



## **Union of Non-Governmental Organizations "THE UKRAINIAN AMATEUR RADIO LEAGUE"**

Postal address: P.O. box 33, Kyiv, 01001, Ukraine  
E-mail: ut7uv@ukr.net Phone: +380 50 469-52-54  
Web: vrl.org.ua  
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**Addressees:**

**Head of NKRZI  
O. Zhyvotovski**

**Head of DSSZZI  
Y. Schihol**

**CEO of UCRF  
V. Korsun**

**Minister of Digital Transformation of Ukraine  
M. Fedorov**

**Head of Parliament Committee of Digital Transformation  
M. Kryachko**

**Chairman, CEPT ECC  
C. Woolford**

**Secretary-General, ITU  
H. Zhao**

***About the amendments to the Regulations of amateur radio communications of Ukraine.***

***Dear recipients!***

According to the Law of Ukraine “About the Radio Frequency Resource of Ukraine» the Union of Non-Governmental Organizations “The Ukrainian Amateur Radio League” (“UNGU UARL”) had a chance to take part in the development of improvements of the Regulations of amateur radio communications of Ukraine (“Regulations”). These Regulations have a status of the main document, describing the status of radio amateurs in Ukraine as well as their relationships to the state.

In 2020, the development of amendments was headed by the National Committee for the State Regulation of Communications and Informatisation of Ukraine (“NKRZI”). It was included in the

Plan of Regulatory Acts for 2020 by the NKRZI under the title “**Improvements of certain provisions of the Regulations of amateur radio communications of Ukraine, reaching European level of radio amateurism in Ukraine**”. This Plan was published at the official website of the NKRZI:

<https://nkrzi.gov.ua/index.php?r=site/index&pg=40&id=8894&language=uk>

While working on the amendments, UNGO UARL invited leading radio amateurs, radio sportsmen, experts in the area of radio communications, lawyers, etc. This work has begun several years ago, when members of our UNGO started appealing to the NKRZI, Administration of the DSSZZI (The State Service of Special Communications and Information Protection), as well as the UCRF (The Ukrainian Center of Radio Frequencies). The appeals proposed urgent actualization of the Regulations, since last more or less significant changes were done in 2010-2011.

Radio amateurs were hoping to reach a significant progress now in 2020, together with state institutions. In particular, they thought about **rights and freedoms for Ukrainian radio amateurs to be equal to their colleagues from the EU or other highly-developed countries**. This could be only reached by applying significant changes to the Regulations.

This is why radio amateurs applied intensive efforts to provide high-quality changes. They carefully studied EU laws, recommendations of CEPT and ITU. Consultations with radio amateurs from different countries took place. Members of UNGO UARL took part in workgroups organized together with the NKRZI and the UCRF. On my opinion, a weighed position on each topic was formed by UNGO UARL, satisfying the goal: **to make the Regulations a modern, actual document**.

As a result, a list of changes was prepared with the help of radio amateurs, by the NKRZI and the UCRF representatives. The NKRZI published it at their official website:

<https://nkrzi.gov.ua/index.php?r=site/index&pg=99&id=2001&language=uk>

The question is, “**Do the listed changes correspond to the real needs and requests of Ukrainian radio amateurs**”?

In spite of the fact that several significant mistakes are going to be corrected in the amended Regulations, the new edition still has multiple serious problems, such as:

1. **There was no new radio amateur band added since many years.** Ukrainian radio amateurs have been continuously asking the DSSZZI, the NKRZI and the UCRF to add the following frequency ranges: 472-479 kHz, 5.3515-5.3665 MHz, 69.900-70.500 MHz, 1240-1300 MHz, 2300-2450 MHz, 3400-3410 MHz. Today most of these bands are available worldwide, but **prohibited in Ukraine**.

2. **Existing bands were not expanded.** Firstly, 50.080-50.280 MHz should be expanded to 50-52 MHz (or 50-54 MHz), as used in many countries. In addition, according to the worldwide practice, the following bands need to be expanded: 5.650-5.670 GHz and 5.830-5.850 GHz (to 5.650-5.850 GHz), 10.1-10.15 GHz (to 10-10.5 GHz), 24-24.05 GHz (to 24-24.25 GHz), 76-81 GHz (to 75.5-81.5 GHz). **Thus, none of multiple requests to extend radio amateur bands was satisfied.**

3. **Maximum transmitter power levels were not increased.** Today, these levels are possibly smallest in the world: 200 Watts for most of HF bands, 5 Watts for VHF and UHF. Ukrainian radio amateurs many times requested to increase maximum power to meet the worldwide practice. In many countries, including such neighbor states as Belarus, Poland, Romania, power levels are 500-

1000 Watts at HF bands and 50-100 Watts at VHF and UHF. **Compared to other countries, in Ukraine maximum power levels are 5-10 times smaller.**

4. **There is no wish to implement electronic document flow.** Despite the Law of Ukraine “About electronic documents and electronic document flow”, the Regulations assume using paper media only, while communicating to state institutions. Not only does it slow down the document flow, especially in COVID-19 conditions, but confirms that the **Regulations are many years behind modern times.**

5. **It is pity that Ukrainian radio amateurs still have to log their activity and pass the information about their contacts to the NKRZI by its request.** This norm contradicts the requirements of the Ukrainian Constitution, article 32. In addition, it is against the Law of Ukraine “About personal data protection”, interfering with privacy. **One of the most important rights of the citizen is violated.**

6. **They did not remove an obligation for an SWL (a radio listener) to get own call signs in the UCRF only.** In fact, a radio listener does not transmit anything and thus the Regulations do not apply to him/her; this is an abuse of authority of the UCRF. Radio listeners may acquire their own call signs at radio clubs worldwide, but not in Ukraine. In addition, official data say that in fact nobody received a call sign from the UCRF during last years. **Thus, such a service is outdated.**

7. **Contrary to the Law of Ukraine “About the freedom of migration and of choosing a place to live in Ukraine”, a radio amateur is limited to referring to a branch of the UCRF or to pass a radio amateur exam only in a region of Ukraine, where he/she is registered.** During war activities, forced migration in our country, and now, during the pandemic of COVID-19, this bad practice results in significant delays to obtain or renew amateur radio licenses. **People think of it as an artificially created obstacle.**

8. **No new radio technologies were added.** Radio amateurs requested that they could use novel digital voice modes, such as DMR, D-Star, Yeasu System Fusion, particularly, for building VHF/UHF repeater networks. In many countries of the world, this technology is available since 2020. **In Ukraine, a radio amateur law is about 20 years behind the rest of the world.**

In addition, the current draft of the Regulations is having dozens of small errors, which have not been corrected.

Thus, the changes to the Regulations proposed by the NKRZI **in no way help solve the task “to reach European level of radio amateurship in Ukraine”.** These changes are rather cosmetic, and will not significantly improve the life of radio amateurs.

I believe that **approving these changes to the Regulations by the NKRZI is baseless.**

Additionally, the text of the Regulations contains multiple signs of **direct or indirect discrimination of certain groups of individuals.** Thus, according to the Law of Ukraine “About prevention and counteraction to the discrimination”, I demand a public antidiscrimination expertise of the text of the Regulations.

Sincerely yours,  
First vice-president of UNGO UARL

Oleksandr Ananiev UT7UV