

NGO HUMAN RIGHTS BUREAU “WE ARE!”

PUBLIC DISCOURSE IN UKRAINE CONCERNING LGBTIQ, 2022-2025: HATE SPEECH-RELATED RISKS AND ARCHITECTURE OF RESPONSE

Analytical report based on three evidence streams and an operational model of institutional response compatible with Article 10 ECHR

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This analytical report is intended to inform policy work on recurring patterns of public discourse relevant to the assessment of hate speech-related risks and on the minimum necessary elements of an institutional architecture of response.

The report is not a study of the overall prevalence of the phenomenon in Ukrainian society and does not provide legal qualification of specific content in the absence of decisions by competent authorities. Its subject matter is a reproducible data corpus, procedural gaps and proportionate response parameters compatible with Article 10 ECHR and Council of Europe standards.

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This publication was prepared as part of the organisation’s analytical and human rights work on countering hate speech and disinformation concerning LGBTIQ people.

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List of abbreviations and acronyms

Abbreviation	Meaning
CM/Rec(2022)16	Recommendation of the Committee of Ministers of the Council of Europe to member States on combating hate speech
HS1-HS7	HS codes of public discourse patterns relevant to the assessment of hate speech-related risks in the codebook
MVP	minimum viable product; in this report, a minimum viable pilot model
OSINT	open-source intelligence
URL	uniform resource locator; web link
USRCR	Unified State Register of Court Decisions of Ukraine
ECHR	European Convention on Human Rights
ECRI	European Commission against Racism and Intolerance
EU	European Union
ECtHR	European Court of Human Rights
NGO	non-governmental organisation
D1-D7	D codes of information distortion mechanisms in the codebook
ACC	Administrative Cassation Court
KDAC	Kyiv District Administrative Court
LGBTIQ	lesbian, gay, bisexual, transgender, intersex, queer and other people
CSO	civil society organisation
UN	United Nations
SOGIESC	sexual orientation, gender identity, gender expression and sex characteristics
6AAC	Sixth Administrative Court of Appeal

I. Executive Summary

This report analyses a reproducible corpus of open acts of public communication and related institutional indicators in order to identify recurring patterns of public discourse relevant to the assessment of hate speech-related risks, as well as gaps in the response process and the quality of institutional design. The main research period covers 2022-2025, while data from 2016-2021 are used for contextual review and calibration of the institutional layer.

The empirical basis consists of a coded set of publicly available materials from one online source (N=35) and a separate institutional subsample for 2016-2019, comprising 107 decisions and appeals by local councils with procedural response indicators. This basis is supplemented by documents of central public authorities and a court case as indicators of roles and thresholds.

The report's central finding is that recurring patterns of public discourse become a matter of public policy primarily when they are not matched by a predictable, proportionate and reproducible institutional response. In the absence of agreed thresholds, roles and procedures, even well-grounded assessments of harm risk do not translate into a manageable response practice.

According to the logic of the document, the key problem in 2022-2025 is not so much the emergence of new discursive patterns as the gap between the visibility of the issue and institutional capacity to act consistently, within competence and with proper procedural safeguards.

Russia's full-scale aggression against Ukraine is not the starting point of these patterns, but it has substantially changed the context of their visibility, circulation and potential level of harm risk.

At the same time, this report does not assess the overall prevalence of the phenomenon across the entire public space of Ukraine and does not provide legal qualification of specific content without decisions by competent authorities. All findings are strictly limited to the assembled data set. The interpretation of "hate speech" is grounded in Council of Europe standards, while the six-part test of the Rabat Plan of Action is used solely as a risk-assessment tool and not as a substitute for law enforcement or adjudication.

The architecture of response proposed in this report is calibrated against the Article 10 ECHR criteria of lawfulness, legitimate aim, necessity and proportionality. Accordingly, the most intensive forms of State interference are treated as ultima ratio and only where a high threshold of incitement is reached. For lower risk levels, priority is given to administrative-regulatory, self-regulatory and policy-communication tools.

The practical output of the report is a proposed target architecture of response. It combines threshold logic, meaning the relationship between harm-risk levels and response measures, a minimum sufficient set of procedural metrics to ensure reproducibility and a functional allocation of roles among public policy instruments. Under this logic, the object of analysis is not only the content of acts of public communication, but also the capacity of the institutional system to record, route and process risks in a predictable manner.

For this reason, the report does not propose a measurement of the scale of the phenomenon. It proposes a model for optimising the response process, including a minimum viable (MVP) architecture suitable for further institutional testing and refinement.

For public policy actors and international partners, the value of this report lies in showing the conditions under which recurring patterns of public discourse move into the domain of institutional manageability, democratic resilience and human rights protection.

In this sense, the document is directly relevant to Ukraine's human rights and European integration agenda, as it combines the protection of dignity and equality with procedural safeguards for freedom of expression.

Its practical value derives from the fact that the recommendations are not based on prior assumptions, but on a consistent correlation of content, harm risks, response indicators and institutional gaps within a reproducible data set.

II. Scope of Analysis and Methodology

This section defines the scope of analysis, field of application and rules for interpreting the data that constitute the methodological basis of the report. The document is descriptive and policy-oriented. Its purpose is not to assess the overall prevalence of the phenomenon in society or to legally qualify specific content, but to identify recurring patterns of public discourse relevant to the assessment of hate speech-related risks and to define the minimum necessary elements of an institutional architecture of response compatible with Council of Europe standards.

The main data set covers open-source materials from 2022-2025, while 2016-2021 is used to calibrate the institutional layer. In the media corpus, the unit of analysis is an individual act of public communication. In the institutional layer, the unit of calibration is an individual institutional act or procedural event. This distinction is necessary to separate content analysis from the analysis of competences, routing algorithms, time lags and the overall response process.

The analytical focus of this version of the report is on discursive practices concerning the LGBTIQ community as a cross-cutting thematic case study. This choice is methodological. The topic has long-term institutional visibility and documented recurring patterns of stigmatisation in open sources, which makes it possible to trace not only content patterns, but also gaps in the response process.

The coded media corpus (N=35) was assembled from materials of one online source as a reproducible thematic case study. This choice performs an analytical rather than representative function. It reduces noise associated with differing editorial policies across platforms and makes it possible to trace recurring patterns across a stable time series. Accordingly, the findings below should be read as a description of reproducible mechanisms within the selected corpus, not as claims about the structure of the entire media space.

The analytical value of this design therefore lies not in establishing the scale of the phenomenon, but in tracing how recurring patterns of public discourse, the harm-risk level (severity) and indicators of response correlate within a single reproducible data set. This correlation, rather than frequency measurement, provides the basis for further conclusions on the target architecture of response.

In this report, terms are used within the following analytical hierarchy: “public space” means the broadest environment of socially significant institutional, media and political communication; “public discourse” means recurring interpretive models circulating in that space; “public communication” means specific messages, campaigns, regulatory signals and other acts of expression; “media corpus” means the coded subset of such materials within this version of the report; “response process” (response stream) means verified indicators of platform or institutional reaction; “institutional layer” means a separate calibration level of analysis; and “architecture of response” means the target alignment of roles, thresholds, routing and procedural metrics across different public policy instruments.

Units were selected for the media corpus according to predefined criteria: the 2022-2025 timeframe, public availability of the material, a clear thematic link to equality and non-discrimination, sexual orientation, gender identity, gender expression and sex characteristics (SOGIESC), as well as storylines in which the topic or group is presented as an object of “threat”, “crime” or “restrictive demands”.

To ensure reproducibility, each record contains a web link and an archived copy. Access to the archive database is restricted for the general public due to the technical features of database access. Storylines are summarised neutrally in order to avoid reproducing hate speech.

Research architecture

The research architecture rests on three interconnected evidence streams.

The content stream records the documented content of the message and recurring interpretive models without attributing hidden intent.

The harm & risk stream assesses potential mechanisms of social exclusion or increased harm risk in the specific wartime context, using an operational severity scale that is not equivalent to legal qualification.

The response stream tracks verified indicators of institutional or platform reaction. Within this logic, disinformation mechanisms are treated as factors that may amplify harm risk rather than as a separate regulatory object.

To avoid conflating levels of analysis, the report consistently distinguishes between: (1) descriptive indicators, meaning what is recorded in the corpus; (2) analytical findings, meaning which risk mechanisms may be relevant; and (3) institutional implications, meaning which elements of the response architecture are necessary.

This distinction is applied throughout the report to avoid moving from description to normative conclusions without an intermediate analytical level.

Record schema

Field	Description
id	Unique record identifier
date	Date of publication
source	Name of the source or platform
title	Short working title or title of the material; in the public version, where necessary, presented neutrally
url	Public link
archived_url	Archived copy for reproducibility
excerpt_neutral	Short neutral summary without reproducing harmful wording
codes_hs	Operational HS codes of recurring public discourse patterns relevant to assessing hate speech-related risks (HS1-HS7); not a legal qualification of the material; multiple coding may be used where needed
codes_d	Operational D codes of information distortion mechanisms (D1-D7); not a final qualification of the material; multiple coding may be used where needed
severity	Operational harm-risk level, 0-4
confidence	Confidence level: low, medium or high
response_status	Response status under the response stream taxonomy, including no_data, no_response_found, response_observed, in_progress or not_applicable
responder	Responding actor, institution or platform where known
response_action	Response measure, where known
first_response_date	Date of the first reaction or response, where known

Field	Description
lag_days	Time lag in days between the publication date and the date of the first verified response, where calculable

Limitations and implications for interpretation

The report consistently distinguishes descriptive indicators, analytical findings and institutional implications. The absence of confirmed response data (no_data) is interpreted as a data gap or a governance gap, not as proven absence of response as a factual event.

The media corpus is drawn from one source and used as a reproducible thematic case study. It therefore does not support conclusions on prevalence, but it is suitable for identifying recurring patterns and testing whether they can be correlated with the minimum necessary elements of institutional response. The harm & risk stream records potential harm mechanisms in wartime conditions, but does not establish direct causation and does not replace legal qualification.

Accordingly, the report's findings are aimed at the institutional definition of roles, thresholds and procedural metrics rather than at legal assessment of the content of specific acts of public communication.

Ethical safeguards and reproducibility

Instead of direct quotations, the report uses short neutral summaries of content. Full passages of hate speech are not reproduced, personal data are not collected and materials are archived to ensure reproducibility.

Operational definitions

Interpretive model (frame): a recurring way of interpreting a topic or group that consolidates expectations about social acceptability.

Harm risk: a description of the mechanism through which an interpretive model may affect participation, safety or dignity in the public space.

Response: a recorded indicator of an institutional measure or its absence in the data (response_status), without making findings on lawfulness or effectiveness.

Incitement: an operational term used to describe expressions or acts in the public space that, in a specific context, may create an elevated risk of mobilisation towards discrimination, hostility or violence. In this report, "incitement" is used as a risk-assessment category, taking account of the high threshold of the Rabat Plan of Action, and not as a legal qualification or a finding of intent by an actor.

Threshold approach: the principle under which response tools are aligned with harm-risk level and the intensity of interference. The most severe measures are applied only where high thresholds are reached and appropriate procedural safeguards are in place, while lower risk levels prioritise administrative-regulatory, self-regulatory and policy-communication measures. The threshold approach functions as an operational routing tool and does not replace the court or regulator.

Procedural metrics of the response process (response stream): measurable indicators of manageability and predictability of response, such as the share of recorded responses, median lag, the share of records with an identified responder and response_action, the share of materials with an archived_url and the share of "unknown" statuses.

