



IN IUSTITIA



# Report on Hate Violence in the Czech Republic in 2015





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# Report

## on Hate Violence

in the Czech Republic in 2015



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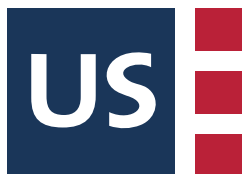
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**embassy**

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## LIST OF ABBREVIATIONS

<b>CR</b> .....	<b>Czech Republic</b>
<b>CESS</b> .....	<b>Crime Evidence Statistics System</b>
<b>CJA</b> .....	<b>Criminal Justice Authorities</b>
<b>CVA</b> .....	<b>Crime Victims Act</b>
<b>EU</b> .....	<b>European Union</b>
<b>FB</b> .....	<b>Facebook</b>
<b>IU</b> .....	<b>In IUSTITIA</b>
<b>HV</b> .....	<b>Hate violence</b>
<b>NGO</b> .....	<b>Non-governmental organization</b>



# INTRODUCTION

This report **contributes testimony about hate violence (HV) in the Czech Republic (CR)**, the societal preconditions for HV and reactions to it, and the access to justice enjoyed by those harmed by HV. The extent of the report we are submitting to the public is, in our opinion, not just unique within the CR, but also within Europe. This report provides not just numbers, but primarily the specific stories of people who became targets of bias violence. The report follows these incidents over time, from their commission to the final decision rendered by the courts about them. We are attempting to graphically present to our readers the extent of, forms of and motives for this victimization. On the basis of specific data, we may then identify the trends of this violence and its causes. The production of this report has been extremely demanding and has assumed a **high degree of collaboration with the criminal justice authorities (CJA)**. To begin with, therefore, we would like to thank the police officers who processed our queries and the state attorney's offices and courts who provided us with copies of their indictments and verdicts. We believe this unique collaboration is reflected in the integrity and quality of this report, which conveys the state of HV in the CR in 2015. The work we have done together has been demanding in terms of time, and thus we are submitting our outputs to the public with more than a year's delay. We believe our collaborations will continue in the years to come.

Frequently we encounter the question of **whether the law of the CR is strong enough to protect victims of hate crimes**. Groups of people whom the Criminal Code does not specifically mention are also endangered by bias attacks – members of the LGBT community, people living with disabilities, senior citizens – and in that sense, a change to the substantive legislation should occur. The process through which victims assert their rights vis-à-vis pepe-

trators has been heavily amended by recodification in connection with the recent adoption of the Crime Victims Act (CVA). If we see any limitations, they primarily have to do with how the law is applied and with the “invisibility” of its enforcement, i.e., a situation in which the work of the police, the state attorneys and the courts is not sufficiently presented to the public. This means the public may erroneously have the impression that hate crimes are not being sufficiently solved, or that some attacks of this nature are not even felonies at all.

In 2015 the connection between the fear **generated by the so-called refugee crisis** and growth in violence vis-à-vis immigrants, people aiding refugees and people practicing Islam was confirmed. A total of 43 % of the attacks reported were directly related to the refugee crisis and include attacks against immigrants, Muslims, people from Arab countries, people holding certain political convictions, and refugees. Anti-refugee rhetoric also formed public opinion and is captured in its full force in the chapter dedicated to the societal atmosphere. We believe that while 2016 was calmer than 2015, this rhetoric however can reappear with full force during the electoral year of 2017, when some political candidates may use turn attention to the issue of migration once again.

**The group most at risk of victimization, however, remains persons of Romani nationality.** This fact must be kept in mind when interpreting the conclusions submitted. The refugee crisis may have overshadowed other subjects in the media, but its impact on various groups at risk of HV remains unclear. The only research undertaken about this subject found that hate speech against one group easily spills over into hate speech about other groups.<sup>1/</sup> **Among the relatively less-recorded assaults are those motivated by the assumed sexual identity or orientation of the victim, homelessness, or affiliation with a subculture.** Even that these are frequently especially brutal crimes, we are of the opinion

<sup>1/</sup> Cf. <https://www.hatefree.cz/analyza-homoklady-musulmani-a-tmavocesi-online> ([bit.ly/hvrep15-01](http://bit.ly/hvrep15-01) - in Czech).

that there is a high degree of unreported crime that meets this description. Empirical research is the only way to clarify what is causing this. We believe this Report will also serve to inspire further research in this area. We believe the academic community owes a certain debt in this regard, as it remains faithful to researching political extremism and is more oriented toward perpetrators than toward victims.

**The extent of this Report is significantly influenced by the broader scope of this research.** First and foremost we have transferred some of the antisemitic incidents published in the Annual Report on Antisemitism by the Federation of Jewish Communities. The second significant change is our requesting of statistics on crimes meeting the definition of Sections 403-405 of the Criminal Code, which include the activity of establishing and supporting hate movements or organizations, displaying sympathy for them, and denial of the Holocaust. These felonies do not represent HV in the classic sense, but the CJA usually use these felonies to qualify hate crimes. As is analyzed in more detail below, 20 of the 84 felonies categorized as meeting the definition of Sections 403-405 in which criminal proceedings were begun in 2015 also met the definition of HV. This broadening of the scope of the research may be caused either by the fact that there was a growth in the number of hate incidents and/or that the media reported about such incidents more. All options must be taken into consideration when interpreting the number of incidents registered in 2015, which is significantly higher compared to 2014.

**Online social networks (mainly Facebook (FB), but also others) represent a big challenge for the future, as do the different media outlets that provide room for hate speech.** This challenge does not just concern the police, who are just as responsible for prosecuting hate violence on the Internet as they are for prosecuting it anywhere else. This challenge also primarily concerns the Czech public. During 2015 we noted a **shift toward a perception of hate speech as something socially acceptable and normal.** It is necessary to unconditionally stand up to this. Unequivocal condemnation of hate speech was something we found lacking, especially among elected politicians, who in some cases even contributed themselves to stirring up hateful senti-

ment and supported the growth of prejudices against certain groups in society. If hate violence is not condemned, there is a danger that those who commit it will have a sense of impunity and will continue their perpetration of it, and that their numbers could increase.

At the same time, however, **it is necessary to emphasize the cases in which support was expressed for groups endangered by HV.** Some of those are especially described in the chapter on Societal Atmosphere. Here it is enough that we briefly mention them. Hate criminals do their best to create the impression that most of society does not just condone their behavior, but welcomes it. The already-decreasing participation in hate demonstrations, however, demonstrates that this may be far from the case. Along with hate speech, we have also witnessed many specific examples of solidarity motivated by the desire to protect human rights. We believe this stream of society will eventually prevail.

In IUSTITIA, o.p.s.



# In IUSTITIA, o.p.s.

In IUSTITIA (IU) has dedicated itself to preventing HV and aiding its victims since 2009. It is the only organization that specifically focuses on this topic in the CR. Its aim is to contribute to addressing the topic of HV by aiding victims, educating the public, monitoring cases and analyzing them.

IU is a registered provider of social services and an accredited provider of legal information. The organization in its current form works in four towns – Brno, Kladno, Olomouc and Prague. IU also implements a field work program and its services can also be provided in client's homes. During 2015 IU began to provide mobile legal and social counseling to homeless women through its first vehicle-based counseling center.

Services are provided free of charge to victims all over the entire territory of the CR and include legal and social counseling by telephone, in person or online, as well as representation in court. IU contributed to the creation of the CVA and currently is focused on optimizing that norm. In July 2015, IU also provided comments about a proposed amendment to that law. IU also published during 2015 its "Guide for Foreigners Encountering Crime in the Czech Republic".

Since 2010, IU has also thoroughly monitored HV, informing the public as to its causes, consequences and forms, which we con-

sider one of our key roles as an NGO. We take a constructive, critical approach toward addressing HV, proposing legislation and making practical recommendations as well.

IU implements several education programs. We primarily concentrate on intensifying the knowledge and skills of professionals who come into contact with victims of HV and with particularly vulnerable victims. Our trainings are designed for police, social workers and teachers. In 2015 we trained almost 200 social workers about the CVA and HV.

Our program for victims, our education program and our monitoring can be supported by those interested in doing so through either a one-time or recurring gift to our fundraising account, number

**440 660 440/2010**

or by the provision to us of services free of charge. For more information, please visit

**[www.darujipomoc.cz](http://www.darujipomoc.cz)**

or contact us at

**[dary@in-ius.cz](mailto:dary@in-ius.cz)**



# ACKNOWLEDGEMENTS

We would like to thank all of those who made this report possible.

First of all we thank all of the people who have been impacted by HV and decided to report the incidents to us. We know that cannot have been easy for you. We believe that together we will succeed in drawing attention to the state of hate violence in the Czech Republic.

We thank the Police Presidium of the Czech Republic for providing us with essential statistical data about hate crimes. The representatives and press spokespersons of the police, selected state attorney's offices and courts willingly provided us with irreplaceable aid. We are aware that they invested no small amount of energy into answering our queries and primarily, thanks to their commitment and good will, we were able to track down most of these incidents and verify them.

Our thanks goes to our colleagues from community organizations and the NGO sector who aid us with tracking down hate incidents and bolster the awareness of our clients about how they can defend themselves against HV. An irreplaceable role in monitoring HV within the Romani community has been played for some time by the ROMEA organization, which dedicates itself not only to individual incidents, but also to refuting deceptive or erroneous information about the Romani community, as well as monitoring hate demonstrations.

We thank our other colleagues who, as part of their regular responsibilities, have dedicated their time to completing our database and commenting on our reports.

Last but not least, we thank the Embassy of the United States of America in Prague, which supported the monitoring behind this report and its creation.



# STRUCTURE OF THIS REPORT AND ITS MAIN FINDINGS

The report is comprised of five chapters. The first defines HV and outlines the forms it takes. Because this concept is not a component of customary vocabulary usage, its meaning is always illustrated by a specific situation that a victim of HV has experienced. At the same time, for that purpose, HV is contextualized in terms of related concepts such as antisemitism, homophobia, Islamophobia, political extremism, racism, transphobia and xenophobia.

The second chapter discusses the Czech legal order. It does not just touch on the conceptualization of bias violence, but also on specific problems through which an inappropriate legal qualification sometimes occurs during the clarification of hate crimes, as well as the overuse of the concept of HV by the CJA. Last but not least, important court decisions related to HV in the CR are reflected upon.

The third chapter documents hateful sentiment in Czech society. Here the report predominantly emphasizes incidents that do not fall into the category of HV but which, through their character and intensity, are closely related to it. Here the report presumes that intra-group tensions and stigmatization of selected groups in society conditions the occurrence of HV. These incidents have been divided into six groups, each of which corresponds to a type of actor relevant to this issue. The groups are: Political representatives, local governments, the far right, the security forces, the media and ordinary citizens.

The remaining two chapters are fully dedicated to monitoring HV in the CR during 2015. The methodology through which incidents are identified and verified is first explained. The main sources of data are described, as are the analytical instruments applicable to them, and the limits typical of such procedures are assessed. In the final chapter we present our conclusions from the analyses of the qualitative and quantitative data, including descriptions of individual incidents.

## MAIN FINDINGS:

- A total of **141 incidents of HV** were reported in 2015. Of these we can consider 69 strongly verified, 71 weakly verified, and one as unverified.
- IU independently identified 91 of these incidents and learned of the other 50 from police statistics.
- IU first learned of HV most frequently through **its own research on the Internet and through the media** (45 incidents), **from the victims themselves** (17 incidents) or from non-governmental, non-profit organizations (14 incidents). The CJA did not ever contact IU of their own accord for any of its services to hate crime victims.
- **During 2015, 55 more incidents than in the previous year were reported.** This growth, however, must be interpreted by taking into account the changes undertaken to our methodology for identifying incidents, as well as the changes in informing the public about HV.
- **Most bias attacks were motivated by nationality or ethnicity, political convictions or religion.** This corresponds to the position of the groups most at risk of HV. **Just as in 2014, people of the Muslim faith and people of Romani nationality or ethnicity were among those most at risk.** Altogether these incidents comprise 45 % of all incidents reported in 2015. The trend discovered during the previous year of a growth in anti-Muslim attacks continued to rise.
- **The so-called refugee crisis significantly influenced the structure of the motivations ascertained for HV in 2015, as incidents connected with the crisis corresponded to 43 % of all incidents.** These incidents included both attacks

against people with the status of refugees or migrants as well as attacks against people practicing Islam, against people of either Arab or Iraqi nationality, and last but not least, against people supporting refugees.

