for such use and collect it.

Remuneration to foreign authors is paid on the basis of agreements with foreign collective management organizations.

In practice, the authors could not control the amount of remuneration taken by collective management organizations, and they sometimes abused their powers. In particular, the opportunities for such abuses appeared under the rule that after three years from the date of receipt of a reward if not requested by the author, it could be used for any purposes provided by the charter of such organizations.

Law 2415-VIII of May 15, 2018 reduced the opportunity for such abuses. Under conditions of effective implementation of the provisions of the law, the system will become more transparent and the authors will be able to more easily remunerate their works.

2. National Security Law, +2.0 points

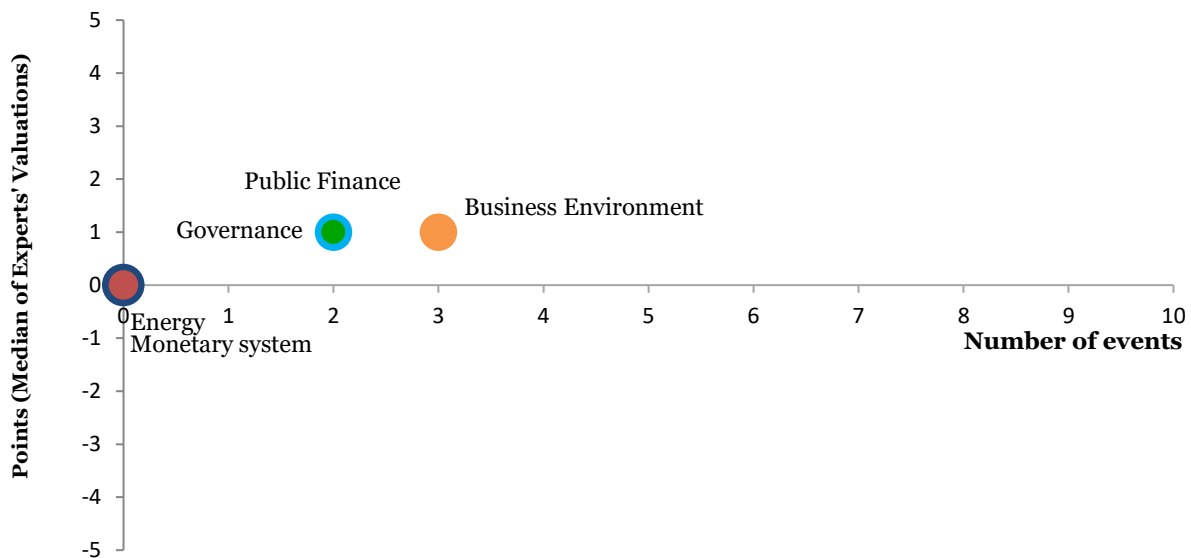
Legislation that regulated the area of national security had serious drawbacks. This sphere was regulated by 3 laws - "On the Fundamentals of National Security of Ukraine", "On Democratic Civilian Control over the Military Organization and Law Enforcement Bodies of the State" and "On the Organization of Defense Planning". Each of them was regulated by a separate area of national security.

This legislation did not clearly define the scope of national security. The list of threats to national security included various negative factors in the development of society and the state. However, the overcoming of these threats could not always be ensured by the activities of the security sector bodies. At the same time, the law did not clearly define the powers of state bodies, which complicated interagency coordination. All these flaws became apparent since the start of Russia's aggression against Ukraine.

It was also necessary to determine at the level of the law the relationship between decisions of the highest bodies of state power in the sphere of national security, the activities of the bodies aimed at their implementation, and allocation of the corresponding resources.

Law 2469-VIII of June 21, 2018 defined the management mechanisms in the sphere of national security and defense, standardized the structure and composition of the security sector, the management system, coordination and interaction of its bodies, and introduced a comprehensive approach to planning in the sphere of national security.

Chart 3. Value of iMoRe components and number of events



(Please see other charts on the website http://imorevox.in.ua/?page_id=577, http://imorevox.in.ua/list_rounds.php)

Note: Index for Monitoring Reforms (iMoRe) from VoxUkraine aims to provide a comprehensive assessment of reform efforts by Ukraine’s authorities. The Index is based on expert assessments of changes in the regulatory environment in five areas:

1. Governance
2. Public Finance
3. Monetary system
4. Business Environment
5. Energy

For details please visit imorevox.org.