Detailed coding rules, MVP monitoring procedures and technical data governance parameters are set out in Annexes II-III. In the main body of the report, these tools are used only to the extent necessary to

explain the analytical logic, ensure reproducibility of findings and clearly distinguish content, harm risks and the response process.

Note: Technical terms and field values such as `response_status`, `response_action`, `archived_url`, `lag_days` and `no_data` are retained in code-style terminology to identify them unambiguously as variable names in the data schema and to avoid confusion with descriptive wording. This improves reproducibility and reduces the risk of divergent readings. The report deliberately retains terms such as severity, record schema and response stream because they correspond to established international research and policy-legal vocabulary and are directly linked to the data structure and coding methodology.

III. The 2016-2021 Context: Institutional Calibration

This section serves as a tool for calibrating the institutional layer of the pre-war period. Its purpose is not to retrospectively assess prevalence, but to record the fact that even before 2022, debates around equality, non-discrimination and the “protection of the institution of the family” had acquired a clear institutional form and were channelled through specific bodies, procedures and measures. Within the methodological paradigm of this report, such a retrospective view is critical. It makes it possible to trace not only the content of political signals, but also elements of institutional design that later become relevant for assessing roles, intervention thresholds, routing algorithms and procedural metrics of the response process.

At the same time, international and national institutions have repeatedly pointed to structural challenges in documenting hate speech, hate crimes and discrimination in Ukraine. Within this report’s methodology, this context is treated not merely as background information, but as a fundamental reason why the consistency of findings and response practices depends not only on communication content, but above all on data quality, procedural clarity and a clear functional allocation of institutional roles.

For the policy logic set out in the report, this aspect is decisive because it explains why the consistency of findings and response practices depends not only on the content of messages, but also on the quality of data, procedures and institutional roles.

The institutional subsample for 2016-2019 covers 107 records concerning decisions and appeals by local councils in 21 regions of Ukraine, thematically classified as acts concerning the “protection of the institution of the family”. Procedurally measurable indicators were recorded for this set: whether a response or another form of reaction at central level was provided, the time lag in the response and the competent responding actor. According to the available data, an official reaction by State institutions was confirmed for almost 85% of the records, while the median response time was 48.5 days. Within the methodology of this report, these acts are treated exclusively as institutional indicators of the response process and not as a homogeneous set of “hate speech” or as a basis for legal qualification of their content.

A separate marker of the central institutional level is the reply of the Ministry of Justice of Ukraine of 21 February 2019 concerning the implementation of subparagraph 6 of paragraph 105 of the Action Plan for the implementation of the National Human Rights Strategy for the period up to 2020. Within the evidentiary basis of this report, that document is treated not as a tool for analysing the content of appeals, but exclusively as an indicator of routing algorithms to a central executive authority, as a marker of the normative response framework and as evidence of the division of powers between institutions. In this context, the letter is relevant to understanding how, in the pre-war period, the issue was institutionally articulated and through which channels it was integrated into the official response process. See Annex IV.

An additional indicator for defining thresholds and the limits of the institutional approach is the court case brought by NGO Human Rights Bureau “We Are!” seeking to recognise as unlawful the actions of the Chernivtsi Regional Council in appealing to the Verkhovna Rada of Ukraine, the President of Ukraine and the Cabinet of Ministers of Ukraine on the protection of the institution of the family in Ukraine, as allegedly amounting to incitement to direct and indirect discrimination on the grounds of sexual orientation and to harassment (decision of the Chernivtsi Regional Council No. 73-22/18 of 23 May 2018). Within the methodology of this report, that case is treated not as a source of final qualification of the content, but exclusively as precedent evidence that questions of competence, the limits of legal assessment and the relationship between risks of discursive harm and legal categories had already been the subject of an institutional dispute.

It is significant that the appellate court amended the reasoning part of the first-instance judgment by excluding findings concerning incitement to discrimination. This further confirms the critical need to distinguish clearly between analytical risk assessment and direct legal qualification by competent authorities. See Annex VI. For the purposes of this report, the case is used as an illustration of a dispute over powers and thresholds, regardless of its outcome.

Accordingly, analysis of the pre-war institutional layer shows that, even before 2022, the issue had acquired measurable procedural visibility. Its evolution can be traced through the routing of appeals, response lag metrics, normative division of powers and institutional disputes over the limits of legal intervention.

Source link: <https://rm.coe.int/final-data-collection-report-ukraine-en/16809fac70>

IV. Periodisation of 2022-2025: Risk and Response Configurations

The periodisation below reflects the evolution of dominant discursive configurations in Ukraine's public space after 24 February 2022 and their significance for designing an institutional architecture of response. All quantitative indicators cited refer solely to distributions within the coded data set and cannot be interpreted as measuring the overall prevalence of the phenomenon in Ukrainian society. Accordingly, formulations within the harm & risk stream describe potential mechanisms of social exclusion or escalation of threats in the wartime context. They do not replace legal qualification and do not attribute intent to communication actors.

The purpose of this periodisation is not to construct a linear chronology of escalation, but to record how, within the analysed data set, key risk mechanisms changed and which institutional gaps proved most persistent. It is the cumulative effect of these configurations, not quantitative year-to-year comparison, that provides the methodological basis for conclusions on the minimum necessary elements of the target architecture of response.

2022: securitisation of equality

For 2022, the defining feature is not the emergence of fundamentally new interpretive models of discourse, but a sharp change in the conditions of their circulation as a result of Russia's full-scale aggression against Ukraine.

Public communication saw an increasing role for security arguments, mobilisation logic and humanitarian priorities, which also affected the regularity of documentation and the availability of structured response data.

A separate catalyst of public discourse in which recurring patterns relevant to the assessment of hate speech-related risks could manifest was the ratification of the Istanbul Convention. This event activated rhetorical constructions involving manipulative models and conceptual substitutions. Within this analysis, there is no basis for concluding that such narratives correspond to broader social attitudes. The available corpus rather records their visibility and recurrence under conditions of war and heightened social sensitivity.

In the 2022 content stream, the most visible approach was one in which equality issues were interpreted through categories of loyalty and security or through demands of "social utility". Operational coding records a prevalence of security framing and calls for restrictions. The analysis identifies mechanisms of logical substitution and manipulation of causal links used to recontextualise the issue.

In the harm & risk stream, this operationally points to the securitisation of equality: the topic or group is presented as a risk factor for security or cohesion. This may increase the likelihood of social exclusion and the acceptability of restrictive approaches even when the content does not reach the highest thresholds of incitement.

In the 2022 response stream, the key feature is fragmented and incomplete data, which prevents comparison of consistency in response.

The institutional conclusion relevant to subsequent periods is that 2022 highlights a basic manageability problem. Even where risk mechanisms can be operationally identified, the absence of a minimum standard for recording the response process prevents a consistent correlation between harm-risk assessment and actual intervention practice. In such a configuration, system predictability remains limited, which substantially complicates the proportionate application of tools under Article 10 ECHR criteria.

The transition to 2023 marks the return of standards of responsible public communication to the institutional agenda. Against this background, inverse legitimisation models became more visible, particularly in the dichotomy of "freedom of speech versus censorship", while the objective need for operational alignment of response criteria also became more salient.

Source link: <https://rm.coe.int/ukr-2024-after-ratification-promising-practices-of-ic-eng/1680af9c34>

Note: The narrative_code, HS and D codes used in the notes below are technical indicators from the codebook. They should be read together with the annexes and not as self-standing substantive categories in the main text. Where the main text indicates only the dominant lines for a given year, the notes provide compact empirical support.

Corpus indicators for 2022 (N=10): narrative_code - N6 = 3/10, N1 = 2/10, N3 = 2/10, N2 = 1/10, N4 = 1/10, N5 = 1/10; codes_hs - HS3 = 5/10, HS4 = 5/10, HS2 = 4/10, HS7 = 4/10, HS1 = 1/10; codes_d - D4 = 5/10, D2 = 4/10, D3 = 3/10 (D1/D5/D6/D7 = 0/10; codes_d = none = 1/10); severity - 1 = 3/10, 2 = 5/10, 3 = 2/10.

2023: institutional articulation without coordinated response

For 2023, the defining feature is the increased relevance of standards of responsible public communication and the role of regulatory approaches.

One contextual factor that year was the entry into force of the Law of Ukraine “On Media”, which expanded the governance and regulatory model in the media sphere and increased attention to the role of the regulator and standards of responsible communication.

Within this report, normative changes in the media sphere are treated as an institutional “indicator of expectations”. They increase the visibility of roles and standards, but do not in themselves establish transparent thresholds or a unified response practice for different channels and formats.

Another element of public discourse in 2023 was the discussion of Draft Law No. 9103 “On the institution of registered partnerships”, registered on 13 March 2023, which placed the issue of legal recognition of partnerships within the European integration agenda.

Although the draft law did not directly concern regulation of hate speech, its emergence coincided with increased visibility of the topic in public discourse, where frames of social exclusion could appear.

In the 2023 content stream, the inverse legitimation model of “defending freedom of speech” is strengthened in combination with restrictive demands. Operationally, it is important that freedom of speech rhetoric may be used in ways that increase the acceptability of exclusionary or restrictive demands where response criteria and thresholds are not described transparently.

In the 2023 harm & risk stream, the key mechanism is the lowering of the threshold of acceptability for discriminatory proposals through inverse legitimation. Harm risk is generated not only by the harshness of wording, but also through the normalisation of exclusion as a “protective” or “proper” approach under wartime conditions.

In the 2023 response process, the main limitation is that, for most open-source materials, reaction data are not available in structured form. This limits the possibility of verifying whether normative and communication indicators are transformed into stable, predictable practices of assessment and response.

In terms of the architecture of response, this means that, in the absence of clearly defined thresholds and criteria, even normative indicators can be “captured” by alternative models of legitimation. This creates a situation in which the same rhetoric can be interpreted both as protection of freedom of expression and as a basis for restrictive approaches, depending on context and the absence of agreed procedures.

The institutional conclusion for the year is that normative and communication “indicators of expectations” do not by themselves guarantee operational coherence. In the absence of clear intervention thresholds, procedural recording and predictable routing algorithms, they leave space for competition between interpretive models. This is particularly true of inverse models in which rhetoric defending freedom of expression is instrumentalised as a universal argument against any institutional intervention.

The transition to 2024 is characterised by increasing social and institutional visibility of debates on tools to counter discrimination and hate crimes. At the same time, the analysed data set shows persistent indicators of institutional fragmentation. Prevention measures, regulatory mechanisms, victim-sensitive support systems and criminal law instruments remain unintegrated into a single operational architecture of response.

Source links: <https://zakon.rada.gov.ua/laws/show/2849-20#Text>; <https://itd.rada.gov.ua/billinfo/Bills/Card/41497>

Corpus indicators for 2023 (N=7): narrative_code - N6 = 3/7, N3 = 2/7, N5 = 1/7, N1 = 1/7; codes_hs - HS4 = 4/7, HS7 = 4/7, HS2 = 3/7, HS3 = 3/7, HS1 = 1/7; codes_d - D4 = 4/7, D2 = 3/7, D3 = 3/7 (D1/D5/D6/D7 = 0/7); severity - 1 = 2/7, 2 = 4/7, 3 = 1/7.

2024: high visibility of the issue and incomplete response alignment

Within the assembled media corpus, 2024 is characterised as a period in which the gap between the issue's visibility on the agenda and the functional coherence of the response process became more evident.