- **The most frequent forms of HV are verbal attacks, intimidation or threats and physical assault.** Frequently more than one form is involved per incident.
- **Serious forms of assault in the IU statistics are characteristically perpetrated against groups such as homeless people or members of subcultures such as squatters.** These attacks are, however, significantly underrepresented in the IU statistics, and apparently only incidents with high degrees of brutality and serious consequences are being reported.
- **Physical attacks were observed to especially target Muslims, people of color, and Romani people.** Attacks on property were matters of attacks against either those practicing Islam or members of the Romani nationality or ethnicity. Attacks implemented through intimidation and threats are also the domain of assailants attacking those who stand up for refugees and/or Romani people.
- The form of attack basically corresponds to the nature of the damages caused. **The most frequent kind of damage was moral harm impacting human dignity.** That was followed by psychological damage, smaller-scale property damage, and minor physical injury.
- **Most hate incidents occurred in the Capital City of Prague, the Southern Moravia Region and The Ústí Region.** The cities with the highest incidence of reported HV besides Prague include Brno and Ostrava.
- **Most assaults happened either online or in publicly accessible locations.**
- **Most incidents happened during the third quarter** (40 % of all incidents), and the fewest happened during the first quarter. From the perspective of the time of assaults, there is not

much of a difference between daytime and nighttime. Attacks perpetrated offline, of course, happened more between 18:00 and 6:00.

- With regard to the age, citizenship and sex of victims, in 2015 the **typical victim of HV was usually a man between 19 and 35, most probably a Czech citizen.** In comparison with the preceding year, therefore, the age of those most frequently assaulted fell slightly. On the other hand, in relative terms the representation of foreigners and women among the victims increased, especially those with citizenship of a country outside the European Union.
- **The identity of assailants was discovered in just 51 % of incidents.** Perpetrators acted alone more than they did in groups, but in one-quarter of the incidents their identity could not be discovered. In 30 % of incidents the perpetrator was proven to be a member of the ultra-right.
- Of all the incidents reported, **police investigated 91 (65 %).** Of those incidents, however, police were able to prove hate motivation in just 61. Generally, therefore, it applies that police have demonstrably focused on 43 % of all the incidents discovered during 2015 to constitute hate crimes.
- **Of those 91 police-investigated incidents, 25 ended with a court decision,** while three had yet to go to trial before this report went to press (in 2016). In 48 incidents the police investigation was either delayed or stopped altogether, while in 15 incidents the investigation was still ongoing at the time this report went to press.

1.

Hate violence -  
definition of concepts





HV is an **attack motivated by prejudices and stereotypes held by the assailant against a certain group of people**.<sup>2/</sup> It can be committed either physically or verbally, on the street or through the Internet, with or without weapons (see Table No. 1). Specific people or their property become targets for this violence not because of any personal experience with the people assaulting them, but on the basis of their actual or perceived affiliation with the hated group. The perpetrators believe they recognize the victim's affiliation according to certain characteristics of the group that are either unalterable, or are characteristics that it would not be fair to require them to change (Table No. 2). In that sense, HV is always symbolic. Through the assault on the victim, a message is sent to the broader society about which groups do not belong in society.

Table No. 1

Forms of hate incidents
Verbal assault
Intimidation or threats
Attacks through the Internet (including online social networks)
Attacks on property (damage to buildings and other items)
Graffiti (including graffiti at cemeteries or religious buildings)
Attacks using explosives
Physical attack
Rape or other sexual assault
Arson
Homicide/murder

Table No. 2

Motivation for committing bias violence
Skin color
Nationality or ethnicity
Sexual orientation or identity
Religious faith (including agnosticism/atheism)
Age
Political convictions
Membership in a subculture
Disability
Drug use
HIV + / AIDS
Homelessness

Hate incidents do not happen in a cultural or societal vacuum. On the contrary, social context determines when they arise. Members of different groups hold various prejudices and stereotypes about others. While a certain group may be perceived negatively in one location, at another the same group might be accepted as a matter of course. What victims of HV frequently do have in common, however, is their **disadvantaged position in society**. Members of socially stigmatized groups are usually harmed by HV, and their greater vulnerability can support perpetrators' decisions to commit attacks because the perpetrators harbor the notion that nothing bad can happen to them if they do so.

<sup>2/</sup> For this reason, HV is sometimes discussed as bias violence. In this report, the concepts of "bias" and "hate" are understood to be synonymous. See Face to Face with Bias Violence - Guidelines for Social Workers Prague 2016: In IUSTITIA, Nomada Association for Multicultural Society Integration, Lúdia proti rasismu, Vive Žene and International Aid Network.

The solving of bias crimes is complex and problems still persist with applying these principles in practice. Not all such incidents are actually identified as ones involving bias. This contributes to a significant distortion of our knowledge about hate crime. **In other words, statistically low official numbers do not necessarily indicate an actually low incidence of bias attacks.** Some bias attacks may be recorded in the state statistics as simple felonies and their bias motivation may go unrecorded. Similarly, it is problematic when perpetrators are erroneously charged with such motivation.

On the basis of our many years of practical experience with such cases, we can conclude that the CJA rely too frequently on verbal displays of intolerance when demonstrating bias motivation. We believe it is important for other indicators testifying to bias motivation to be taken into consideration as is proposed by the Office for Democratic Institutions and Human rights of the Organization for Security and Cooperation in Europe and our own publications. These are indicators about the perpetrators themselves, the place of the incident, the time of the incident, the victims, the way the attack was performed, and how to exclude other potentially relevant motivations from consideration.<sup>3/</sup>

In order to assess an incident as one of HV, it is not enough for the perpetrator and victim to come from different social groups. While such information can aid with ascertaining whether the incident is one of HV, especially if the victim is affiliated with an at-risk group, or if the perpetrator espouses a movement aimed at suppressing human rights and freedoms, in and of itself such a fact cannot lead to a conclusion of bias motivation. This is illustrated in practice by the following case:

Example No. 1: An ethnic Czech man physically assaults a Romani man late at night on the street in order to rob his money. During the attack, the perpe-

trator shouts: "Give it to me, you black filth!" While this remark is racist, this is not a case of HV. According to the circumstances, this is felony robbery. It would have been HV if, for example, it could be proven that the perpetrator had robbed a randomly-chosen Romani man, for example, because he wanted to revenge himself against the Romani group, as a whole, because he believes they "abuse social welfare." In that case, personal enrichment would not be the aim of his behavior; rather, the aim would be to send a social message. In our original example, however, the crime was committed for a different motive, that of material gain.

Many concepts are related to HV. Terms such as **antisemitism, homophobia, Islamophobia, racism, transphobia** or **xenophobia** are regularly used to explain the motives of HV perpetrators or the kind of social group against which this violence is aimed. These concepts, however, do not just include HV, but also **discrimination**. The difference between these two terms can be defined by their legal classification. While HV is a matter of criminal law and refers to individual attacks aimed at suppressing the human rights and freedoms of a group or individual, discrimination falls beneath antidiscrimination law and the relevant provisions of the Civil Code.<sup>4/</sup> This is demonstrated by the following specific example:

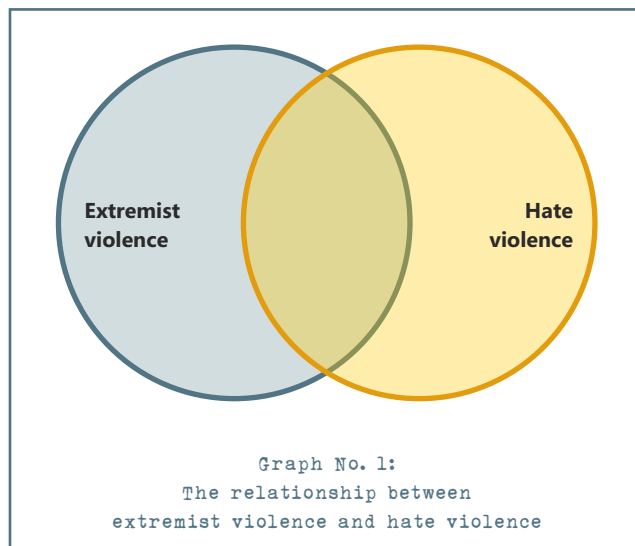
Example No. 2: A group of gay people walk into a restaurant in a small town in South Bohemia. The waiter refuses to serve them, saying: "We don't serve fags." Another customer adds his two cents' worth: "Get out of here, queers, before you get hurt." Which of these remarks meets the definition of discrimination, and which meets the definition of HV? While the words of

<sup>3/</sup> For more details, see, for example, *Face to Face with Bias Violence - Guidelines for Social Workers*, Prague: 2016, In IUSTITIA, Nomada Association for Multicultural Society Integration, Ludia proti rasismu, VIVE Žene and International Aid Network. Available at <http://www.in-ius.cz/dwn/brozury-bias/bias-eng-afterproof2.pdf> ([bit.ly/hvrep15-03](http://bit.ly/hvrep15-03)).

<sup>4/</sup> Hate crime is also defined in terms of criminal law by the Office for Democratic Institutions and Human Rights. See Office for Democratic Institutions and Human Rights. 2009. Preventing and Responding to Hate Crimes. A Resource Guide for NGOs in the OSCE Region. Warsaw: the OSCE's Office for Democratic Institutions and Human Rights, p. 15.

the attacking customer unequivocally refer to a threat of violence against the victims because of their sexual orientation, the waiter's statement contains nothing of the sort. What the waiter has done is discriminatory behavior. Only the customer's behavior qualifies as HV.

Another important concept is that of **political extremism**. Even though HV is frequently discussed as extremism, these concepts are not identical.<sup>5/</sup> While extremist violence is committed in the interest of undemocratic political ideologies, hate incidents do not necessarily pursue such aims. It is not, therefore, the case that all perpetrators of HV are also extremists and that any extremist also exclusively commits HV. Extremists comprise just part of HV perpetrators. Some sources point out that extremists even comprise a minority of such perpetrators.<sup>6/</sup> The relationship between extremist violence and HV is captured by the following graph.



<sup>5/</sup> Kalibová, Klára. 2012. *Stanovisko In IUSTITIA, o.s., k textu doc. JUDr. PhDr. Miroslava Mareše, PhD., Problematika Hate Crime. Zahraniční zkušenosti a možnost aplikace tohoto přístupu v ČR s důrazem na trestné činy z nenávisti proti cizincům*. Praha: In IUSTITIA, o.p.s.; Mareš, Miroslav. 2011. *Problematika Hate Crime: Zahraniční zkušenosti a možnost aplikace tohoto přístupu v ČR s důrazem na trestné činy z nenávisti proti cizincům*. Praha: Ministerstvo vnitra ČR.

<sup>6/</sup> Several research studies undertaken in the CR have found that a minority of hate attack perpetrators are extremists. See, e.g., Štěchová, Markéta. 2004. *Interetnické konflikty, jejich příčiny a dopady z pohledu teorie a empirických sond*. Praha: Institut pro kriminologii a sociální prevenci.



2.