Public debates placed greater emphasis on the balance between freedom of expression and the protection of dignity, as well as on criminal law and administrative tools for countering discrimination.

In the public space, the issue of returning criminal law and administrative tools to counter discrimination and hate crimes to the agenda remained active, particularly in the context of Draft Law No. 5488 as a normative indicator.

The year 2024 also provides an example of institutional response in media regulation. On 7 March 2024, the National Council of Ukraine on Television and Radio Broadcasting adopted decision No. 624 issuing an order to an online media actor. The decision was adopted following monitoring conducted in response to a complaint. In the text of the decision, the regulator noted the presence of signs of incitement to discrimination on grounds of sexual orientation in a specific material.

This case is of critical value not as evidence of mass enforcement practice, but as an institutional calibration point. It demonstrates that applying standards of responsible public communication by the regulator is a possible and legitimate tool even in the absence of a broader framework architecture of response. However, unless such procedures are scaled, thresholds are unified and cross-sector coordination is ensured between prevention, regulation and criminal justice, such decisions remain isolated and cannot systematically change the architecture of the response process.

The key feature of the year was the significant visibility of the problem alongside the absence of an agreed response model that would combine prevention, regulatory mechanisms, victim-sensitive support and criminal law tools into a single operational system. Institutional involvement remained uneven across sectors, creating a situation in which the topic appeared more often at the level of discussion but was less consistently transformed into predictable practices of assessment and response. As a contextual indicator for 2024, this gap was also reflected in public events and discussions on European standards for combating discrimination and hate crimes.

In the 2024 content stream, the operationally dominant feature is criminalising framing of the group through associations with crime or "public threat", combined with contextual manipulation and substitution of causal links. In this report, criminalising framing describes a mechanism of discursively constructing the image of a group through criminal associations. It does not contain legal assessments regarding any actual unlawful activity by its members.

In the 2024 harm & risk stream, the key risk is the normalisation of alienating evaluations without a proper evidentiary basis. Where normative and institutional indicators interact with media amplification and social perception, the absence of agreed roles and response thresholds may increase the visibility of distortive models and the acceptability of biased judgements in public communication.

Within the 2024 response process, a significant institutional indicator in the regulatory field was recorded. It proves the principled possibility of applying standards of responsible public communication, but does not provide grounds to conclude that an established or consistent practice of intervention exists across sectors. Despite the recording of individual markers, the 2024 response-process data set remains fragmentary, which prevents comparative assessment of the stability of intervention thresholds, institutional roles and procedural algorithms.

The institutional conclusion for the year is that the key governance gap is not the presence or absence of isolated decisions, but the lack of a reproducible model that integrates intervention thresholds, functional roles and procedural metrics into a single predictable architecture of response.

Within this methodological logic, the transition to 2025 functions as an indicator of whether accumulated precedents and isolated practices can transform into an agreed target response model or whether institutional fragmentation will remain the dominant trend.

Interim conclusion for 2022-2024

Taken together, 2022-2024 demonstrate three consecutive configurations: 2022 - risk identification without structured response; 2023 - emergence of normative and communication indicators without operational alignment; and 2024 - partial institutional reaction without reproducible systematisation. This sequence indicates that the key limitation is not the absence of tools as such, but the absence of an integrated architecture ensuring their coherent application.

Corpus indicators for 2024 (N=8): narrative_code - N7 = 6/8, N8 = 1/8, N9 = 1/8; codes_hs - HS2 = 8/8, HS3 = 2/8, HS4 = 1/8 (HS3 or HS4 = 3/8); codes_d - D2 = 7/8, D4 = 5/8, D3 = 1/8 (D1/D5/D6/D7 = 0/8); severity - 1 = 1/8, 2 = 4/8, 3 = 3/8.

2025: a test of institutional inertia

Within the methodology of this analysis, 2025 functions as a test of institutional inertia. It indicates whether accumulated procedural precedents from previous years can be transformed into a reproducible target response model or whether the gap between harm-risk assessment and the actual intervention process persists. According to the analysed data set, 2025 records the cumulative consequences of governance trends from 2022-2024 rather than the formation of a qualitatively new institutional architecture.

A systemic transition to an agreed architecture of response was not recorded. Instead, within the available corpus, recurring models of social exclusion remain visible and reproducible across different thematic clusters.

On 4 August 2025, Draft Law No. 13597 “On amendments to the Code of Ukraine on Administrative Offences and the Criminal Code of Ukraine concerning combating manifestations of discrimination” was registered in the Verkhovna Rada of Ukraine.

Further procedural steps concerning this draft law continued after the end of the main analysis period, including under Resolution of the Verkhovna Rada of Ukraine No. 4775-IX of 10 February 2026. This is an additional indicator of the topic’s visibility at the level of the political agenda, but does not by itself create an agreed architecture of response.

In public discussions, human rights organisations stressed that the initiative may help approximate legislation to European equality standards, but requires further refinement, including with regard to terminology and the balance of response tools.

At the same time, the mere registration and discussion of the draft law do not automatically create an agreed response system. Without clear thresholds, roles and procedural indicators, particularly for the response stream, normative indicators can coexist with fragmented practice and uneven institutional response.

In the 2025 content stream, criminalising and stigmatising framing persists, often in the form of recurring “criminal” storylines and generalisations, supplemented by contextual manipulation and substitution of causal links. A separate line is “borrowed legitimation”: references to institutional decisions and “expert conclusions” as a way of making alienation appear “rational” or “procedurally justified”.

Within this corpus, recurring models do not necessarily become more intense, but their persistence over time creates an effect of cumulative normalisation. This means that even medium harm-risk levels may acquire greater significance not through individual acts of public communication, but through their recurrence and contextual amplification.

In the 2025 harm & risk stream, the central issue is not an increase in cases reaching the highest thresholds of incitement, but the normalisation of alienating models at medium levels of harm risk (level 2).

Here, the quality of administrative-regulatory and communication tools, procedural safeguards and the capacity of institutions to act coherently and predictably become critical.

In the 2025 policy context, legislative discussions continue in the area of non-discrimination and countering harmful forms of incitement. Under the logic of this report, such events are treated as normative indicators of

the topic's visibility on the agenda. They do not by themselves create an agreed architecture of response without clear thresholds, roles and procedural indicators.

In the 2025 response process, the key feature remains the absence of a shift from isolated procedural metrics to a recurring model. Even where individual indicators of response or normative signals exist, they do not form a stable link between harm-risk level and response process. In this configuration, the system demonstrates institutional inertia: the capacity to respond is present, but it is not transformed into predictable practice.

This means that the 2025 challenge lies not in the absence of instruments or a legal basis, but in the absence of a functional allocation between them. Under such conditions, assessment of the harm-risk level does not operate as a governance signal and the response process does not become systemic.

In the Article 10 ECHR context, this situation creates an additional challenge. In the absence of predictable harm-risk thresholds and procedural metrics, even well-grounded interventions may be perceived as inconsistent or disproportionate. Accordingly, increasing the effectiveness of the response process without simultaneously increasing its predictability may conflict with the requirement of legal certainty.

The institutional conclusion for 2025 is that the key challenge is not the existence of isolated tools or episodic decisions, but their capacity to function as an agreed operational architecture. According to the analysed data set, there are currently insufficient markers of a fully integrated system to conclude that the institutional fragmentation of previous periods has been overcome.

Source links: <https://itd.rada.gov.ua/billinfo/Bills/Card/56933>; <https://zakon.rada.gov.ua/laws/show/4775-IX#Text>;
<https://zmina.ua/event/zakonoprojekt-N13597-mozhe-staty-krokom-do-yevropejskyh-standartiv-u-sferi-rivnosti-odnak-potrebuye-doprachyuvannya-analytika-iryny-fedorovych/>

Corpus indicators for 2025 (N=10): narrative_code - N7 = 6/10, N5 = 2/10, N10 = 1/10, N6 = 1/10; codes_hs - HS2 = 7/10, HS7 = 4/10, HS4 = 3/10, HS3 = 2/10; codes_d - D2 = 8/10, D4 = 5/10, D3 = 1/10 (D1/D5/D6/D7 = 0/10); severity - 1 = 2/10, 2 = 8/10.

Summary of 2022-2025: towards an architecture of response

Taken together, 2022-2025 show not a linear escalation, but a consecutive change in different configurations of governance deficit. In 2022, risk identification dominated in the absence of structured response. 2023 was marked by the emergence of normative and communication indicators which, however, were not supported by proper operational alignment. In 2024, individual indicators of institutional reaction became visible, but did not acquire the character of reproducible systematisation. Accordingly, in 2025, the key challenge is the capacity of these fragmented elements to integrate into a predictable architecture of response.

Within this logic, the main limitation is not the absence of instruments as such, but the fragmentation of roles, intervention thresholds, routing algorithms and procedural metrics within a single operational model. This institutional gap, rather than the mere fact of public visibility of the issue, is the fundamental basis for moving from a description of annual trends to the design of a minimum viable (MVP) architecture of response.

Note: The charts below reflect only the distribution of codes within the coded media corpus for the relevant period. Given the small annual subsamples, they should not be read as an estimate of prevalence in the public space, an indicator of cross-media balance or a representation of representative dynamics. The operational severity scale in this report does not function as an automatic scale of legal consequences. It is used for initial routing and comparison of risk levels in the media corpus, while any move to more intensive response tools requires separate threshold analysis, procedural safeguards and, where necessary, a competent official decision.

Narrative codes in the coded corpus

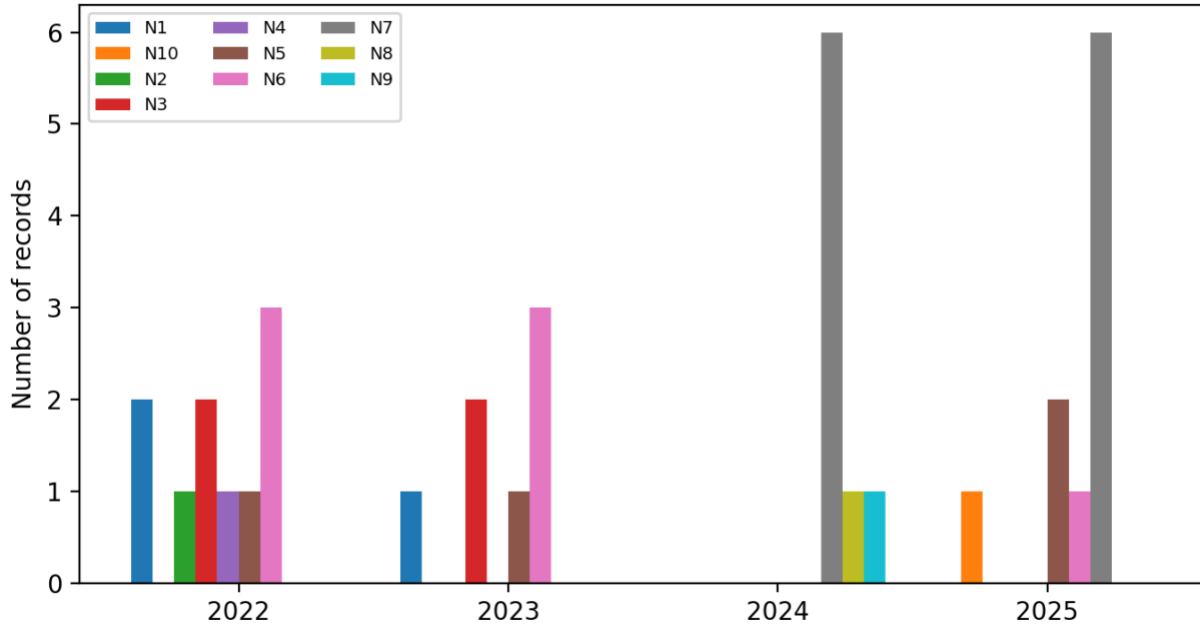


Figure 1. Narrative codes in the coded corpus.