Hate violence  
and the law



In this chapter we focus on a brief summary of the substantive law about hate violence and the procedural position of its victims. We will focus on criminal proceedings from the perspective of victims, especially on developing the application in practice of Act No. 45/2013 Coll., the Crime Victims Act, which IU has been following since it first took effect in 2013. On the basis of that experience, we are identifying continually persisting obstacles to accessing justice by victims. We are also presenting significant court decisions that impact the situations of crime victims and summarizing some cases we have dealt with which, in our opinion, confirm that the verbal incitement of fear and hatred in connection with the movement of refugees through Czech territory produced its first HV reactions in 2015.

## 2.1 Legislative developments

### 2.1.1. SUBSTANTIVE LAW

The law on hate crimes can be found in the various constituent elements anchored in Act No. 40/2009 Coll, Criminal Code. During 2015 there were **no changes to this legislation**.<sup>7/</sup> Five groups of people are traditionally protected against bias violence – persons assaulted because of their actual or perceived ethnicity, faith, nationality, political convictions or race. (See Table No. 3.)

At the end of 2015, the Justice Ministry began to design an **amendment**<sup>8/</sup> to the substantive law on crimes per Section 355 “Defamation of a nation, race, ethnic or other group of people” and Section 356 “Instigation of hatred towards a group of people or of suppression their rights and freedoms”. The amendment would have newly protected persons assaulted because of their affiliation with a specific class, their gender identity, or their sexual orientation per the provisions of Section 355 Criminal Code. The ministerial motion focused just on verbal offences motivated by hatred and did not respect the existing structure of the law, which counts on bias motivation as an aggravating circumstance conditioning the use of a stricter set of punishments for such felonies, one equivalent to that of battery, murder, or property damage (see Table No. 3.).

Less serious behavior motivated by bias can be assessed as a **misdeemeanor against civil coexistence** (Section 49 paragraph 3) per

Act No. 200/1990 Coll., the Misdemeanors Act, as amended (herein after the “Misdemeanors Act”). A person is liable for committing a misdemeanor who *causes others damage because of their activity or membership in a political organization or other association, their ancestry, their faith or religion, their family status, their gender, their language, their marital status, their political or other convictions, their race, their sexual orientation, their skin color, their social origin or their wealth*. Those convicted of such trespasses face a fine of up to CZK 5 000 [EUR 185].

In 2015, Act No. 204/2015 Coll. amended several provisions of the Misdemeanors Act. As of 1 October 2016, the person liable for a misdemeanor is considered the one who *causes damage*, i.e., performs the actions in question. The category of protected persons is expanded to include those assaulted because of age and *disability*. The most essential change was to increase the punishment in the form of a fine to as much as CZK 20 000 [EUR 740], which, in a case of a particular misdemeanor being committed repeatedly, can be increased to as much as CZK 30 000 [EUR 1 110].

**In cases of less serious bias violence, therefore, a broader group of persons is protected.** This includes, for example, those targeted because of their age, their sexual orientation, or their state of health.

<sup>7/</sup> For this reason, we refer readers to the information about CVA that can be found in our Report on Hate Violence in 2011. Available here: <http://www.in-ius.cz/dwn/zprava-o-nzn2011/report-web.pdf> ([bit.ly/hvrep15-07](http://bit.ly/hvrep15-07)). Here we are just giving an overview of the facts that can give rise to hate crime charges.

<sup>8/</sup> The amendment was submitted in 2016; see <http://www.ceska-justice.cz/2016/04/cr-zavadi-trestny-cin-hanobeni-zivotniho-stylu-tridy-i-podnecovani-nenavisti-k-homo-trans-a-asexualum/> ([bit.ly/hvrep15-08](http://bit.ly/hvrep15-08)). But the Chamber of Deputies did not pass it.

Table No. 3

An overview of the provisions of Act No. 40/2009 Coll., Criminal Code, regulating hate crime	Race	Nationality	Political conviction	Religion / No religion	Ethnicity	Social class	Another group of people	Sex	Culture	Sexual orientation
<b>Basic substantive merit</b>										
Violence Against Group of People and Individuals (Sect. 352, para. 2)	✓	✓	✓	✓	✓	✗	✗	✗	✗	✗
Defamation of Nation, Race, Ethnic or other Group of People (Sect. 355)	✓	✓	✓	✓	✓	✗	✗	✗	✗	✗
Instigation of Hatred towards a Group of People or of Suppression their Rights and Freedoms (Sect. 356)	✓	✓	✓	✓	✓	✓	✓	✗	✗	✗
Genocide (Sect. 400)	✓	✓	✗	✓	✓	✓	✓	✗	✗	✗
Attack against Humanity (Sect. 401, para. 1, ltr. e)	✓	✓	✓	✓	✓	✗	✓	✓	✓	✗
Apartheid and Discrimination against a Group of People (Sect. 402)	✓	✓	✗	✓	✓	✓	✓	✗	✗	✗
Establishment, Support and Promotion of Movements Aimed at Suppression of Human Rights and Freedoms (Sect. 403)	✓	✓	✗	✓	✓	✓	✓	✗	✗	✗
Expressing Sympathies for Movements Seeking to Suppress Human Rights and Freedoms (Sect. 404)	✓	✓	✗	✓	✓	✓	✓	✗	✗	✗
Denial, Impugnation, Approval and Justification of Genocide (Sect. 405)	✗	✗	✗	✗	✗	✗	✗	✗	✗	✗
<b>Circumstances allowing for the use of higher penalties / qualified substantive merit</b>										
Murder (Sect. 140, para. 1, 2 and para. 3, ltr. g)	✓	✓	✓	✓	✓	✗	✗	✗	✗	✗
Manslaughter (Sect. 141, para. 1, 2)	✗	✗	✗	✗	✗	✗	✗	✗	✗	✗
Grievous Bodily Harm (Sect. 145, para. 1, 2, ltr. f)	✓	✓	✓	✓	✓	✗	✗	✗	✗	✗
Bodily Harm (Sect. 146, para. 1, 2 ltr. e)	✓	✓	✓	✓	✓	✗	✗	✗	✗	✗
Torture and other Cruel and Inhumane Treatment (Sect. 149, para. 1, 2, ltr. c)	✓	✓	✓	✓	✓	✗	✗	✗	✗	✗
Illegal Confinement (Sect. 170, para. 1, 2, ltr. b)	✓	✓	✓	✓	✓	✗	✗	✗	✗	✗
Illegal Restraint (Sect. 171, para. 1, 2, ltr. b)	✓	✓	✓	✓	✓	✗	✗	✗	✗	✗
Abduction (Sect. 172, para. 1 and 2, 3, ltr. b)	✓	✓	✓	✓	✓	✗	✗	✗	✗	✗
Extortio (Sect. 175, para. 1, 2 písm. f)	✓	✓	✓	✓	✓	✗	✗	✗	✗	✗
Breach of Confidentiality of Files and other Private Documents (Sect. 183, para. 1, 3, ltr. b)	✓	✓	✓	✓	✓	✗	✗	✗	✗	✗
Rape (Sect. 185)	✗	✗	✗	✗	✗	✗	✗	✗	✗	✗
Sexual Duress (Sect. 186)	✗	✗	✗	✗	✗	✗	✗	✗	✗	✗
Damage to a Thing of Another (Sect. 228, para. 1 and 3 ltr. b)	✓	✓	✓	✓	✓	✗	✗	✗	✗	✗
Abuse of Competence of Public Official (Sect. 329, para. 1, 2 ltr. b)	✓	✓	✓	✓	✓	✗	✗	✗	✗	✗
Public Menace (Section 272, para. 1, 2)	✗	✗	✗	✗	✗	✗	✗	✗	✗	✗
Some military criminal offenses	✓	✓	✓	✓	✓	✗	✗	✗	✗	✗
<b>General aggravating circumstance</b> (Section 42, ltr. b)	✓	✓	✗	✓	✓	✓	✗	✗	✗	✗



## 2.1.2 CRIMINAL CODE DEVELOPMENTS

The Criminal Code was not amended in 2015 in any way that was relevant to victims of bias violence; it most recently underwent significant amendment in 2013 related to the adoption of the CVA.<sup>9/</sup>

## 2.1.3 CRIME VICTIMS ACT

Act No. 45/2013 Coll., the Crime Victims Act, promulgated the Council of the EU and European Parliamentary Directive 2012/29/EU of 25 October 2012 into Czech law as of August 2013. The Directive introduces minimum rules for the protection, rights and support of crime victims and replaced the Framework Decision of the Council of the EU 2001/220/SVV. The CR became the first EU country to promulgate into law a comprehensive norm more than two years ahead of schedule. In relation to hate crime victims, however, **the Directive has not been fully promulgated.**

The Directive tasks the state with arranging for an assessment of a victim's individual needs. Especially per Article 22 paragraph 3, it states that it is necessary to pay attention to hate crime victims as so-called victims with special needs (in the Czech law, "particularly

vulnerable victims"), and to pay attention to all of them. The CVA refers **just to some hate crime victims**, i.e., those who have been subjected to either the threat of violence or to violent treatment. Basically, therefore, it narrows the concept of the Directive. During 2015 the design of an amendment to the CVA was begun that includes an adjustment to the definition of a "particularly vulnerable victim" to include all hate crime victims.

An extensive analysis of the CVA, including recommendations for further law and practice, was undertaken by IU in a publication from 2016.<sup>10/</sup>

## 2.1.4. OTHER RELATED LEGISLATION AND ITS DEVELOPMENT

Victims of bias violence also have the opportunity to seek compensation through lawsuits for protection of personality and lawsuits seeking compensation for non-pecuniary damages in civil proceedings. Despite the recodification of the Civil Code by Act No. 89/2012 Coll., Civil Code, as amended in 2014 the position of victims of bias violence remains complicated.

# 2.2 Prosecution of bias crime

In order to produce this Report we have asked for copies of the decisions made by police, state prosecutors and the courts in matters involving Sections 403–405 Criminal Code. With regard to our previous experience, we assumed that among the crimes qualified as corresponding to that legislation, there could be descriptions of actions that de facto also fall beneath other provisions of the Criminal Code, namely, Sections §§ 352, 355 and 356. Our hypothesis was confirmed, as was the fact that prosecuting hate crimes involves significant interpretational difficulties.

**Sections 403–405 Criminal Code relate to the activity of hate movements.** Their essence is to criminalize such behavior, through which movements disseminating hatred are either established, promoted or supported (Section 403), through which sympathy is expressed for such movements (Section 404) or through which genocide is either approved of, denied, doubted or justified (Section 405). The subject of protection of these provisions is, primarily, the interest in defending society as a whole against the activity of hate groups. On the other hand, the essence of the facts

<sup>9/</sup> For more detailed information about the conceptualization of bias violence in Czech law, see our Report on Hate Violence in the Czech Republic for 2014, which is accessible here: <http://www.in-ius.cz/aktuality/zprava-o-nasili-z-nenavisti-2014.html> ([bit.ly/hvrep15-09](http://bit.ly/hvrep15-09)).

<sup>10/</sup> Crime Victims Act. Practice and legislative recommendations regarding the technical amendments proposed to Act No.45/2013 Coll. Available at: <http://www.in-ius.cz/dwn/praktalegdopo/zotc-web-final.pdf>. ([bit.ly/hvrep15-10](http://bit.ly/hvrep15-10) - in Czech).

of cases qualifying as crimes per Section 352, or Sections 355 and 356 is primarily the desirability of protecting individuals or groups and their individual interests in not being subjected to physical assault or verbal attack (although that does not entirely apply to Section 355).

Practical difficulties arise in situations when perpetrators' actions include elements of both kinds of behavior. These are cases where, for example, a perpetrator gives a Nazi salute in full view of a victim while simultaneously verbally assaulting the victim – this is, on the one, hand, an expression of sympathy for a movement suppressing human rights and freedoms (Section 403) and at the same time it significantly offends the dignity of a specific victim (Section 355) and can prompt justified fear in that victim for his or her health and life (Section 352). From the perspective of the CJA, however, such behavior is assessed exclusively as Section 404, i.e., as an expression of sympathy for a movement suppressing human rights and freedoms. It seems the CJA, in situations where they can consider specific behavior as meeting several different merits of different crimes connected to hate movements, forget to also apply those provisions of the law intended to protect a specific person who has been assaulted this way, for example, because of his or her skin color.

Another problematic situation is the **overuse of provisions** criminalizing hate crime. In 2015 for example, there was a case of disproportionate criticism of some city council members in Ústí nad Labem. A member of a local theater company posted to his FB profile still images from a documentary film about Lidice<sup>11/</sup> with this commentary: *"I imagine the purging of Ústí like this. On the ground, from the left: Dlouhý, Fišer, Mandík, Kailová, Eichler, Boček, Cruz, Vokšay, Král, Čelišová Mařanová, Štván, a couple of ODS guys, everybody from the Ústečané movement, and others..."* The perpetrator was reacting to those city councilors deciding to close the *Činoherní studio* (a drama studio). For that behavior he was

prosecuted and convicted of a felony per Section 356 – Instigation of hatred towards a group of people or of suppression their rights and freedoms, because the state prosecutor believed he had publicly incited hatred for a group of persons on the basis of their political convictions. We are of the opinion that this is an erroneous interpretation of the provisions at issue. The fact that the perpetrators mentions the political affiliations of those he is assailing, or rather, that he attacked some of the councilors as a specific social group, does not account for his *de facto* intention which was, however indirectly expressed, to criticize the councilors' behavior. In other words, the aim of this perpetrator was not to assail these people and call for their deaths because of their political engagement, but to criticize behavior they had committed as part of their public offices.

We frequently also encounter the criminalization of verbal intolerance accompanied by a physical assault even when neither action is proof of bias motivation. We have encountered, for example, a case of theft during which the victim caught the perpetrator in the act and then physically attacked him, and in order to psychologically strengthen his own actions and support himself while committing them, he also used abusive, racist language. His primary motive, however, was primarily to defend himself from being robbed. In such a situation he should be, in our opinion, prosecuted for simple battery corresponding to the damage caused, as he used the racist abuse primarily with the intention of intensifying his physical defense.

On the other hand, we also encounter the **CJA failing to prosecute basic cases of biased threats**. This is especially apparent in cases where the target of assault is persons working with foreign nationals or on behalf of their integration.

In response to a media appearance by the director of the Association for Integration and Migration, somebody sent her this hate assault by e-mail: *"I can't allow this, as long as I am alive, even at*

<sup>11/</sup> The village of Lidice was burned to the ground in 1942 by the Nazis as revenge for the assassination of Reichsprotektor Reinhard Heydrich, and all men 15 years old and older were shot dead, the women were transported to a concentration camp, and only 143 residents of Lidice survived the war. Some of the children (17) were chosen for adoption into German families, while 88 children were murdered.

*the price of going to prison, I will shoot without remorse the first asylum-seeker who forces me to fear even a little bit for the lives of my loved ones.” At the same time, he threatened her individually: “I hope I never encounter you somewhere because I would break my vow of never harming a woman. (...) I hope the insults and threats against you will increase because we don’t have the gallows up yet for the parasites on society and the collaborationist, traitorous rats like you... I repeat: For now!”*

Police shelved the case, as they believed the perpetrator’s behavior did not constitute a covert intention to assault the director physically. At the same time, in relation to the communication that *“I will shoot without remorse the first asylum-seeker...”* the police argue unconvincingly, to say the least, that *“it is apparent that the writer in this case did not have anybody specific in mind, but was just expressing what his attitude would be if his family and loved ones were to be endangered by an asylum-seeker of any kind”*. The conclusion of the police argument in this case unequivocally favors the assailant: *“...the writer’s communication was somewhat extreme and unfortunate in the context of the current influx of*

*asylum-seekers, but on the other hand, it must be taken into consideration that the writer could have considered the statement made by the reporter of this incident about families taking in asylum-seekers to be extreme, and that was then the impulse for his controversial reaction.”*

This means the assailant has learned from the police that threats such as *“we don’t have the gallows up yet for the parasites on society and the collaborationist, traitorous rats like you”* are covered by protections for freedom of speech, that the police acknowledge his justified indignation, while the victim’s statement that the CR is bound by international obligations to aid asylum-seekers, and that their integration into Czech families would be the best route to their integration, can be considered “extreme”. We are noticing not just a growth in bias attacks against people working in the context of migration, but also that the institutions that are the only ones legally authorized to protect them are failing them. This situation can lead to further unreported hate crimes, to a weakening of the position of the CJA, and to a bolstering of the feeling that some bias attacks are justified.

## 2.3 Significant decisions and trends

### 2.3.1 SANCTIONS FOR RACIST INTERNET DISCUSSIONS

The year 2015 saw a breakthrough decision in a case about Internet discussions, which are known for attracting persons who want to express hatred anonymously. The operator of the tabloid news server *Parlamentní listy*, the company *OUR MEDIA*, was ordered by the court to pay CZK 150 000 [EUR 5 550] in compensation for failing to take action against a racist discussion that flared up beneath some of the articles it published online. According to the court, the operator of the server did not respect the moral and physical integrity of either the plaintiff or ethnic Romani people generally even though it was warned repeatedly – demonstrably over

the course of three years – that the racist discussion was happening on its website.<sup>12/</sup> In those discussions, posts that not only were openly racist but that frequently called for violence remained available to read.

The court based its decision on a judgment from the European Court of Human Rights in the matter of the *Delfi AS* Internet portal vs. Estonia. According to that decision, EU Member States may hold the operators of Internet servers liable for comments in their online discussions that meet the definition of hate speech if the operator does not take steps to correct them, even without being previously warned by persons who could be damaged by such commentaries.

<sup>12/</sup> Information about the verdict is available here: <http://www.romea.cz/cz/zpravodajstvi/domaci/vrchni-soud-potvrdil-prelomovy-verdikt-parlamentni-listy-musi-zaplatit-odskodne-za-rasisticke-diskuze-pod-clanky> ([bit.ly/hvrep15-12](http://bit.ly/hvrep15-12) - in Czech).

### 2.3.1 ATTACKS ON ACTIVISTS AND FOREIGN NATIONALS

In 2015 IU noted the first HV incidents we have seen in the CR based on anti-immigrant and especially anti-Muslim rhetoric. Inciting fear and hatred and a component of “political advertising” bore fruit. Generally we can distinguish between two types of attacks. The first corresponds to those assaults on activists offering aid to refugees. The media reported on a scandal involving a group calling itself “Main Train Station Initiative” (Iniciativa Hlavák).<sup>12/</sup> These are volunteers who assist refugees at Prague’s main train station with buying tickets, provide them basic advice about traveling, make it possible for them to spend the night places, etc. Most of the people they aided were refugees released from Czech detention centers who were on their way to Western European countries. The stand set up by the volunteers at the train station faced repeated attacks. According to volunteers, the police refused to take an interest in the attacks even when they were directly present for the incidents.

The second type of assault was attacks on persons whom the perpetrators assumed were immigrants. IU represented a Muslim woman from the Balkans in a criminal proceeding who had come to the CR to visit her friends and who, when she was going home in the evening after a theater performance, was verbally assaulted by two men who vulgarly abused her, threatened her, and ultimately forced her to disembark from public transport in order to escape them. Both perpetrators were apprehended and sentenced to prison, but they will not have to serve their sentences for about three years. In practice IU very rarely encounters such long “suspended sentences” for verbal felonies. The victim very much appreciated the sensitive approach taken toward her by the police, including the application of legal provisions that led to concealing her personal data from the perpetrators.

Another IU client was stabbed when he and his friend were going home in the evening from a football match. They were dis-

cussing the match they had just seen together in Russian. A man sitting some distance from them was bothered so much by hearing them that he began to shout vulgarities at them and pulled a knife on them. One of them was injured only slightly, but the other ended up in a more serious situation. The life of the victim was saved by the immediate reaction of passers-by, but his injuries were so serious that he was not able to return to regular life for more than a year after the incident. The attack was not categorized by police as involving bias and the punishment for the perpetrator was absolutely unexpected, as despite the protests of the state prosecutor the judge reduced it to below the usual sanctions that apply to such a crime, sentencing the perpetrator to just three years in prison, conditionally suspended for five years. The victim was awarded compensation for damages. He is very dissatisfied with the court’s findings in the decision about the perpetrator’s guilt and dissatisfied with the sentence.

### 2.3.3 SENATOR’S PUNISHMENT DEFINITIVE

The definitive end to a bias incident from 2013 arrived with a Constitutional Court decision.<sup>14/</sup> Senator Dryml sought to defend his right to a fair trial in a case that involved his having told a fellow physician, A.M., to “go back to where you came from if that’s your opinion”. A.M. was offended by his remark and filed a criminal report about it. The case was first shelved and then, after A.M. complained, the matter was submitted to the Regional Authority and then to the Senate of the CR to be dealt with as a misdemeanor. The Senate found Dryml guilty and fined him CZK 20 000 [EUR 740]. It is not possible to appeal the Senate’s decision. The senator subsequently asked the Constitutional Court to declare the Senate decision unconstitutional. The Constitutional Court did not decide on the merits of the case but communicated that the matter was not within its jurisdiction.

<sup>13/</sup> [http://www.lidovky.cz/zautocili-na-nas-a-policie-prihlizela-tvrdi-aktivistka-nepochybito-se-rozhodla-kontrola-gbu-/zpravy-domov.aspx?c=A160126\\_134505\\_In\\_domov\\_jzl](http://www.lidovky.cz/zautocili-na-nas-a-policie-prihlizela-tvrdi-aktivistka-nepochybito-se-rozhodla-kontrola-gbu-/zpravy-domov.aspx?c=A160126_134505_In_domov_jzl) ([bit.ly/hvrep15-13a](http://bit.ly/hvrep15-13a) - in Czech); <http://echo24.cz/a/wRKKK/pomahaji-utecencum-na-nadrazi-ale-napadaji-je-slusni-cesi> ([bit.ly/hvrep15-13b](http://bit.ly/hvrep15-13b) - in Czech); <https://www.novinky.cz/krimi/385310-spartansti-chuligani-neunesli-prohru-znicili-stanek-dobrovolniku-pomahajicich-bezencum.html> ([bit.ly/hvrep15-13c](http://bit.ly/hvrep15-13c) - in Czech).

<sup>14/</sup> Constitutional Court communication 17/14, dated 13.1.2015.

3.

Societal  
atmosphere



### 3.1 Political representatives

Just as in 2016, anti-immigrant and anti-Muslim rhetoric significantly predominated during 2015 among elected representatives as a motive for HV. This involved both previously-elected politicians and those who only now are beginning to seek voter support. People from the latter group formed the broadest possible variety of political groups during 2015 and planned to participate in the regional and senate elections to be held in the autumn of 2016. In their remarks they frequently amplified the public's hateful attitudes, primarily about people from Africa and the Middle East, be they asylum-seekers or immigrants, including those who have already been awarded asylum or supplementary protection. The cultural difference and otherness of the targets of these remarks were emphasized, primarily in relation to Islam.<sup>15/</sup>

The politician Tomio Okamura, when he was still the chair of the Úsvit (Dawn) movement in the lower house, gave advice to his voters on how to combat radical Islamists in the CR. From his remarks it was apparent that he connected radicalism with all Muslims generally. He called for dogs and pigs to be taken for walks in front of mosques (presumably to relieve themselves) and warned against buying from shops owned by people practicing Islam. He posted the following to his FB account: *“Don't buy kebabs or even mobile phones in their shops, don't buy anything whatsoever, and don't change money with them, that is a secondary source of financ-*

*ing for the expansion of Islam. Each kebab you buy is one step closer to the burqa. How will it taste to your wife as she eats it with a scarf on her face?”*<sup>16/</sup> Furthermore, Okamura did his best to spark hateful sentiment vis-à-vis Romani people as well. He alleged that the Romani population had doubled in the last 14 years and that it represented a security risk for the CR.<sup>17/</sup> The Czech Statistical Office denied the allegations and called them a hoax. The Romea.cz news organization filed a report of a crime over Okamura's remarks.<sup>18/</sup> Police found no felony had been committed.