Trend lines are an illustration of distributions within a small qualitative subset and not a statistically significant representation.

HS codes relevant to hate speech-risk assessment

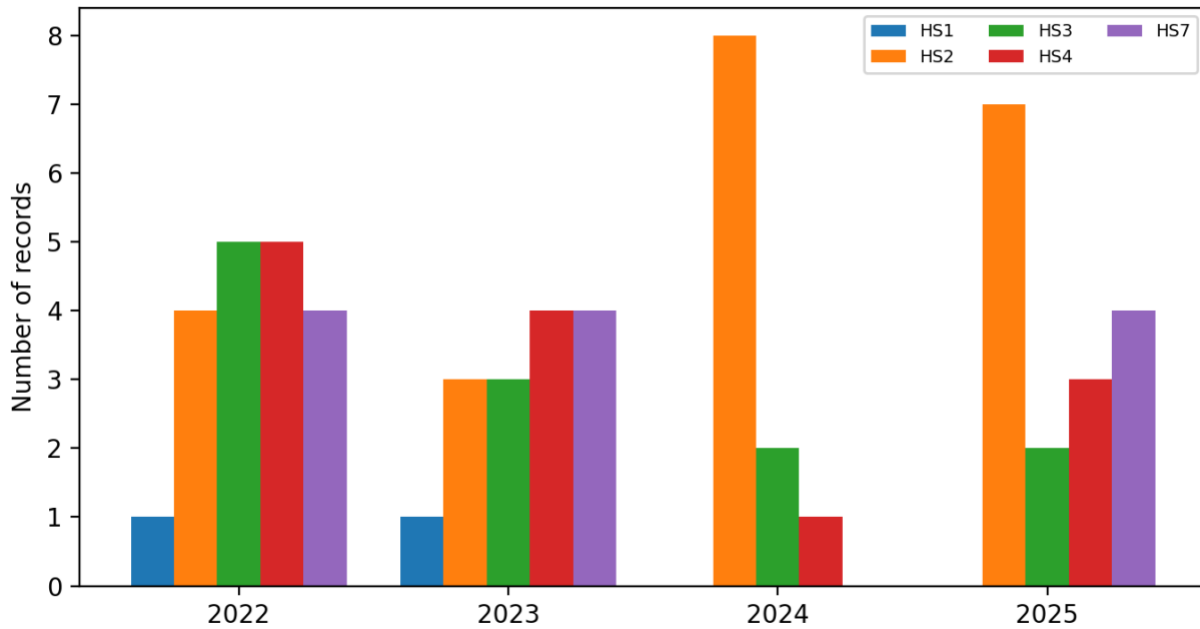


Figure 2. HS codes relevant to hate speech-risk assessment.

Trend lines are an illustration of distributions within a small qualitative subset and not a statistically significant representation.

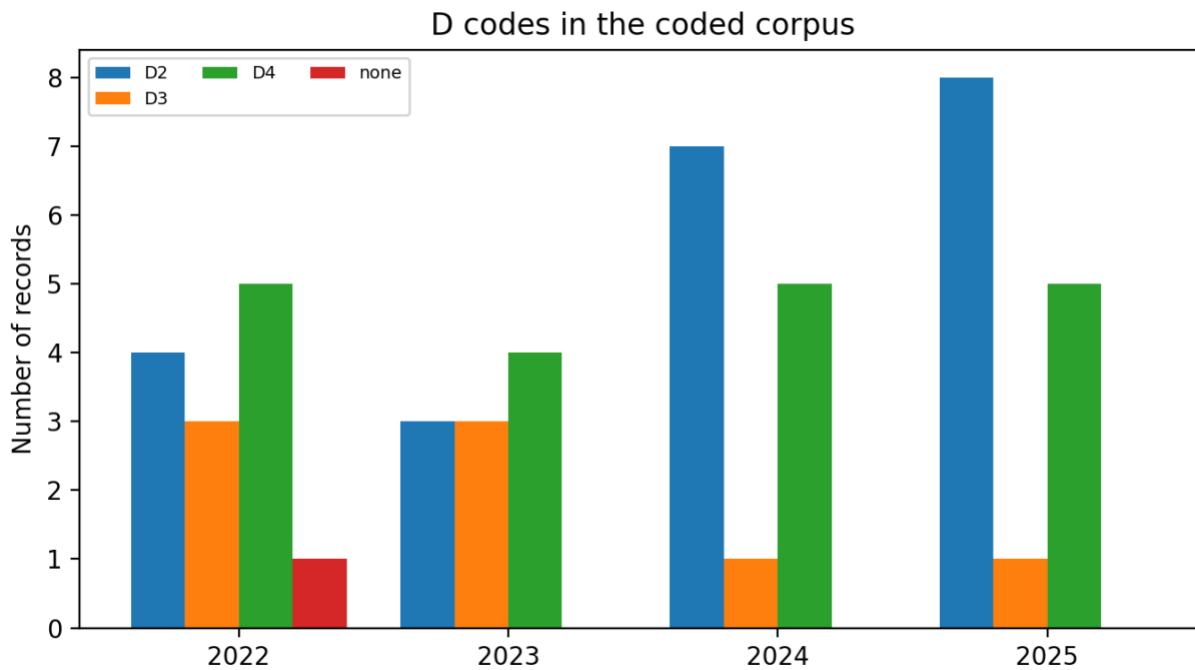


Figure 3. D codes in the coded corpus.

Trend lines are an illustration of distributions within a small qualitative subset and not a statistically significant representation.

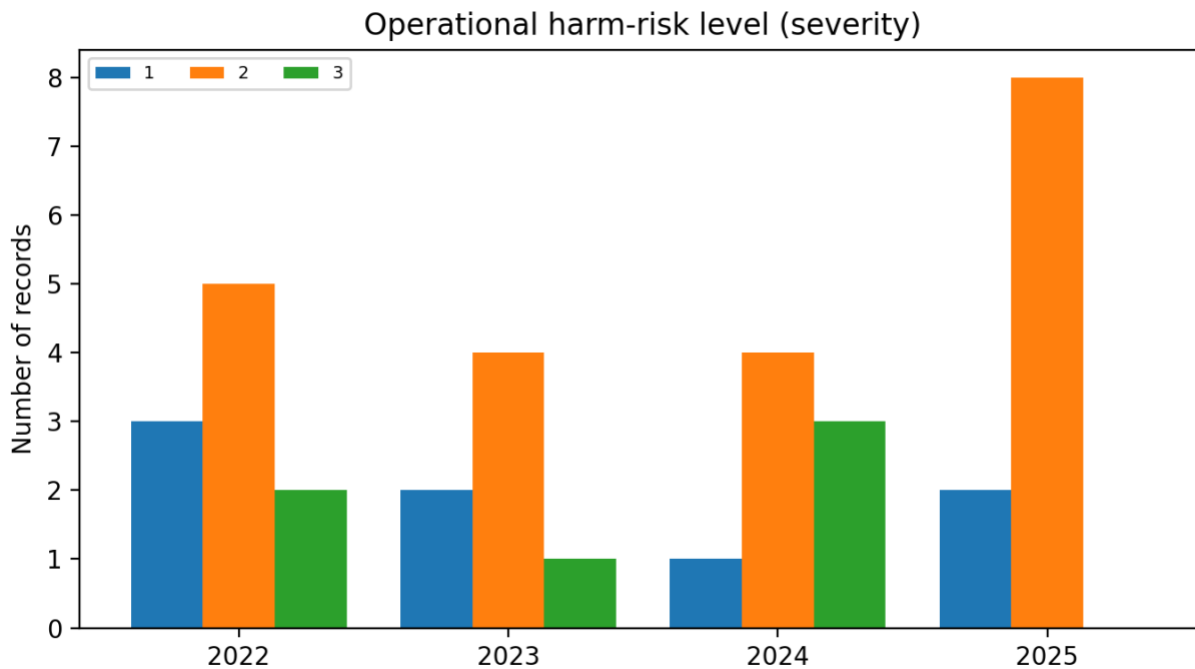


Figure 4. Operational harm-risk level (severity).

Trend lines are an illustration of distributions within a small qualitative subset and not a statistically significant representation.

Narratives (narrative_code) show a visible shift in the distribution of codes within the coded 2024 corpus. In 2022-2023, the corpus recorded a relatively dispersed distribution of narratives. The most frequent narrative was N6, at 30% in 2022 and 42% in 2023; N1 and N3 were also regularly recorded. In the 2024-2025 corpus, the distribution changed. Narratives visible in previous years were recorded much less often, while narrative

N7 appeared. In 2024, it accounted for 75% of all analysed materials (6/8), and in 2025 it remained the most frequent at 60% (6/10).

HS codes of patterns relevant to hate speech-risk assessment show a rising share of HS2. In 2022-2023, combinations of different HS codes were recorded, with HS3 and HS4 being the most frequent, from 42% to 57% of materials, and HS7 also recorded. In the 2024-2025 corpus, the share of HS2 increased. In 2024, this code was recorded in all analysed records (8/8), while in 2025 it remained the most frequent at 70% (7/10). HS7 was not recorded in the 2024 corpus, but appeared again in 2025 at 40% (4/10).

D codes show an increased share of D2 in the coded corpus. In 2022-2023, D2, D3 and D4 indicators were recorded at similar levels, ranging from 30% to 57% of materials. In 2024-2025, the share of D2 increased: 87.5% in 2024 (7/8) and 80% in 2025 (8/10). D4 remained consistently present across all four years, at 50-57% of materials. D3 was recorded much less frequently from 2024 onwards.

Harm-risk assessment shows a distributional shift in 2025. Across all four years, level 2 (severity = 2) remained the baseline and most frequent level. In 2025, it accounted for 80% (8/10). Level 3 reached its highest share in the 2024 corpus, at 37.5% of cases (3/8). In the 2025 corpus, no materials with severity = 3 were recorded, which within this data set reflects a change in the distribution of harm-risk levels compared with the previous year.

Period	Dominant risk mechanism	Key response-stream gap	Policy implication
2016-2019 (calibrating institutional layer)	Institutional formalisation of politically sensitive appeals and disputes over competence	The response process can be measured procedurally, but without replacing assessment of lawfulness of content	Use local acts, central documents and court cases as calibration indicators of roles, powers and thresholds, not as evidence of prevalence or legal qualification of content
2022	Securitisation of equality under wartime conditions	Fragmented and incomplete data prevent comparison of consistency in response	Prioritise a minimum standard for response-process fields, without which risk assessment does not become predictable response practice
2023	Inverse legitimisation of exclusion through “freedom of speech” rhetoric	Normative visibility indicators are not supported by structured reaction data and operational thresholds	Clearly distinguish between permissible, even sharp, expression and incitement, with procedural safeguards to avoid inverse normalisation
2024	High visibility of the issue without an agreed response architecture; criminalising framing and an isolated regulatory indicator	There is one regulatory calibration case, but no reproducible cross-sector model and complete data	Move from isolated action to an agreed response architecture: transparent thresholds, role allocation and unified procedural metrics across sectors
2025	Normalisation of exclusionary frames at medium risk levels through repetition and “borrowed legitimisation”	For most media-corpus materials, data remain insufficiently structured; there is no matrix for medium-level risk	Shift priority to administrative-regulatory and policy-communication tools with a clear data standard and procedural safeguards compatible with Article 10 ECHR

V. Implementation Gaps: Democratic Resilience and Ukraine’s European Integration Course

Within the methodology of this report, “implementation gaps” do not mean an assessment of the intentions of individual institutions or proof of their inaction. They mean measurable limitations in the manageability of the response process: fragmented or incompatible data, misalignment in the functional allocation of roles, lack of transparent intervention thresholds and poor recording of procedural metrics. Under this logic, the issue shifts from the content of individual acts of communication to the quality of institutional design.

In this section, the level of analysis changes: from description of recurring patterns of public discourse and associated procedural gaps to assessment of the impact of these deficits on legal certainty, predictability and verifiability of response. In the context of European integration, this is decisive because, for international partners and institutional donors, declared standards are not sufficient. Reproducible procedures, clear thresholds and the capacity of the institutional architecture to minimise both under-response and disproportionate interference are equally important.

On the basis of the 2022-2025 periodisation, the key challenge is no longer the description of individual frames of social exclusion, but the capacity of the architecture of response to function in a manageable, consistent and proportionate manner. In wartime, this problem becomes more acute because recurring patterns of public discourse may shift the boundaries of what is socially acceptable through securitisation, criminalising framing or inverse legitimisation of exclusion, even where individual acts of communication do not reach the highest thresholds of incitement.

This is why “gaps” matter not as a moral assessment, but as an institutional risk.

For democratic resilience, the critical issue is the balance between two symmetrical risks that define the limits of public policy.

Risk	Nature of the phenomenon	Consequences for the system
Over-intervention	Unjustified restriction of freedom of expression.	A chilling effect may arise, narrowing the space for legitimate debate and undermining trust in State institutions.
Under-response	Fragmented or delayed action in relation to harmful content.	It may contribute to the normalisation of exclusion through the circulation of discriminatory models and the absence of clear standards of acceptability.

Thus, in public policy, the key task is not a false choice between freedom of expression and protection of dignity. It is to build an architecture capable of minimising both symmetrical risks at the same time. Under the Article 10 ECHR paradigm, these interests are not mutually exclusive. The decisive factor is transparent intervention thresholds that distinguish sharp, controversial or even offensive but legally permissible expression from acts whose content creates a substantiated risk of harm and requires an intensive institutional response.

It is in this analytical field that the next section moves from diagnosing gaps to proposing specific public policy options.

VI. Policy Relevance and Public Policy Options

Within the methodological paradigm of this report, “implementation gaps” carry particular weight for public policy not because they automatically establish rights violations, but because they indicate a deficit of predictability and proportionality in the response process. In work on socially sensitive issues, this creates two symmetrical risks: disproportionate interference with freedom of expression and insufficient response, whereby recurring models of social exclusion become normalised as a result of institutional fragmentation.

The correlation between the 2022-2025 media corpus and the calibrating institutional layer shows that the key challenge for public policy lies not in statistically measuring the dynamics of the phenomenon as “growth” or “decline”, but in fragmented response approaches, a deficit of transparent intervention thresholds and the absence of reproducible procedural metrics. The proposed policy options should therefore be understood as alternative models of a target architecture of response, not as different approaches to assessing the content of individual acts of public communication.

The differentiation of these options is based primarily on the functional allocation of institutional roles, the definition of response thresholds depending on harm-risk level, routing algorithms for materials and procedural safeguards compatible with Article 10 ECHR. For this reason, the institutional layer is used not to legally qualify content, but to calibrate the limits of competence, expected procedural standards and systemic role allocation.

The institutional layer - local acts, a document of a central executive authority and a court dispute - is used not to qualify content, but to calibrate role allocation, limits of competence and expected procedural standards. It is this layer that transforms annual observations from a description of public discourse models into conclusions on functional allocation, intervention thresholds, routing and the minimum standard of procedural metrics in the response process.

In a minimum institutional configuration, this entails the following allocation of functions: regulatory bodies work with media standards and procedural measures within their mandate; central executive authorities work with the normative and coordination component; the Ukrainian Parliament Commissioner for Human Rights works with guarantees of non-discrimination and procedural protection; and courts and law enforcement bodies engage only with acts of public communication that reach high thresholds and provide proper grounds for more intensive interference. Under this logic, local councils do not perform a punitive function. They serve as indicators of how a socially sensitive topic acquires institutional form at the local level.

The link between evidence and the architecture of response is built through three analytical streams: the content stream records recurring models of public discourse; the harm & risk stream describes potential mechanisms of harm without replacing legal qualification; and the response stream shows which indicators of response can be verified, who responds, by which instrument and after what time lag. Only the combined view of these streams provides grounds for conclusions about the absence of procedures, thresholds and institutional role allocation.

The key public policy task is to develop an agreed target architecture of response that integrates anti-discrimination policy, administrative-regulatory tools and criminal law mechanisms on the basis of clear functional allocation. Such an architecture should ensure the simultaneous protection of freedom of expression and human dignity, grounded in the Article 10 ECHR criteria of lawfulness, legitimate aim, necessity and proportionality, as well as in the high threshold for the most intensive interventions under the Rabat Plan of Action.

In practical terms, this means that the decisive criterion for response quality is not the number of available instruments, but the systemic coherence of their application. Accordingly, the gaps identified in this report should be treated as indicators of institutional manageability of the architecture and not as a tool for moral or ethical assessment of the public space.

For practical public policy purposes, the previously identified response-process gaps may be translated into the following governance logic.

Gap	Institutional consequence	Policy implication
Incomplete or incompatible response-process data	Practices cannot be compared across sectors; timeframes cannot be identified; predictability of response cannot be assessed	Introduce a minimum standard of response-process fields for all records, including responder, type of action, date, lag and archived link
Absence of transparent thresholds between different types of acts of public communication	The risk increases both of over-intervention and of fragmented or delayed response	Agree a threshold matrix distinguishing sharp but permissible expression from acts requiring more intensive response
Unclear role allocation between criminal law, administrative-regulatory and policy-communication tools	Duplication, routing gaps and unpredictability arise for applicants and involved institutions	Define functional role allocation and a standard for referral of materials between institutions without revising their mandates
High share of “unknown” values in the response stream	Absence of confirmed data may be misread as absence of response	Establish normatively and methodologically that “unknown” means a data gap and not a finding of inaction
Absence of a regular update cycle for the media corpus and procedural metrics	Institutional signals accumulate unsystematically and findings cannot be compared over time	Set monthly response-process updates and quarterly aggregated summaries to review thresholds, the codebook and procedural standards

In this form, the gaps should be read not as a moral assessment of the public space, but as indicators of the manageability of the response architecture. Addressing them is a precondition for proportionality, legal certainty and institutional predictability.

The basic principle of the target architecture is that the intensity of institutional interference must be directly proportionate to the level of harm risk, proximity to the incitement threshold and the extent of procedural safeguards secured. In practical terms, this requires clear functional allocation: criminal law tools should remain a measure of last resort (*ultima ratio*) only for the gravest cases; administrative-regulatory tools should apply to recurring practices of cumulative harm; and policy-communication tools should ensure systemic prevention, clarification of standards and reduction of the space for normalising social exclusion.

This governance logic is what makes it possible to minimise both the risks of insufficient institutional response and the threats of disproportionate interference.

Multi-level response logic

Criminal law level

The criminal law level should remain narrow and apply only to the gravest acts of public communication with indicators of incitement to discrimination, hostility or violence, where they cross the relevant legal threshold and present a high risk of real harm. The decisive factor is not increasing the number of proceedings, but predictable thresholds, the capacity to distinguish offensive or controversial expression from incitement and procedural safeguards against excessive interference.

Administrative-regulatory level

The administrative-regulatory level is appropriate primarily for acts of public communication where harm risk is formed by recurrence, amplification, presentation context and institutional or media visibility. Its function is not to assess beliefs, but to ensure minimum standards of responsible public communication. This level can be legitimate only where transparent routing criteria exist, a responding actor is defined, the type of action is recorded and a minimum set of procedural metrics makes it possible to track the consistency of practice.

Policy-communication level

Consistent institutional articulation of standards of responsible public communication is based on analytical assessment of discursive practices and their potential impact on the exercise of rights and participation in public life. The issue is not the imposition of “correct views”, but clarity: what is considered problematic from

the point of view of harm and risk, which non-punitive and proportionate response measures exist, how the rights of potentially affected persons are protected and which guarantees apply to freedom of expression. In wartime, this level has particular importance because of the symmetrical risk of either excessively restricting freedom of expression or leaving harmful models unanswered, allowing them to normalise through repetition. Transparent roles, thresholds and predictable escalation channels reduce the space for inversions such as “censorship versus freedom of speech” and maintain trust in institutional boundaries even where full operational alignment has not yet been achieved.

The next section operationalises this multi-level logic into minimum sufficient steps and a threshold matrix of roles, thresholds and procedural fields in the response process in order to ensure manageability, reproducibility and proportionality of action.

VII. MVP Response Model and Recommendations

This section proposes a minimum necessary (MVP) response-process model developed in response to the identified institutional gaps between harm-risk assessment and actual intervention practice. Its main function is to provide a unified initial logic for routing, escalation and recording of the response process for different types of State institutions.

The proposed threshold matrix is purely operational. It is intended solely for initial classification, routing and documentation of the response process, not for legal qualification of the content of specific acts of public communication. None of the instruments presented entails prior control or censorship of expression, or the creation of new supra-institutional oversight bodies.

The applied value of the matrix lies in minimising the space both for arbitrary inflation of the harm-risk level and for unfounded avoidance of response. In this context, it does not replace legal qualification on the merits. Instead, it ensures a predictable, standardised and transparent procedural logic of intervention.

The basic stage of implementing this model is agreement on unified thresholds and a clear distinction between sharp, controversial or offensive statements and direct incitement to discrimination, hostility or violence. At low and medium harm-risk levels, unconditional priority is given to social-communication, self-regulatory and administrative-regulatory tools. The most intensive forms of interference are permitted only after a separate institutional threshold assessment and with a full set of procedural safeguards.

The next stage of implementation should be identification of a single coordination function, contact point or secretariat node within the existing mandates of State authorities. This does not mean institutionalising a new centre of control over the content of expression. It means ensuring procedural compatibility and uninterrupted interaction between existing institutions.

The function of such a node should focus not on legal qualification of content on the merits, but on verifying completeness of incoming data, validating routing algorithms, monitoring compliance with minimum procedural metrics and documenting the response process end-to-end. Standardised registration and initial distribution of materials should minimise risks of institutional duplication, data loss and procedural unpredictability for the applicant, while preventing excessive concentration of powers in a single centre.

The procedure includes informing the applicant and a support mechanism attentive to the interests of affected persons, in order to prevent re-traumatisation, ensure confidentiality and safety and close the case with a short procedural note without legal qualification.

Threshold matrix

The target MVP architecture is based on a threshold approach in which the intensity of the response process is aligned with the operational harm-risk level identified within the harm and risk assessment process. Predictability is the key principle: for each risk level, there should be a limited and understandable set of response tools whose use remains within what is necessary in a democratic society.