A strong voice for those opposed to immigration was Czech President Miloš Zeman. In a January 2015 interview for the Czech daily Deník he said people of Algerian, Libyan or Malian origin should remain in those countries because they were tied to them by *“genetic dependency”* and lacked the *“adaptational capability”* for life in Europe. The president never gave a source for his theories about *“adaptational capability”* or *“genetic dependence”*. In the same interview, Zeman blamed the creation of ghettos on the people who live in them.<sup>19/</sup> Czech Human Rights Minister Jiří Dienstbier (ČSSD) distanced himself from that remark. *“Like many other remarks by Mr. President, that one greatly simplifies the issue,”* Dienstbier said.<sup>20/</sup> The President also gave his auspices to a planned conference at the Senate about migration, because, as his spokesperson said, it would be *“an exception to mainstream*

<sup>15/</sup> According to Czech Interior Ministry statistics, during 2015, a total of 1 525 people applied for asylum in the CR, 71 of whom were awarded it, while 399 people were awarded supplementary protection. Most of the asylum-seekers came from Ukraine (694). Syrian refugees filed just 134 asylum applications. See: <http://www.mvcr.cz/clanek/statisticke-zpravy-o-mezinarodni-ochrane-za-jednotlive-mesice-v-roce-2015.aspx> ([bit.ly/hvrep15-15](http://bit.ly/hvrep15-15) - in Czech).

<sup>16/</sup> [http://zpravy.idnes.cz/okamura-na-facebooku-broji-proti-islam-u-fc7-/domaci.aspx?c=A150103\\_130900\\_domaci\\_zt](http://zpravy.idnes.cz/okamura-na-facebooku-broji-proti-islam-u-fc7-/domaci.aspx?c=A150103_130900_domaci_zt) ([bit.ly/hvrep15-16](http://bit.ly/hvrep15-16) - in Czech).

<sup>17/</sup> [http://www.lidovky.cz/pocet-romu-v-cesku-neuveritelne-roste-vymyslel-si-okamura-celi-trestnimu-oznameni-gev-zpravy-domov.aspx?c=A150613\\_142917\\_In\\_domov\\_sk](http://www.lidovky.cz/pocet-romu-v-cesku-neuveritelne-roste-vymyslel-si-okamura-celi-trestnimu-oznameni-gev-zpravy-domov.aspx?c=A150613_142917_In_domov_sk) ([bit.ly/hvrep15-17](http://bit.ly/hvrep15-17) - in Czech).

<sup>18/</sup> <http://www.romea.cz/cz/zpravodajstvi/domaci/statisticky-urad-odmita-hoax-o-romech-ze-ktereho-vychazi-okamura> ([bit.ly/hvrep15-18](http://bit.ly/hvrep15-18) - in Czech).

<sup>19/</sup> [http://www.denik.cz/z\\_domova/milos-zeman-kdyz-se-neumite-adaptovat-vratte-se-domu-20150110.html](http://www.denik.cz/z_domova/milos-zeman-kdyz-se-neumite-adaptovat-vratte-se-domu-20150110.html) ([bit.ly/hvrep15-19](http://bit.ly/hvrep15-19) - in Czech).

<sup>20/</sup> <http://www.romea.cz/cz/zpravodajstvi/domaci/romska-temata-ovladla-tiskovku-u-ministra> ([bit.ly/hvrep15-20](http://bit.ly/hvrep15-20) - in Czech).

*propaganda*". Those appearing at the conference were supposed to be opponents of Islam, i.e., people from the Úsvit – Národní koalice (Dawn-National Coalition) movement and the Blok proti islámu (Bloc against Islam). The Senate eventually did not allow the event to be held there.<sup>21/</sup> Finally, Zeman expressed his support for those opposed to both immigration and Islam on the state holiday of 17 November in Prague's Albertov quarter where, together with the chair of the Blok proti islámu, Martin Konvička, he sang the Czech national anthem.<sup>22/</sup> A couple of days later, Konvička was charged by police with inciting hatred against Muslims in remarks on FB. Konvička had threatened Muslims through the online social networking site with being imprisoned in concentration camps and physically destroyed.<sup>23/</sup>

Zeman has also expressed his views of plans for inclusive education in the Czech schools. In his view, children living with disabilities should not attend the same classes together with non-disabled children. That attitude was criticized by lay people, many politicians, and various professionals.<sup>24/</sup>

More high political representatives also made striking remarks that did not contribute in any way to reassuring the population or to social reconciliation. For example, Czech Finance Minister

Andrej Babiš (ANO) surprised the country by expressing the wish that the external border of the Schengen Area be closed because it was necessary to defend Europe against refugees. Czech Prime Minister Bohuslav Sobotka (ČSSD) and the chair of the Christian Democrats (KDU-ČSL), Pavel Bělobrádek, distanced themselves from his remarks, calling them irrational and populist. Sobotka also warned of fascizising tendencies in Czech society in connection with the migration crisis.<sup>25/</sup> Former Czech President Václav Klaus also joined the debate by initiating a petition against migration.<sup>26/</sup>

Those politicians who did their best to mute the hateful mood in Czech society during 2015 were significantly fewer and further between. Some, however, fulfilled that role very consequentially. Dienstbier, for example, expressed his views regularly on this issue. He pointed out, for example, that the CR had the capacity to receive many more refugees than it was planning to.<sup>27/</sup> Czech Justice Minister Robert Pelikán (ANO) also expressed an accommodating stance toward people fleeing war zones. In June, he announced that his ministry could provide a building in which to house refugees at Vyšní Lhoty (Frýdek-Místek district).<sup>28/</sup> In the autumn, Pelikán warned that conditions in the country's detention

21/ <http://zpravy.aktualne.cz/domaci/politika/konference-islamofobu-v-senatu/r~f0cfc9ae764b11e5974b0025900fea04/> ([bit.ly/hvrep15-21](http://bit.ly/hvrep15-21) - in Czech).

22/ <http://www.romea.cz/cz/zpravodajstvi/domaci/milos-zeman-si-zazpival-hymnu-s-martinem-konvickou-na-akci-bloku-proti-islam> ([bit.ly/hvrep15-22](http://bit.ly/hvrep15-22) - in Czech).

23/ [http://www.tyden.cz/rubriky/domaci/konvicka-obvinen-z-podnecovani-k-nenavisti\\_363450.html](http://www.tyden.cz/rubriky/domaci/konvicka-obvinen-z-podnecovani-k-nenavisti_363450.html) ([bit.ly/hvrep15-23](http://bit.ly/hvrep15-23) - in Czech).

24/ [http://www.rozhlas.cz/zpravy/politika/\\_zprava/1444002](http://www.rozhlas.cz/zpravy/politika/_zprava/1444002) ([bit.ly/hvrep15-24](http://bit.ly/hvrep15-24) - in Czech).

25/ <http://www.romea.cz/cz/zpravodajstvi/domaci/sobotka-a-belobradek-varuji-pred-fasizaci-spolecnosti> ([bit.ly/hvrep15-25](http://bit.ly/hvrep15-25) - in Czech).

26/ <http://www.romea.cz/cz/zpravodajstvi/domaci/byvaly-prezident-vaclav-klaus-predstavil-novou-petici-proti-imigraci> ([bit.ly/hvrep15-26](http://bit.ly/hvrep15-26) - in Czech).

27/ <http://www.romea.cz/cz/zpravodajstvi/domaci/dienstbier-cr-by-v-tuto-chvili-zvladla-vzit-az-15-000-uprchliku> ([bit.ly/hvrep15-27](http://bit.ly/hvrep15-27) - in Czech).

28/ <http://www.romea.cz/cz/zpravodajstvi/domaci/ministerstvo-spravedlnosti-nabizi-pro-uprchliky-nepouzivany-objekt-s-580-luzky> ([bit.ly/hvrep15-28](http://bit.ly/hvrep15-28) - in Czech).

29/ <http://www.romea.cz/cz/zpravodajstvi/domaci/podle-ministra-pelikana-jsou-na-tom-uprchlici-u-nas-nekdy-hur-nez-vezni-ocekavazaloby> ([bit.ly/hvrep15-29](http://bit.ly/hvrep15-29) - in Czech).



facilities were bad.<sup>29/</sup> A significant role in easing the public's mind was played by Sobotka, who attempted to appease citizens by telling them the Government and security units had the situation under control.<sup>30/</sup> Czech Public Defender of Rights Anna Šabatová also consistently expressed her views on this human rights issue.

Czech society was rocked by several other political scandals in 2015. In connection with the so-called "refugee crisis", there was a political response to a European Commission proposal to introduce mandatory quotas for refugee redistribution among the Member States. The Government, represented by Sobotka, consistently rejected the idea of quotas.<sup>31/</sup> Nevertheless, the CR still pledged to receive 1 500 refugees by 2017.<sup>32/</sup> Already during 2015 several Syrian families had arrived whose children were seriously ill and needed care they could not receive in the war-torn country.<sup>33/</sup> The Government agreed also to relocate 153 Christian refugees from Iraq.<sup>34/</sup>

Another scandal concerned possible compensation for illegally sterilized women.<sup>35/</sup> A proposal to compensate each woman up to CZK 300 000 [EUR 11 100] who had been subjected to this surgery without her informed consent between 1 July 1966 and 31 March 2012 was made to the cabinet by Dientsbier.<sup>36/</sup> In October 2015, however, Czech Prime Minister Sobotka announced the Government disagreed with the proposal.<sup>37/</sup> The CR became a target of criticism by the Organization for Security and Cooperation in Europe because of that rejection.<sup>38/</sup> Human Rights Commissioner of the Council of Europe Nils Muižnieks subsequently challenged the Czech Government to adopt a law to compensate the victims of illegal sterilizations.<sup>39/</sup>

Discrimination and segregation of Romani pupils in the schools is also a long-term social problem. It manifests itself especially in a tendency to recommend such children for enrollment into the "practical primary schools", which are designed for pupils

30/ <http://www.romea.cz/cz/zpravodajstvi/domaci/vlada-ma-bezpecnostni-situaci-v-cesku-pod-kontrolou> ([bit.ly/hvrep15-30](http://bit.ly/hvrep15-30) - in Czech).

31/ <http://www.romea.cz/cz/zpravodajstvi/domaci/premier-sobotka-pred-summitem-eu-jsme-proti-kvotam-odmitame-se-vzdat-kontroly-nad-prilivem-migrantu> ([bit.ly/hvrep15-31](http://bit.ly/hvrep15-31) - in Czech).

32/ <https://www.vlada.cz/cz/media-centrum/aktualne/ceska-republika-prijme-do-roku-2017-celkem-1500-migrantu-132704/> ([bit.ly/hvrep15-32](http://bit.ly/hvrep15-32) - in Czech).

33/ [http://www.lidovky.cz/prvni-tri-syrske-rodiny-s-nemocnymi-detmi-priletely-do-cech-pq8-/zpravy-domov.aspx?c=A151012\\_183327\\_In\\_domov\\_mct](http://www.lidovky.cz/prvni-tri-syrske-rodiny-s-nemocnymi-detmi-priletely-do-cech-pq8-/zpravy-domov.aspx?c=A151012_183327_In_domov_mct) ([bit.ly/hvrep15-33](http://bit.ly/hvrep15-33) - in Czech).

34/ <http://www.romea.cz/cz/zpravodajstvi/domaci/vlada-souhlasila-s-presidlenim-153-krestanskych-uprchliku-z-iraku> ([bit.ly/hvrep15-34](http://bit.ly/hvrep15-34) - in Czech).