The threshold matrix below is purely operational. It does not create automatic legal consequences and does not replace the powers of competent authorities. Its key function is initial institutional triage and escalation routing. The higher the operational risk level, the stricter the requirement to verify the grounds and observe procedural safeguards before applying a more intensive intervention tool. For systemic monitoring, the matrix defines the expected type of action for correct recording of the response process.

At low level (0-1), covering isolated cases that, within this operational analysis, do not approach the high threshold of incitement, policy-communication actions apply, including monitoring, contextual explanation and ethical mechanisms of self-regulation without coercive means. At this level, the main actors are civil society, CSOs and media self-regulation rather than the punitive apparatus of the State.

Medium level (2) concerns systematic practices that may contribute to the formation of an alienating environment and demonstrate a negative trend without calls to violence. Administrative-regulatory response is envisaged here, including orders and content moderation, provided that criteria are transparent.

In cases of elevated risk (3) and high likelihood of harm, an in-depth threshold analysis is applied based on speaker status, scale of dissemination, form and context in order to verify whether grounds exist for further escalation within the existing powers of the relevant institutions.

The highest level (4) covers cases that, following separate threshold analysis, may approach the highest level of risk of public incitement. Criminal law response is considered only as an exceptional option where proper grounds and procedural safeguards exist.

Level	Risk	Threshold / criteria	Type of action and responding actors
0-1	Low	Isolated cases which, within this operational analysis, do not approach the high threshold of incitement; controversial statements requiring clarification of standards.	Policy-communication actions: monitoring, contextual explanation and ethical self-regulation. No coercion. At this level, the main actors are civil society, CSOs and media self-regulation rather than the punitive apparatus of the State.
2	Medium	Systematic practices that may contribute to an alienating environment. A negative trend is present, but there is no direct call to violence.	Administrative-regulatory actions: orders, media regulation. Mandatory: recording of grounds and transparent criteria.
3	Elevated	High likelihood of harm. Threshold analysis applies: speaker status, scale of dissemination, form and context, without establishing intent as fact.	In-depth inter-institutional threshold analysis within existing powers: verification against thresholds and preparation of reasoning for possible escalation.
4	Highest	The gravest cases of public incitement to violence or discrimination with a high risk of real harm.	Criminal law response as an exceptional mechanism. Maximum procedural safeguards and strict compliance with lawfulness and proportionality.

Procedural safeguards

At all levels of response, safeguards apply, including no prior control of expression, use of transparent criteria and recording of grounds for any action. Review or appeal of a procedural decision is envisaged within competence, as is minimisation of repeated harm through confidentiality, safe communication and restrictions on the dissemination of information with limited access. A clear interpretive rule for the response process states that the label “unknown / no_data” means a lack of data and does not indicate absence of response as such.

Procedural metrics of the response process

To ensure reproducibility, the target MVP architecture envisages a minimum set of procedural metrics of the response process that must be recorded regardless of the type of institution or platform: response status (response_status), responding actor (responder), type of measure (response_action), date of the first response indicator (first_response_date) and time lag (lag_days).

Harm-risk level	Response-stream tools	Responding actors	Minimum procedural metrics
0-1	Self-regulation tools, counter-communication	Platforms, media, civil society organisations	response_status, responder
2	Administrative and regulatory signals	Regulatory bodies, executive authorities	+ response_action
3	Formalised response tools	Regulatory bodies	+ first_response_date
4	Intensive interventions, subject to high-threshold assessment	Judiciary, competent responding actors	+ lag_days

The absence of these procedural metrics makes it impossible to verify the coherence between harm-risk assessment and actual institutional response. The scheme is operational and is not an instrument for legal qualification of content. It serves to align response practice with the principles of necessity, proportionality and legal certainty under Article 10 ECHR.

Recommendations

The recommendations below aim to overcome the institutional gap between harm-risk assessment and actual response practice. Their strategic purpose is not mechanically to expand the arsenal of restrictive tools, but to ensure their coherent, predictable and verified application. In this context, the priority is not escalation of the intensity of interventions, but systemic improvement of the quality and manageability of the target response architecture.

Public policy measure	Responsible actor	Timeframe	Verifiable indicator
Introduce a minimum standard for recording procedural metrics of the response process in the work of relevant authorities and regulators	Line ministries, regulatory bodies	3-6 months	Share of records with a complete set of procedural metrics (response_status, responder, lag_days)
Develop and publish harm-risk thresholds for response-process tools as a practice-oriented guide	Central executive authorities in cooperation with the expert community	6 months	Existence of a public document; its application in practice
Define minimum procedural response requirements, including timeframes and recording of response indicators	Regulatory bodies, executive authorities	6-9 months	Median lag indicator; share of cases with a recorded response indicator
Integrate the response process as a mandatory element of monitoring and analytical data governance systems	State bodies, analytical units	6-12 months	Share of cases with a verified response status
Ensure public clarification of standards for a proportionate response process under Article 10 ECHR	Authorised bodies, human rights institutions	6 months and continuously	Availability of public clarifications; their application in practice
Develop an algorithm for functional allocation between regulatory, administrative and judicial levels	Cabinet of Ministers of Ukraine / inter-agency groups	9-12 months	Existence of an agreed cooperation protocol
Ensure regular collection and publication of aggregated data on the response process	Line bodies	12 months, periodically	Regularity of reporting; accessibility of data
Support the development of self-regulatory tools in media and on platforms	Platforms, media, civil society organisations	Continuous	Share of cases with self-regulatory response indicators
Integrate harm & risk stream assessment approaches into the training and practice of response actors	State institutions, training centres	6-12 months	Availability of training programmes; their implementation

Introducing the minimum standard for recording procedural metrics is a critical precondition for moving from fragmented institutional reactions to a comprehensive target architecture. Without such metrics, harm-risk assessment cannot be consistently correlated with actual intervention practice, which severely limits the ability to ensure proportionality and legal certainty.

Integrating basic harm-risk thresholds into the response process does not mean automatic institutional intervention. It creates a reliable framework of procedural predictability. Establishing minimum procedural requirements, including timeframes and response algorithms, makes it possible to verify not only the content of decisions, but also the systemic consistency of action. Ultimately, procedural predictability is the fundamental basis of public trust in the target architecture.

Taken together, the proposed measures aim to build a minimum necessary (MVP), yet stably reproducible, architecture of response. Within this model, harm-risk assessment, the intervention process itself and its documentation through relevant metrics are organically integrated into a single mechanism. This structural coherence, not the purely quantitative number of tools applied, is the main criterion for compatibility of the proposed architecture with European human rights standards.

VIII. Next Steps and Partnership

The proposed steps below form an optimal short-term plan for implementing the target architecture of response. Given that the key challenge is the institutional fragmentation of roles, intervention thresholds and procedural metrics, the first stage should be agreement on algorithms, the update cycle and the monitoring standard based on the MVP logic set out in this report. The second stage should be pilot implementation of the model on an agreed open-source data set. The third stage should be regular review of thresholds, the codebook and procedural metrics of the response process based on monthly data updates and quarterly analytical aggregation.

Within this methodological paradigm, continuous monitoring functions not as a form of “supervision of beliefs”, but as a tool for ensuring institutional manageability. It makes it possible to track recurring patterns of public discourse, associated harm risks and the overall predictability of the intervention process. Public and institutional trust in such a mechanism critically depends on strict adherence to basic data-governance protocols: a standardised coding scheme, rules for safe archiving, minimisation of personal data collection, controlled access to working data sets and a transparent change log for the codebook. These elements create the minimum necessary basis for reproducibility and verifiability of the response process.

Accordingly, the logical practical step is not a mechanical expansion of sanctions or the construction of new restrictive mechanisms, but pilot institutional testing of a minimum viable (MVP) architecture of response compatible with Article 10 ECHR. This architecture should rest on three fundamental elements directly arising from the findings of this analysis: first, standardised recording of procedural metrics of the response process; second, transparent matrix-based guidance for correlating harm-risk levels with types of intervention tools; and third, minimum procedural requirements for timeframes, routing algorithms and registration of institutional reactions.

In this context, it appears advisable to establish a strategic partnership with the Council of Europe Office in Ukraine and other relevant actors for expert support to these implementation stages. The subject of such partnership is not assessment of the “correctness of views” or quasi-criminalisation of contested expression, but a systemic increase in the predictability, proportionality and institutional manageability of the response process. Within the proposed model, monitoring performs only the function of recording recurring discourse patterns, harm risks and the quality of institutional response. This fully corresponds to the methodology of the report, which maintains a strict focus on a reproducible data corpus and the design of a target architecture, preventing the substitution of the functions of a court or regulator or the extrapolation of findings to society as a whole.

The expected practical result of such partnership over a 6-9 month horizon should be the development and piloting of a basic toolkit for institutional use. This may include a unified routing protocol, an agreed set of procedural metrics, a working matrix correlating risk levels with response tools and a mechanism for regular review of data, the codebook and procedural parameters. By its legal nature, this package is not a normative legal act or a tool for legal qualification of content. It is a purely operational set of solutions designed to guarantee the quality, consistency and human rights compatibility of institutional response.

In a broader strategic sense, the proposed partnership is of objective interest both to public policy actors in Ukraine and to international partners because it moves the discussion from episodic reactions to sustainable institutional design, procedural certainty and proportionate safeguards for freedom of expression.

The main institutional request of this report is therefore support not for a punitive approach, but for a manageable pilot process that will allow documentation, risk assessment and routing of response to be integrated in practice without any departure from human rights standards. The final result should not be an abstract declaration of “strengthened cooperation”, but a functional, proportionate and predictable target architecture of response with agreed intervention thresholds, clear allocation of functional roles, a minimum standard of procedural metrics, reliable procedural safeguards and a regular update cycle.

Annexes: Function and Limits of Public Disclosure

The annexes to this report ensure reproducibility and procedural transparency. The main text contains only aggregated observations, the rationale for periodisation, assessment of harm risks and policy conclusions, without examples of hate speech, personal data or legal qualification of specific content.

The annexes contain technical and institutional materials that make it possible to verify the method, including the record schema, codebook and coding rules, as well as to reproduce the institutional level of the response process, including local decisions or appeals, a document of a central authority and a court case as indicators of thresholds and powers, based on open links and archives.

The principle of public disclosure for the annexes is as follows: no annex contains verbatim examples of hate speech; no annex contains personal data; where it is necessary to demonstrate material for reproducibility, only a neutral summary or hyperlink is provided, while access to the archived URL database is not provided; and the annexes do not replace the functions of a court or regulator and do not contain statements about unlawfulness of content without official decisions.

Annex I. Legal and Normative Framework

This annex outlines the legal and normative framework relevant to the analysis of recurring patterns of public discourse, assessment of harm-risk level and selection of proportionate response-process tools. Its function is not to legally qualify the content of specific acts of public communication, but to record the main international and European reference points within which lawfulness, legitimate aim, necessity and proportionality of interference must be assessed, together with requirements for the protection of affected persons and for the target architecture of response.

The core treaty framework for this report is the Convention for the Protection of Human Rights and Fundamental Freedoms, in particular Article 10, which defines the standard of freedom of expression and the limits of permissible interference in a democratic society. At the universal level, this framework is reinforced by the International Covenant on Civil and Political Rights, especially Articles 19 and 20, which combine protection of freedom of expression with the prohibition of advocacy of discrimination, hostility or violence. In the context of European integration, the Charter of Fundamental Rights of the European Union provides an additional reference point.

For defining the limits of the most intensive forms of State response, Council Framework Decision 2008/913/JHA is a relevant comparative reference for high-threshold response. For the victim-sensitive component of the target architecture of response, Directive 2012/29/EU is also important, as it establishes minimum standards on the rights, support and protection of victims of crime.

The key European references for this report are ECRI General Policy Recommendation No. 15 on combating hate speech and Recommendation CM/Rec(2022)16 of the Committee of Ministers to member States on combating hate speech, together with its Explanatory Memorandum. These documents most fully support a multi-level, human rights-based and proportionate response model, including attention to recurring patterns and trends, data governance, safeguards and compatibility of the target response architecture with Article 10 ECHR.

For assessing the harm-risk level of incitement, the Rabat Plan of Action has particular importance. In this report it is used as a tool for high-threshold harm-risk assessment and not as a substitute for legal qualification. This framework is additionally reinforced by Human Rights Committee General Comment No. 34 on Article 19 ICCPR, which specifies the requirements of lawfulness, necessity and proportionality for restrictions on freedom of expression.

Given the thematic focus of the report, the normative basis also includes Recommendation CM/Rec(2010)5 on measures to combat discrimination on grounds of sexual orientation or gender identity. The Guide on Article 10 of the European Convention on Human Rights: Freedom of Expression serves as a practical interpretive tool for applying Article 10 ECHR, systematising the case-law approaches of the European Court of Human Rights on the limits of permissible interference.

Additional references may include CERD General Recommendation No. 35 on combating racist hate speech, Recommendation CM/Rec(2024)4 on combating hate crime and Regulation (EU) 2022/2065, the Digital Services Act. In this report, they play a supporting role. The first reinforces the logic of systemic data governance and non-criminal tools; the second supplements the link between hate speech, hate crime and protection of affected persons; and the third may serve as an acquis-oriented reference for online-environment governance and the role of platforms, but not as a source of direct obligations for Ukraine.

All of the above instruments and documents must be used in conjunction. For the purposes of this report, this means that the legal and normative framework does not serve to automatically assign specific content to a category of violation. It establishes the framework within which institutional response must remain predictable, proportionate, compatible with freedom of expression and sensitive to the level of harm risk for affected persons.

https://www.echr.coe.int/documents/d/echr/convention_ENG

<https://www.ohchr.org/en/instruments-mechanisms/instruments/international-covenant-civil-and-political-rights>

https://eur-lex.europa.eu/eli/treaty/char_2012/oj/eng

<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex:32008F0913>

<https://eur-lex.europa.eu/eli/dir/2012/29/oj/eng>

<https://rm.coe.int/ecri-general-policy-recommendation-no-15-on-combating-hate-speech/16808b5b01>

<https://www.coe.int/en/web/combating-hate-speech/recommendation-on-combating-hate-speech>

<https://rm.coe.int/0900001680a6891e>

<https://www.ohchr.org/en/documents/outcome-documents/rabat-plan-action>

<https://www.ohchr.org/en/documents/general-comments-and-recommendations/general-comment-no34-article-19-freedoms-opinion-and>

<https://www.coe.int/en/web/sogji/rec-2010-5>

https://ks.echr.coe.int/web/echr-ks/d/guide_art_10_eng

<https://www.ohchr.org/en/documents/general-comments-and-recommendations/general-recommendation-no-35-2013-combating-racist>

<https://search.coe.int/cm?i=0900001680af9736>

<https://eur-lex.europa.eu/eli/reg/2022/2065/oj/eng>

Annex II. Codebook (Typology)

This annex presents the coding typology for three analytical components of the report: in the content stream, HS and D codes; in the harm & risk stream, the operational harm-risk scale (severity); and in the response stream, the fields for response status (response_status), responder and response action (response_action).

The typology is solely a tool of analytical classification. It is not intended and cannot be used for legal qualification of specific materials or individual actions. The codebook is formulated in neutral language, without attributing intent to content authors and without reproducing stigmatising expressions themselves. All HS and D codes describe measurable operational properties of texts within the assembled data set. They help structure risk assessment but do not replace law-enforcement or adjudicative findings by competent authorities.

1. HS codes of patterns relevant to hate speech-risk assessment: HS1-HS7

Code	Operational pattern type	Description	Operational indicator	Potential harm pathway
HS1	Dehumanising or depersonalising framing	Operational description of a pattern in which a group is presented through dehumanising or depersonalising metaphors that may deny the group's equal dignity.	Shift from criticism of ideas or conduct to denial of the dignity or humanity of the group.	May increase social tolerance of discriminatory or violent practices.
HS2	Criminalising or danger-based framing	Generalised association of a group with crime or danger in a manner that, within the analysis, is not based on verifiable factual support or is presented as a generalising label for the group.	Use of criminal labels or storylines as a way to delegitimise the group.	May construct the group as dangerous and increase the acceptability of alienating or repressive approaches.
HS3	Securitising framing	Operational description of a discourse model in which a group is presented as a threat to State security, statehood, defence capability or public order.	Transfer of the topic from the sphere of rights or policy to the sphere of security.	May increase the acceptability of exceptional or restrictive approaches.
HS4	Patterns of demands to restrict rights or institutional exclusion	Operational description of a pattern in which demands are made for prohibition, non-admission, segregation or institutional exclusion of the group.	Formulations such as "should not have / receive / be allowed".	May increase the risk of discriminatory decisions or segregation practices.
HS5	Patterns prompting physical harm or vigilantism	Operational description of a pattern involving direct or indirect calls for physical harm, vigilantism or "punishment".	Linguistic or visual constructions that, within operational analysis, may be perceived as prompting action against the group.	May increase the risk of real violence or hate crime.
HS6	Patterns of disclosure of personal or identifying data	Operational description of a pattern in which personal data, addresses, contacts, workplace or other identifying information are disclosed without consent.	Presence of information or instructive elements that may facilitate targeted pursuit of specific persons.	May increase the risk of online and offline harassment, threats or violence.
HS7	Appeal to freedom of expression or "balance of views" as a legitimisation pattern	Operational description of a pattern in which appeals to freedom of expression, "alternative opinion" or "balance of views" are used in a way that may accompany the normalisation of demands for rights restrictions or exclusion.	Presentation of demands for rights restrictions or exclusion as a "rational position" or "protection of society".	May facilitate normalisation of stigmatising or alienating narratives and shift the boundaries of permissible public discourse.

Multiple HS coding rule: one material may receive several HS codes if different types of framing are simultaneously present, such as securitising framing and demands to restrict rights. In cases of doubt, priority is given to the code that more precisely describes the dominant framing mechanism rather than a more general description of tone.

2. D codes of information distortion mechanisms

Code	Operational pattern type	Description	Operational indicator
D1	Fabrication	Claims about invented facts, documents, "decisions", references to non-existent events or forged sources.	Absence of a verified source or contradiction with verifiable data.
D2	Context manipulation	Use of material outside its original circumstances, including presenting old material as new, selective quotation or composition that changes meaning.	Shift in time, place or circumstances that may lead to false conclusions.
D3	Pseudo-expertise	Unverified references to "expert conclusions", "research" or "statistics" presented without proper attribution.	Absence of source, inconsistency between references and claimed data or opaque methodology.
D4	False causal-link or equivocation patterns	Argumentation based on false causal links, equivocation or other logical breaks.	Assertion of a causal relationship that is not supported by verifiable factual basis within the analysis or contains evident logical breaks.
D5	Indicators of templated or synchronous repetition	Indicators of repeated reproduction of messages similar in form or content that may increase the visibility of a semantic construction.	Series of repetitions, similar wording, synchronicity or templated publications where data are available.
D6	Memetisation	Use of memes, short videos or visual templates as carriers of a semantic construction and tools of rapid dissemination.	Dominance of visual-meme form over factual message while the semantic construction is preserved.
D7	Indicators of possible organised information influence	Presence of open indicators of synchronous, networked or mutually reinforcing dissemination that may require separate verification. This code does not mean final attribution of an organised operation.	Coordination, scale or synchronicity of dissemination which, within the analysis, may indicate the need for separate verification.

Multiple D coding rule: one material may receive several D codes, including D3 and D4. In cases of doubt, priority is given to the code that more precisely describes the distortion mechanism, in particular D2-D4. Code D7 is applied only where additional open indicators may suggest possible organised information influence. It is not used to attribute coordination, intent or external control to actors.

3. Operational harm-risk scale

The operational harm-risk scale is used for a coherent description of risk levels in the harm & risk stream and for calibration of threshold routing logic. It does not establish legal consequences and does not replace assessment by competent authorities. The assessment takes account of context, form, recurrence, potential impact and the presence of personal data or prompting of action.

Level	Description
0	No HS or D patterns recorded within the operational analysis.
1	Patterns of stigmatising generalisation or manipulative framing are recorded, without calls to action and without personal data.
2	Patterns are recorded that may increase the risk of hostility or exclusion but do not contain direct calls for discrimination or violence.
3	Patterns are recorded that may be accompanied by demands to restrict rights, exclusion or targeted pursuit; elements of personal data disclosure or information distortion with elevated risk of hostile reactions may also be present.
4	Patterns are recorded that, within the operational analysis, may approach the highest risk level of physical harm, vigilantism or incitement to dangerous action.

4. Operational typology of narratives (narrative_code)

Narrative code	Core meaning	Operational indicators
N1	Legal framing against expansion of rights	A "legal expertise" frame; references to legislation or the Constitution to narrow rights.

Narrative code	Core meaning	Operational indicators
N2	Framing “gender” as an ideological issue	Treatment of gender as ideology; “values war” frame; denial of legitimacy of terms.
N3	Securitisation and anti-national framing	Claims of undermining the army or threatening the State in the wartime context; association with the enemy.
N4	Exclusion from public space or prohibition of events	Calls to ban events; arguments about the inappropriateness of group visibility in public places.
N5	Appeal to freedom of speech as a legitimisation frame	Complaints about “restriction of freedom of speech”; use of “balance of views” to justify exclusion.
N6	Narratives about the Istanbul Convention as a threat to order	Calls for denunciation; presentation of the Convention as an instrument of external influence.
N7	Narratives about “protection of children” and sexual danger	Storylines about “protecting children”; generalisation of criminal cases to produce stigma.
N8	Sport and “biological fairness”	Arguments about “men in women’s sport”; references to biology as grounds for exclusion.
N9	Medicalised or pathologising framing	Sensationalist reporting about negative conditions; lack of context on discrimination factors.
N10	Appeal to institutional authority	References to institutional authority; emphasis on procedural and evidentiary aspects.

Narrative coding rules: each record receives one narrative code that identifies the dominant narrative. If narratives are mixed, the code is selected on the basis of the element decisive for the argument, that is, the main thesis or demand.

The narrative code should not duplicate HS/D. HS/D describe operational mechanisms of patterns and information distortion, while the N code describes the storyline or legitimisation frame.

If a text concerns both the Istanbul Convention and “censorship”, priority is given to N6 if the Convention is the basis of the storyline, or to N5 if “prohibition of expression” or “censorship” is central.

If “legal expertise” is used only as a tool for securitisation, priority is given to N3; if the key thesis is the absence of obligations or a legal norm, priority is given to N1.

For the 2022-2025 periodisation, N codes remain unchanged to ensure comparability of narrative shares within the corpus. This does not mean that the social phenomena themselves or their contexts remained unchanged.