35/ Slovo „protiprávní“ znamená, že zákrok byl proveden bez předchozího informovaného souhlasu pacientek.

36/ <http://www.romea.cz/cz/zpravodajstvi/domaci/dienstbier-navrhuje-300-tisic-odskodneho-za-protipravni-sterilizaci-zen> ([bit.ly/hvrep15-36](http://bit.ly/hvrep15-36) - in Czech).

37/ <http://www.romea.cz/cz/zpravodajstvi/domaci/vlada-odmitla-navrh-na-odskodneni-obeti-protipravni-sterilizace> ([bit.ly/hvrep15-37](http://bit.ly/hvrep15-37) - in Czech).

38/ <http://www.romea.cz/cz/zpravodajstvi/domaci/ucastnici-konference-obse-kritizovali-rozhodnuti-ceske-vlady-neodskodnit-obeti-nucene-sterilizace> ([bit.ly/hvrep15-38](http://bit.ly/hvrep15-38) - in Czech).

39/ <http://www.romea.cz/cz/zpravodajstvi/zahranicni/komisar-rady-evropy-vyzyva-ceskou-vladu-aby-prijala-zakon-o-odskodneni-protipravne-sterilizovanych-zen> ([bit.ly/hvrep15-39](http://bit.ly/hvrep15-39) - in Czech).

with various degrees of mental disability. According to the Czech School Inspectorate, this situation is improving,<sup>40/</sup> but according to international organizations, of course, it is far from satisfactory. During 2015 this problem was raised by Human Rights Watch,<sup>41/</sup> the Council of Europe,<sup>42/</sup> and Amnesty International.<sup>43/</sup> Czech politicians responded to the foreign critique in various ways. While Czech Education Minister Marcel Chládek (ČSSD) alleged the school system did not discriminate against Romani people,<sup>44/</sup> Czech Human Rights Minister Dientsbier called the critique important feedback and promised to address the problem.<sup>45/</sup> The Czech School Inspectorate issued a report at the end of the year according to which Romani people comprise more than 30 % of the children in the program for pupils with "mild mental retardation".<sup>46/</sup>

Czech Roma did not see arrangements made during 2015 to dignify the environment near the memorial to the Romani victims of the Holocaust at Lety u Písku. Despite the protests of activists abroad and domestically, an industrial pig farm built during the 1950s remains in operation on the site of the former concentration camp. The CR has been criticized over the issue by many politicians from other European countries.<sup>47/</sup>

The year 2015 was the final year of the Decade of Roma Inclusion project, the aim of which was to improve the living conditions of Romani people in the participating states. The CR participated in the project. At the closing conference in Sarajevo, however, it was reported that the project had not significantly halted Romani segregation.<sup>48/</sup>

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- 40/ <http://www.romea.cz/cz/zpravodajstvi/domaci/podle-ceske-skolni-inspekce-pribyva-romskych-zaku-na-beznych-zakladnich-skolach> ([bit.ly/hvrep15-40](http://bit.ly/hvrep15-40) - in Czech).
- 41/ <http://www.romea.cz/cz/zpravodajstvi/domaci/zprava-human-rights-watch-zminila-cr-v-souvislosti-s-diskriminaci-romu-ve-vzdelavani> ([bit.ly/hvrep15-41](http://bit.ly/hvrep15-41) - in Czech).
- 42/ <http://www.romea.cz/cz/zpravodajstvi/domaci/rada-evropy-v-cesku-je-stale-prilis-mnoho-romskych-deti-ve-zvlastnich-skolach> ([bit.ly/hvrep15-42](http://bit.ly/hvrep15-42) - in Czech).
- 43/ <http://www.romea.cz/cz/zpravodajstvi/domaci/amnesty-international-diskriminace-romskych-deti-trva-desitky-let-nastal-cas-ji-ukoncit> ([bit.ly/hvrep15-43](http://bit.ly/hvrep15-43) - in Czech).
- 44/ <http://www.romea.cz/cz/zpravodajstvi/domaci/ministr-chladek-zprava-amnesty-international-nevychazela-z-pravdivych-dat> ([bit.ly/hvrep15-44](http://bit.ly/hvrep15-44) - in Czech).
- 45/ <http://www.romea.cz/cz/zpravodajstvi/domaci/ministr-dienstbier-ceske-skoly-se-musi-desegregovat> ([bit.ly/hvrep15-45](http://bit.ly/hvrep15-45) - in Czech).
- 46/ [http://zpravy.idnes.cz/podle-prilohy-pro-postizene-se-uci-4-5-tisice-romu-f6h-/domaci.aspx?c=A151204\\_124558\\_domaci\\_zt](http://zpravy.idnes.cz/podle-prilohy-pro-postizene-se-uci-4-5-tisice-romu-f6h-/domaci.aspx?c=A151204_124558_domaci_zt) ([bit.ly/hvrep15-46](http://bit.ly/hvrep15-46) - in Czech).
- 47/ <http://www.romea.cz/cz/zpravodajstvi/domaci/zbourejte-veprin-v-letech-a-postavte-pomnik-zadaji-nekteri-europoslanci-a-evropsti-intelektualove> ([bit.ly/hvrep15-47](http://bit.ly/hvrep15-47) - in Czech).
- 48/ <http://www.romea.cz/cz/zpravodajstvi/domaci/skoncila-dekada-romske-inkluze-zaclenovani-romu-vyrazne-neovlivnila-segregaci-nezabranila> ([bit.ly/hvrep15-48](http://bit.ly/hvrep15-48) - in Czech).

## 3.2 Local municipalities

While foreign nationals and Muslims were the victims of populist political measures and remarks at the statewide level, local bureaucrats and politicians exploited anti-Romani sentiment among the inhabitants of the regions. That sentiment is connected to the growth of spatial social exclusion. According to a report by the Czech Labor and Social Affairs Ministry, the number of socially excluded localities, in comparison with 2006, has now doubled.<sup>49/</sup> The Czech Government Agency for Social Inclusion at the beginning of the year warned that living conditions were not improving for the inhabitants of socially excluded localities. The number of jobs and quality accommodations available had not increased, and safety in the localities had not been enhanced.<sup>50/</sup>

Local municipalities frequently contribute to exclusion instead of resolving it.<sup>51/</sup> For example, in the town of Duchcov an ordinance took effect banning sitting outdoors on the concrete barriers that are sometimes part of public landscaping, as well as a ban on barbecuing outdoors.<sup>52/</sup> Similar measures in previous years were introduced by other municipalities.<sup>53/</sup> Such repressive

options were aided by an amendment to the law on aid to those in material distress that gave local authorities the opportunity to decide to whom to award housing benefits, which some representatives exploited to sanction the most vulnerable. For example, the local leadership of Bohumín declared the town would reject applications for housing benefits filed by persons living in residential hotels.<sup>54/</sup>

Many local politicians exploited tensions between the majority and the Romani minority to build their political careers and win support. Social Democrat Alena Rašková was elected Mayor of Prostějov, a politician infamous for saying that *“Roma ‘have’ children as a business so they can draw as much welfare from the state as possible”*.<sup>55/</sup> The town of Vsetín filed an appeal to the Supreme Court after it was found to have violated the rights of the inhabitants it forcibly relocated into municipalities in a completely other administrative region. While the plaintiff’s lawsuit was rejected three times by courts in Ostrava, those lower-instance verdicts were overturned each time by the High Court in Olomouc.<sup>56/</sup> The town of Kladno faced a lawsuit filed by a Romani couple over dis-

49/ <https://www.esfcr.cz/mapa-svl-2015/www/index.html> ([bit.ly/hvrep15-49](https://bit.ly/hvrep15-49) - in Czech).

50/ <http://www.romea.cz/cz/zpravodajstvi/domaci/v-cesku-narusta-pocet-socialne-vyloucenych-lokalit> ([bit.ly/hvrep15-50](https://bit.ly/hvrep15-50) - in Czech).

51/ <http://www.romea.cz/cz/zpravodajstvi/domaci/v-cesku-narusta-pocet-socialne-vyloucenych-lokalit> ([bit.ly/hvrep15-51](https://bit.ly/hvrep15-51) - in Czech).

52/ <http://www.romea.cz/cz/zpravodajstvi/domaci/duchcov-vyhlas-kou-zakazal-posedavani-na-verejnem-prostranstvi> ([bit.ly/hvrep15-52](https://bit.ly/hvrep15-52) - in Czech).

53/ The ordinance was criticized, for example, by Senator Václav Láška, who promised he would attempt to bring a complaint to the Constitutional Court about the type of ordinance issued in Rotava. According to his assistant (speaking in February 2017) he has not yet managed to acquire support for a constitutional complaint amongst other senators, so it is not clear when the complaint can be filed.

54/ <https://www.mesto-bohumin.cz/cz/zpravodajstvi/tiskove-zpravy/17948-bohumin-jednohlasne-zamitl-zadosti-o-doplatky-na-bydleni.html> ([bit.ly/hvrep15-54](https://bit.ly/hvrep15-54) - in Czech).

55/ <http://www.romea.cz/cz/zpravodajstvi/domaci/na-primatora-prostejova-bude-kandidovat-namestkyne-raskova-proslula-svymi-anticigani> ([bit.ly/hvrep15-55](https://bit.ly/hvrep15-55) - in Czech).

56/ <http://www.romea.cz/cz/zpravodajstvi/domaci/deset-let-po-vsetinske-kauze-doporučuje-jiri-cunek-romum-bydleni-v-budove-vrchního-soudu> ([bit.ly/hvrep15-56](https://bit.ly/hvrep15-56) - in Czech).

crimination in leasing apartments. The Constitutional Court ordered the High Court to review the lawsuit again, as the High Court's rejection of the charge of intentional discrimination was not sufficiently justified, in the Constitutional Court's view.<sup>57/</sup>

Not many positive measures favoring an improvement in relations between the majority society and Romani people were reported. Some measures, moreover, awoke doubts as to whether they would actually be as effective as local municipalities imagined. We can mention, for example, the effort by politicians in Ostrava to negotiate together with representatives of a local Roma Council and a team of Romani experts. The Konexe association warned in that case that the elections to the local Roma Council had not been run correctly and that the members elected did not represent the interests of all Romani people in Ostrava.<sup>58/</sup> In Brno, on the other hand, in recent years there has been an attempt to create a more

pleasant place to live out of the local socially excluded locality in the neighborhood of Cejl Street. During 2015 a park was installed there and a drop-in center called Hvězdička was opened. The construction of these amenities, however, sparked many negative reactions both because of their appearance and their cost (CZK 43 million, EUR 1.7 million).<sup>59/</sup>

The town of Jirkov undertook what can be considered a praiseworthy initiative by refuting fabricated rumors about Romani people through its own website.<sup>60/</sup> In other towns, leaders attempted to increase safety on the streets by, among other measures, activating the residents of socially excluded localities themselves. For example, in the Zlín Region they increased support for hiring Romani janitors<sup>61/</sup> and in the Neštěmice, the district of Ústí nad Labem, they employed Romani workers in supervisory services.<sup>62/</sup>

### 3.3 The far right

Far-right groups also fueled the Islamophobic atmosphere in society and furthered the dissemination of fear of Islam by taking advantage of the online environment and the public space. The cybercrime and other online activities of far-right activists were noticed by the Czech Interior Ministry. The ministry's situational report about political extremism mentions, for example, that the self-declared "Czech Defence League", representing the move-

ment called "We Don't Want Islam in the Czech Republic" (Islám v ČR nechceme), committed cyberbullying through online social networks.<sup>63/</sup> The movement's representative was a college teacher, Mr Konvička, whom police charged with inciting hatred against Muslims because of his activities on social networking sites. In its report on the development of extremism during the second quarter of 2015, the ministry called his movement and that of the

57/ <http://www.romea.cz/cz/zpravodajstvi/domaci/zaloba-romu-na-stat-kvuli-bydleni-musi-znovu-pred-soud> ([bit.ly/hvrep15-57](http://bit.ly/hvrep15-57) - in Czech).

58/ <http://www.romea.cz/cz/zpravodajstvi/domaci/romske-volby-v-ostrove-fraska-nebo-nadeje> ([bit.ly/hvrep15-58](http://bit.ly/hvrep15-58) - in Czech).

59/ <http://www.romea.cz/cz/zpravodajstvi/domaci/park-hvezdicka-v-brnenskem-bronxu-cesta-z-ghetta-za-43-milionu> ([bit.ly/hvrep15-59](http://bit.ly/hvrep15-59) - in Czech).

60/ <http://www.romea.cz/cz/zpravodajstvi/domaci/radnice-v-jirkove-se-snazi-vyvracet-famy-o-romech> ([bit.ly/hvrep15-60](http://bit.ly/hvrep15-60) - in Czech).

61/ <http://www.romea.cz/cz/zpravodajstvi/domaci/zlinsky-kraj-zvyssi-podporu-pro-romske-domovniky> ([bit.ly/hvrep15-61](http://bit.ly/hvrep15-61) - in Czech).

62/ <http://www.romea.cz/cz/zpravodajstvi/domaci/usteckym-nestemicim-se-osvedcila-dohledova-sluzba-s-romskymi-pracovniky-radnice-chce-sluzbu-rozsirit> ([bit.ly/hvrep15-62](http://bit.ly/hvrep15-62) - in Czech).

63/ <http://www.romea.cz/cz/zpravodajstvi/domaci/situacni-zprava-o-extremismu-uskupeni-islam-v-cr-nehceme-pouziva-proti-svym-odpurcum-kybersikanu> ([bit.ly/hvrep15-63](http://bit.ly/hvrep15-63) - in Czech).

newly-created Bloc against Islam “direct competition for traditional right-wing extremists”..<sup>64/</sup>

Administrators of the White Media website were also active in Czech online, publishing racist content, creating lists of people to harass, and hacking people. At the end of the year, hackers took over the Twitter account of Czech Prime Minister Sobotka and published racist content through it in his name.<sup>65/</sup>

The number of demonstrations against immigrants, Muslims, and refugees grew significantly. This continued the trend of 2014, when “far-right subjects began, to a greater degree, to reflect anti-Islam themes”, as the Security Information Service warned.<sup>65/</sup> In Ostrava, for example, a demonstration against refugees was held at the end of July. Police detained 60 anti-immigrant demonstrators when, after the event, they set out for places with higher representations of Romani inhabitants.<sup>66/</sup> In September, Dělnická

strana sociální spravedlnosti (the Workers’ Social Justice Party) attracted 300 people to a demonstration against refugees in Plzeň.<sup>67/</sup> In November an anti-refugee reception demonstration was held in Olomouc. Approximately 100 people attempted to prevent the extremists from marching through that city, 98 of whom were apprehended by police after blocking the street. The route of the neo-Nazi march had to be altered thanks to those who were opposed to them.<sup>68/</sup>

Neo-Nazis exploited the 1 May holiday, as they traditionally always have, to visit localities with higher numbers of Romani residents. In Brno, an initiative called “Brno Blocks the Marches” convened approximately 2 000 people to physically blockade a march announced by the Workers’ Youth. As a consequence, those participating in the march had to alter their route. Just as in Olomouc, the police focused on the anti-racists instead of on the extremists and arrested 57 of the counter-protesters.<sup>69/</sup>

### 3.4 Security forces

As can be seen from the other chapters here, the year 2015 was a rich one for hate demonstrations. Naturally, police interventions were part of them. In some cases, however, the police did not, surprisingly, intervene against the extremists, but concentrated on those opposed to them. Opponents of the neo-Nazis were detained by the police at demonstrations in Brno and Olomouc. In

Prague, at an anti-Islam demonstration in January, police arrested the Romani activist Ivana Čonková and the evangelical clergyman Mikuláš Vymětal, removing them from their counter-protest and driving them away in a police van. The stated reason for their arrest was they were both holding a flag that combined the symbolism of the Czech flag and the international Romani flag.<sup>71/</sup>

64/ [http://www.romea.cz/dokumenty/Souhrnna\\_situacni\\_zprava\\_z\\_2\\_qtvrtleti\\_roku\\_2015.pdf](http://www.romea.cz/dokumenty/Souhrnna_situacni_zprava_z_2_qtvrtleti_roku_2015.pdf) ([bit.ly/hvrep15-64](http://bit.ly/hvrep15-64) - in Czech).

65/ <http://www.romea.cz/cz/zpravodajstvi/domaci/neonaciste-napadli-twitterovy-ucet-premiera-sobotky> ([bit.ly/hvrep15-65](http://bit.ly/hvrep15-65) - in Czech).

66/ <http://bis.cz/vyrocnizprava6c8d.html> ([bit.ly/hvrep15-66](http://bit.ly/hvrep15-66) - in Czech).

67/ <http://www.romea.cz/cz/zpravodajstvi/domaci/neonaciste-v-ostrave-protestovali-proti-imigrantum-pak-vyrazili-na-romy-policie-zdrzela-pres-60-extremistu> ([bit.ly/hvrep15-67](http://bit.ly/hvrep15-67) - in Czech).

68/ <http://www.romea.cz/cz/zpravodajstvi/domaci/extremisticka-dsss-a-nd-usporadaly-v-plzni-demonstraci-proti-uprchlikum-prislo-na-ni-asi-300-lidi> ([bit.ly/hvrep15-68](http://bit.ly/hvrep15-68) - in Czech).

69/ <http://www.romea.cz/cz/zpravodajstvi/domaci/extremiste-z-dsss-stvali-proti-uprchlikum-policie-zajistila-skoro-stovku-jejich-odpurcu> ([bit.ly/hvrep15-69](http://bit.ly/hvrep15-69) - in Czech).

70/ [http://brno.idnes.cz/pochod-delnicke-mladeze-v-brne-dkl-/brno-zpravy.aspx?c=A150501\\_144102\\_domaci\\_pk\\_u](http://brno.idnes.cz/pochod-delnicke-mladeze-v-brne-dkl-/brno-zpravy.aspx?c=A150501_144102_domaci_pk_u) ([bit.ly/hvrep15-70](http://bit.ly/hvrep15-70) - in Czech).

71/ <http://www.romea.cz/cz/zpravodajstvi/domaci/pri-protestu-proti-antiislamske-demonstraci-byl-zadrzen-evangelicky-farar-a-romska-aktivistka-kvuli-cesko-romske-vlajce> ([bit.ly/hvrep15-71](http://bit.ly/hvrep15-71) - in Czech).

The flag had been created as an artwork; the artist had had to deal with a criminal complaint alleging he had broken the law on how state symbols are to be used. The Prague 7 municipality fined the artist, but a couple of days prior to Čonková and Vymětal's arrest, Prague City Hall overturned the municipality's sanction and halted the proceedings against the artist.<sup>72/</sup> Police at the demonstration apparently did not know the sanction had been rescinded, so they detained both activists for questioning. Čonková later complained against the police procedure and received an apology from them for their misconduct.<sup>73/</sup>

In the case of an anti-immigration demonstration in July in Prague, police officers earned criticism for failing to intervene against participant Vladimír Heřman when he brought a mockup of a gallows inscribed with "For Treason" to the event. The message was intended for Czech politicians who said they were in favor of receiving refugees fleeing war. Police officers ignored the gallows and again intervened against a group of those opposed to the demonstration who attempted to block its subsequent march. The police failure to act in connection with the gallows was investigated by the Regional Police and supervised by the Police Presidium. While that police procedure was also criticized, for example, by Czech Interior Minister Milan Chovanec (ČSSD), an internal audit ultimately did not find any misconduct.<sup>74/</sup> On the other hand, during an August demonstration against immigration in Prague, police responded very rapidly in the case of a represent-

ative of the Slovak group Vzdor (Defiance) who began speaking about the relative inferiority and superiority of different "races" and about a "Jewish conspiracy". He was arrested while speaking and then taken to a police station for questioning.<sup>75/</sup>

As far as police misconduct goes, it had to be addressed through internal mechanisms several times in 2015. The Inspector-General of the Security Forces reviewed an intervention against temporary laborers harvesting hemp. Police considered all the laborers thieves, but an eyewitness told news server Romea.cz that police intervened aggressively only against the Romani people in the group.<sup>76/</sup> The result of the internal investigation into the incident had not yet been published by the time this report went to press, and a spokesperson for the Inspector-General would only say that a hateful motive had not yet been confirmed for the officers' behavior. The local police directorate for the Prague 2 municipality also had to address a complaint against the creation of an official file at the station entitled "GYPSIES + DRUGGIES".<sup>77/</sup> Nobody was ever punished for that action because it was impossible to discover who had created the label.<sup>78/</sup>

The growth in the number of socially excluded localities was accompanied by police finding new ways to enhance their safety. In some areas police began collaborating with local residents. In the Karlovy Vary, Moravian-Silesian, The Olomouc and The Ústí Regions, police hired a total of 40 specialists for working with

72/ For more details see our Report on Hate Violence in the Czech Republic in 2014.

73/ <http://www.romea.cz/cz/zpravodajstvi/domaci/policie-pri-zasaha-proti-romske-aktivistce-ktera-drzela-cesko-romskou-vlajku-jednala-protipravne> ([bit.ly/hvrep15-73](http://bit.ly/hvrep15-73) - in Czech).

74/ <http://www.romea.cz/cz/zpravodajstvi/domaci/podle-policejni-kontroly-policie-na-demonstraci-se-sibenicemi-nepochybila> ([bit.ly/hvrep15-74](http://bit.ly/hvrep15-74) - in Czech).

75/ <http://www.romea.cz/cz/zpravodajstvi/domaci/policie-odvedla-rechnika-na-akci-proti-imigrantum-primo-z-podia-hlasal-o-zidovskem-spiknuti-a-nerovnosti-ras> ([bit.ly/hvrep15-75](http://bit.ly/hvrep15-75) - in Czech).

76/ <http://www.romea.cz/cz/zpravodajstvi/domaci/zasah-podle-etnickeho-klice-policiste-byli-agresivni-pouze-proti-romum-tvrdi-ocity-svedek> ([bit.ly/hvrep15-76](http://bit.ly/hvrep15-76) - in Czech).

77/ <http://echo24.cz/a/w2UfM/cikani-a-fetaci-tak-nadepsala-sanon-prazska-kriminalka> ([bit.ly/hvrep15-77](http://bit.ly/hvrep15-77) - in Czech).

78/ <http://echo24.cz/a/wf4iG/sanon-cikani--fetaci-byl-tu-uz-dlouho-tresty-nebudou> ([bit.ly/hvrep15-78](http://bit.ly/hvrep15-78) - in Czech).