Annex III. Institutional Subsample (Local Council Decisions and Appeals, 2016-2019)

This annex contains information on the institutional subsample for the response process, assembled on the basis of decisions and appeals by local self-government bodies in 2016-2019 concerning the “protection of the institution of the family in Ukraine”.

This subsample is used in the main text as an institutional level for procedural measurement of response, including the existence of a reply, identification of the responder and calculation of the time lag, and not as a basis for legal qualification or assessment of the prevalence of hate speech. Any “hate speech: yes/no” labels within this subsample are operational coding markers and cannot be treated as findings by a competent authority.

Sources and storage form

The subsample was formed on the basis of paper copies of decisions and appeals by local councils, paper copies of responses from institutional bodies, including replies or letters from committees of the Verkhovna Rada of Ukraine, and an electronic consolidated registry table. The unit of record is an individual act or appeal by a local council adopted in 2016-2019.

The rules for determining the existence of a response and calculating lag_days provide that a response is recorded where the registry contains its details, such as number and date, or a scanned copy of the letter. A “-” or “no” mark in the response field is interpreted as “unknown (no_data)” or “no response found (no_response_found)” only after a minimum check of available sources. The lag is calculated as the difference between the act date (act_date) and the date of the first recorded response (first_response_date), in calendar days.

Limitations and interpretive cautions

The subsample is not a representative cross-section of the practice of all local councils and is not used to assess prevalence. Some records may contain technical gaps, such as omissions in numbering or incomplete details. The “hate_marker: yes / no / unknown” marker is an internal analytical indicator that cannot serve as a basis for a legal conclusion. An extract from the institutional subsample registry (2016-2019) is indicated below in the source document.

Category	Description and technical requirements
Data sources	Paper copies of acts and responses; electronic consolidated registry table.
Unit of record	Individual act or appeal by a local council (2016-2019).
Criterion for “existence of response”	Presence of details (number, date) or a scanned copy of the document.
Status of gaps	A “-” or “no” mark is typically interpreted as “unknown (no_data)” in paper-based data sets.
Calculation of time lag	lag_days = first_response_date - act_date, in calendar days.
Limits of interpretation	The subsample is not representative; technical gaps exist; coding markers are not legal conclusions.

Extract 1. Extract from the institutional subsample registry (2016-2019). The public PDF provides this extract as a reference to the registry structure without reproducing sensitive content.

Annex IV. Letter of the Ministry of Justice of Ukraine of 21 February 2019

Basis for the reply: request by NGO Human Rights Bureau “We Are!” for access to public information dated 2 February 2019.

Subject matter: provision of information on the implementation of subparagraph 6 of paragraph 105 of the Action Plan for the implementation of the National Human Rights Strategy for the period up to 2020, approved by Order of the Cabinet of Ministers of Ukraine No. 1393-r of 23 November 2015 (the Action Plan).

Signatory: Deputy Minister for European Integration.

The Ministry of Justice of Ukraine states that, within its powers and competence, it considered the request and provides copies of appeals from regional, city and district-in-city councils, public and religious organisations concerning the “unacceptability” and termination of implementation of subparagraph 6 of paragraph 105 of the Action Plan that had been received by the Ministry of Justice of Ukraine, with reference to the Law of Ukraine “On Access to Public Information”. In the part of the request concerning the “impossibility of implementing” subparagraph 6 of paragraph 105 of the Action Plan, the letter sets out the framework of the issue by reference to provisions of the Constitution of Ukraine and family legislation. It cites provisions on marriage as a union between a woman and a man, referring to Article 51 of the Constitution of Ukraine and Article 21 of the Family Code of Ukraine, and also mentions the principles of regulating family relations, including consideration of the “moral foundations of society” under Article 7(9) of the Family Code of Ukraine and the definition of public morality in Article 1 of the Law of Ukraine “On Protection of Public Morality”. The letter also states that the Ministry of Social Policy of Ukraine is designated as the specially authorised central executive authority on ensuring equal rights and opportunities for women and men and on the formation and implementation of State policy on family and children, with reference to Cabinet of Ministers Resolution No. 423 of 17 June 2015.

Function of the document in the evidentiary logic of the report (institutional level): this letter is used in the main text as an indicator of (a) routing of appeals to a central executive authority, (b) outlining powers and the normative context of the response and (c) procedural interaction between levels of government, namely local councils and central authorities, in the consideration of sensitive issues. The letter is not used as a basis for assessing the lawfulness of appeals or for legal qualification of any materials. Its role is procedural and contextual within the response stream.

Annex V. Media Corpus Register, 2022-2025

This annex contains the register of the single-source media corpus for 2022-2025, used in the main text as a reproducible thematic case study for analysing discursive frames, harm risks and gaps in the response process. The register ensures reproducibility of results: it allows verification of which materials were included in the corpus, by which fields they were coded and which data limitations were recorded.

Status and limits of interpretation: the register describes only the assembled corpus of materials from a specific online source during a defined period. It is not representative of the whole media space and is not used to assess prevalence (the corpus is not prevalence). The register contains no verbatim examples of hate speech, does not reproduce fragments of statements, does not include personal data and does not legally qualify specific materials. Each record uses a neutral short summary (excerpt_neutral) without quotations. The response-stream fields are procedural. Where information on response is not verified, the “unknown/empty field” rule applies. This is a data gap and does not prove the absence of response as an objective fact.

The unit of record is an individual material published on the relevant online resource and identified in the register by a unique identifier (id), publication date and URL. Each record contains metadata, typology codes (HS/D), operational assessments (severity and confidence) and, where available, procedural response-process fields. All aggregated data, statistical shares and corpus observations in the report concerning the 2022-2025 media corpus are based on the fields of this register.

These indicators are reproducible through calculations by identifier (ID) within this annex. The register increases transparency of the material-selection procedure. It makes it possible to distinguish analytical observations concerning patterns identified in the corpus from any broader generalisations about prevalence in society.

1. Structure of the register

Category / field	Description and technical requirements
id	Unique record identifier, using a unified format for the entire corpus.
date	Publication date of the material (YYYY-MM-DD).
source	Source or platform, indicating the domain or name of the resource.
title	Title of the material as in the source; in the public version, where necessary, it may be replaced by a neutral working title or short description without verbatim reproduction of harmful wording.
excerpt_neutral	Neutral short summary of the content, 1-2 sentences, without quoting hate speech or personal data.
url	Public link to the material.
archived_url	Archived URL to ensure data reproducibility.
codes_hs	Operational HS codes of patterns relevant to hate speech-risk assessment; multiple coding with “ ” is allowed.
codes_d	Operational codes of information distortion mechanisms D1-D7; multiple coding with “ ” is allowed.
severity	Operational harm-risk level (0-4).
confidence	Coding confidence level (low, medium, high).
response_status	Response-stream status, including “unknown (no_data)” as a marker of a data gap.
responder	Additional field: normalised name of the responding actor, platform or institutional body.
response_action	Additional field: type of action according to the taxonomy. See Annex III.
first_response_date	Additional field: date of the first verified response (first_response_date).
lag_days	Additional field: time interval in calendar days between date and first_response_date.

Extract 2. Extract of the single-source subset. The public PDF indicates the extract without reproducing harmful content or personal data.

Annex VI. Court Case of NGO Human Rights Bureau “We Are!” Concerning the Decision of the Chernivtsi Regional Council (No. 320/5975/18)

This annex records procedural information on administrative case No. 320/5975/18, used in the main text as an element of the institutional layer for calibrating thresholds, mandate limits and the procedural logic of response. The annex does not interpret the outcome of the proceedings and does not make findings on the lawfulness of the contested act or the parties' positions.

Subject of the challenge: in case No. 320/5975/18, the claims concerned recognition as unlawful of the actions of the Chernivtsi Regional Council in appealing to the Verkhovna Rada of Ukraine, the President of Ukraine and the Cabinet of Ministers of Ukraine on the protection of the institution of the family in Ukraine, as allegedly amounting to incitement to direct and indirect discrimination on the grounds of sexual orientation and harassment. The contested act was the decision of the Chernivtsi Regional Council “On the appeal of deputies of the Chernivtsi Regional Council of the VII convocation to the Verkhovna Rada of Ukraine, the President of Ukraine and the Cabinet of Ministers of Ukraine concerning protection of the institution of the family in Ukraine” of 23 May 2018 No. 73-22/18.

The following is a concise list of key procedural stages with reference to document identifiers in the Unified State Register of Court Decisions of Ukraine (USRCR), as reflected in publicly available copies of decisions.

First instance: Kyiv District Administrative Court (KDAC)

Proceedings were opened by a KDAC ruling of 13 November 2018.

By a KDAC ruling of 24 January 2019, an expert examination was ordered, with the Ukrainian Parliament Commissioner for Human Rights tasked with carrying it out. The question for the expert was whether the contested actions of the Chernivtsi Regional Council contained indicators of incitement to direct and indirect discrimination on the grounds of sexual orientation and harassment.

By a KDAC ruling of 24 January 2019, the motion of the Chernivtsi Regional Council to close the proceedings was dismissed.

By a KDAC ruling of 14 May 2019, an expert examination was ordered, again with the Ukrainian Parliament Commissioner for Human Rights tasked with carrying it out. The court requested the expert, the Commissioner, to provide an opinion in the case answering whether the contested actions of the Chernivtsi Regional Council contained indicators of incitement to direct and indirect discrimination on the grounds of sexual orientation and harassment.

By a ruling of 15 July 2019, KDAC decided to request the Ukrainian Parliament Commissioner for Human Rights to provide or prepare an opinion in a discrimination case concerning this administrative case.

By a KDAC ruling of 15 July 2019, the motion of the Chernivtsi Regional Council to close the proceedings was dismissed.

By a KDAC ruling of 28 November 2019, the motion to recuse the judge was granted and the case was transferred to the registry of KDAC for determination of a new judicial panel.

By a KDAC ruling of 29 November 2019, the case was accepted for proceedings by a different judicial panel.

By a KDAC judgment of 2 July 2020, the claim was dismissed.

Appellate instance: Sixth Administrative Court of Appeal (6AAC)

By a 6AAC ruling of 20 March 2019, the KDAC ruling ordering an expert examination was set aside and the case was returned for continuation of proceedings before the first-instance court.

By a 6AAC ruling of 18 June 2019, the KDAC ruling ordering an expert examination was set aside and the case was returned for continuation of proceedings before the first-instance court.

By a 6AAC ruling of 15 October 2019, the appeal of the Chernivtsi Regional Council was dismissed and the KDAC ruling of 15 July 2019 dismissing the Council's motion to close the proceedings was upheld.

By a 6AAC ruling of 2 November 2020 on the appeal of the Chernivtsi Regional Council, the appeal was allowed in part and the KDAC judgment of 2 July 2020 was amended by excluding from its reasoning the court's findings concerning the unlawfulness of the actions and decision of the Chernivtsi Regional Council in appealing to the Verkhovna Rada of Ukraine, the President of Ukraine and the Cabinet of Ministers of Ukraine on the protection of the institution of the family in Ukraine, as allegedly amounting to incitement to direct and indirect discrimination on the grounds of sexual orientation and harassment.

Cassation instance: Administrative Cassation Court within the Supreme Court (ACC SC)

By an ACC SC ruling of 23 October 2019, the opening of cassation proceedings was refused on the cassation appeal of the Chernivtsi Regional Council against the KDAC ruling of 15 July 2019 dismissing the motion to close proceedings and the 6AAC ruling of 15 October 2019 upholding that ruling.