Romani residents of socially excluded localities. Some are Romani themselves, and their task is not just to uphold order, but also to build relationships with people in the localities.<sup>79/</sup> Elsewhere, on the other hand, municipal police began to undertake repressive approaches in socially excluded localities. In northern Bohemian towns where ordinances took effect that banned, for example, sitting outdoors anywhere other than on benches, police began to fine people for failing to uphold the ordinance. News server Romea.cz published, for example, the story of a Romani woman who was fined by police the moment she leaned against an outdoor wall near some trash cans because she felt suddenly unwell. Other people told journalists with Romea.cz that police were carrying fake submachine guns when they came to collect the fines.<sup>80/</sup> Romea.cz also published a video capturing the police intervention against activists who held a picnic in the town of Duchcov and attempted to barbecue in a public park. The location was not one to which the ordinance banning outdoor grilling applied. The intervening police officers defended their intervention, for example, by alleging that it is not “normal” for larger groups of people to gather in a park.<sup>81/</sup>

The CR was criticized several times during 2015 for its treatment of people in detention facilities. For example, news server Aktuálně.cz published an interview with a Pakistani citizen who

alleged that the employees of the facility where he had been detained had behaved towards the detainees as if they were prisoners and had not provided them enough food.<sup>82/</sup> Martin Rozumek, director of the Organization for Aid to Refugees, called the conditions in the detention camps “degrading” and “inhuman”.<sup>83/</sup> The Czech Public Defender of Rights said the facility at Bělá-Jezová was violating the European Convention on Human Rights. She spoke, for example, of degrading conditions, of a sub-standard environment for the children detained there, and of a lack of information being provided to the detainees.<sup>84/</sup> People in the detention facility in Drahonice went on hunger strike over the conditions there and their fear of being deported back to their countries of origin.<sup>85/</sup> The Aliens Police also earned criticism after using a permanent marker to write identification numbers on the arms of refugees detained in Břeclav. The head of the Union of Italian Jewish Organizations, Renzo Gattegna, compared that Czech Police practice to those of the Nazis during the Holocaust.<sup>86/</sup>

The commercial television station TV Prima warned of the alarming findings of a survey in the Army. According to researchers, 71 % of employees of the General Staff said they consider refugees to pose the biggest danger to the CR. For three-quarters of those respondents, Romani people are also absolutely unacceptable. They hold similar attitudes toward Afghans, Albanians, and

79/ <http://www.romea.cz/cz/zpravodajstvi/domaci/policie-vybrala-ve-svych-radach-40-specialistu-pro-praci-s-romy> ([bit.ly/hvrep15-79](http://bit.ly/hvrep15-79) - in Czech).

80/ <http://www.romea.cz/cz/zpravodajstvi/nulova-tolerance-na-sidlisti-janov-pro-pokuty-se-samopalem> ([bit.ly/hvrep15-80](http://bit.ly/hvrep15-80) - in Czech).

81/ <http://www.romea.cz/cz/zpravodajstvi/zkusili-grilovat-prijeli-policiste-ve-ctyrech-autech-a-rekli-co-je-normalni-jinde-neni-normalni-v-duchcove> ([bit.ly/hvrep15-81](http://bit.ly/hvrep15-81) - in Czech).

82/ <https://zpravy.aktualne.cz/domaci/svedectvi-z-bele-zijeme-tady-ve-stresu-a-hadame-se-o-jidlo/r~01c27a8641b811e5b3730025900fea04/?redirected=1475705028> ([bit.ly/hvrep15-82](http://bit.ly/hvrep15-82) - in Czech).

83/ <http://www.romea.cz/cz/zpravodajstvi/domaci/reditel-organizace-pro-pomoc-uprchlikum-ceska-detencni-zarizeni-jsou-nelidska> ([bit.ly/hvrep15-83](http://bit.ly/hvrep15-83) - in Czech).

84/ <http://www.romea.cz/cz/zpravodajstvi/domaci/verejna-ochrankyne-prav-sabatova-v-zarizeni-pro-uprchliky-v-bele-jezove-dochazi-k-porusovani-evropske-umluvy-o-lidskych> ([bit.ly/hvrep15-84](http://bit.ly/hvrep15-84) - in Czech).

85/ <http://www.romea.cz/cz/zpravodajstvi/domaci/cast-uprchliku-z-drahonice-udajne-zahajila-hladovku> ([bit.ly/hvrep15-85](http://bit.ly/hvrep15-85) - in Czech).

86/ <http://www.romea.cz/cz/zpravodajstvi/domaci/po-kritice-ze-se-chova-jako-za-holokaustu-upravi-policie-pravidla-pro-oznacovani-uprchliku> ([bit.ly/hvrep15-86](http://bit.ly/hvrep15-86) - in Czech).

all Muslims.<sup>87/</sup> Czech Defense Minister Martin Stropnický (ANO) said the survey also discovered positive findings, such as predominant support for the democratic order and state sovereignty. On the other hand, he called the publicizing of the survey findings a “total failure” and added that the soldiers have his full trust and

that he backs the Army fully.<sup>88/</sup> Other politicians, including cabinet members, were more critical. Czech Finance Minister Babiš assessed the outcome of the survey as bad for the country's image.<sup>89/</sup> Prime Minister Sobotka said it was a “warning sign”.<sup>90/</sup>

### 3.5 Media

The themes of migration and refugees were a main preoccupation of the Czech media all year long. Czech media coverage of the refugee crisis was studied by a team of sociologists at the Faculty of Social Studies at Masaryk University. The researchers focused on the depiction of the issue in the news reporting by the public broadcaster, Czech Television, and the commercial station TV Nova. Among other things, they ascertained that both media outlets mainly emphasized the administrative and security aspect of the issue. Journalists were only marginally interested in the stories of specific asylum-seekers. When describing events, they used “*impersonal, objectifying language and specific metaphors, for example, the metaphor of a flood.*”<sup>91/</sup> The research concludes by considering that events reported in this way can spark a sense of embattlement among viewers and reduce their ability to empathize with the fates of the asylum-seekers.<sup>92/</sup>

The findings of the Brno sociologists may have only concerned the news reporting by two television stations, but the problems they mention also appeared in the news reporting of online media and print publications. Online reporting about the refugee crisis, moreover, created room for online discussions where, directly beneath articles or links to them posted to social networks, hateful comments were published. Police began to investigate a criminal complaint against those who authored a hateful FB discussion about the detention of asylum-seekers found on the D5 highway.<sup>93/</sup>

It is necessary to say that some media outlets have done their best to suppress public prejudice against immigrants and refugees, for example, by reporting from the perspective of the refugees. For example, public broadcaster Czech Radio ran a series about the lives of refugees in the Bavarian town of Hof. Reporter

87/ <http://www.romea.cz/cz/zpravodajstvi/domaci/interni-pruzkum-ukazuje-ze-armadni-dustojnici-jsou-xenofobove-a-rasisti-stropnicky-naznacuje-ze-muze-jit-o-provokaci> ([bit.ly/hvrep15-87](http://bit.ly/hvrep15-87) - in Czech).

88/ [http://www.tyden.cz/rubriky/domaci/stropnicky-k-extremismu-v-armade-za-vojaky-si-stojim\\_358143.html](http://www.tyden.cz/rubriky/domaci/stropnicky-k-extremismu-v-armade-za-vojaky-si-stojim_358143.html) ([bit.ly/hvrep15-88](http://bit.ly/hvrep15-88) - in Czech).

89/ <http://domaci.ihned.cz/c1-64663210-vojaci-podporuji-extremisty-v-armade-je-korupce-spatna-vizitka-rika-o-pruzkumu-babis> ([bit.ly/hvrep15-89](http://bit.ly/hvrep15-89) - in Czech).

90/ <http://www.romea.cz/cz/zpravodajstvi/domaci/stropnicky-za-armadou-stoji-pruzkum-podle-nej-ukazal-i-kladne-rysy> ([bit.ly/hvrep15-90](http://bit.ly/hvrep15-90) - in Czech).

91/ Tkaczyk, Michal, Pospěch, Pavel, Macek, Jakub. 2015. Analýza mediálního pokrytí uprchlické krize (výzkumná zpráva). Brno: Masarykova univerzita, p. 5.

92/ Ibid, p. 6.

93/ [https://plzen.idnes.cz/rasismus-uprchlici-bezenci-nenavist-komentare-facebook-policie-p8g-/plzen-zpravy.aspx?c=A150804\\_170638\\_plzen-zpravy\\_pp](https://plzen.idnes.cz/rasismus-uprchlici-bezenci-nenavist-komentare-facebook-policie-p8g-/plzen-zpravy.aspx?c=A150804_170638_plzen-zpravy_pp) ([bit.ly/hvrep15-93](http://bit.ly/hvrep15-93) - in Czech).



Vojtěch Berger recorded interviews directly with people who had to leave their homes in Syria.<sup>94/</sup> The creator of the children's television program "Planeta Yó" also wanted more to bolster solidarity with the refugees among their young viewers than to promote hatred and fear. One episode of the program even called for aid to refugees. Parents, however, called the program imbalanced and complained to the Council for Radio and Television Broadcasting about it. That complaint was rejected.<sup>95/</sup>

Journalists from news server Romea.cz have consistently reported on biased information in the Czech media. They drew attention, for example, to an article on the website iDnes.cz emphasizing the ethnicity of alleged perpetrators of a crime in the headline "Gypsies get into fight on trolleybus".<sup>96/</sup> Romea.cz also pointed out the misleading information on the Novinky.cz website about a scandal involving Czech citizens of Romani origin living in Sheffield, England, who according to Czech journalists wanted to sell a child. Police found no evidence of the alleged crime, but the Czech journalists did not mention that in their reporting.<sup>97/</sup> A daily called Prostějovský večerník (the Prostějov Evening News) published a manipulative article about a Romani woman receiving what it called a large amount of remuneration in her role as a foster parent – of course, the amount corresponded to the customary amount paid by the state to those who meet

legally-established conditions for performing such a service. Beneath the text of that article, the editors made room available for a hateful discussion. After editors at Romea.cz critiqued this, the leadership of Prostějovský večerník issued a statement apologizing for allowing the hateful posts to appear.<sup>98/</sup>

Stereotypical depictions of Romani people, according to some nonprofit organizations, have also been created by documentary filmmakers working for the public broadcaster Czech Television on a "reality tv" series called "Třída 8. A." (Class 8A). According to the creators of that program, it was supposed to break down prejudices against the Romani minority. Critics, led by IU, pointed out that the program actually bolstered prejudice and stereotypes. In an open letter to the Council on Radio and Television Broadcasting, critics stated that *"instead of opening up a debate about problems such as segregation, the documentary may bolster anti-Romani sentiment. [...] The pupils in Třída 8. A. are presented as problematic because they are almost exclusively Romani. It is not, therefore, apparent whether some children might be suffering, for example, from an attention deficit disorder, and the social background of the individual children is also not taken into consideration."*<sup>99/</sup> The Council on Radio and Television Broadcasting said the case was not one of misconduct.<sup>100/</sup>

94/ [http://www.rozhlas.cz/zpravy/evropa/\\_zprava/zvukem-i-obrazem-jak-bavorske-mesto-hof-zvlada-prichod-uprchliku--1584497](http://www.rozhlas.cz/zpravy/evropa/_zprava/zvukem-i-obrazem-jak-bavorske-mesto-hof-zvlada-prichod-uprchliku--1584497) (bit.ly/hvrep15-94 - in Czech).

95/ [http://byznys.lidovky.cz/detsky-porad-ct-ktery-se-zastal-uprchliku-zakon-neporusil-pai-/media.aspx?c=A150922\\_173821\\_In-media\\_jzl](http://byznys.lidovky.cz/detsky-porad-ct-ktery-se-zastal-uprchliku-zakon-neporusil-pai-/media.aspx?c=A150922_173821_In-media_jzl) (bit.ly/hvrep15-95 - in Czech).

96/ <http://www.romea.cz/cz/zpravodajstvi/domaci/server-idnes-psal-o-incidentu-v-mhd-opet-negativne-zduraznil-etnicitu> (bit.ly/hvrep15-96 - in Czech).

97/ <http://www.romea.cz/cz/zpravodajstvi/domaci/novinky-cz-znovu-zverejnily-vice-jak-rok-stare-zavadejici-informace-o-romech-v-sheffieldu> (bit.ly/hvrep15-97 - in Czech).

98/ <http://www.romea.cz/cz/zpravodajstvi/domaci/prostejovsky-vecernik-si-za-svou-manipulativni-reportaz-sype-popel-na-hlavu> (bit.ly/hvrep15-98 - in Czech).

99/ <http://www.romea.cz/cz/zpravodajstvi/domaci/neziskove-organizace-kritizuji-serial-trida-8-a-mel-bourat-predsudky-ale-spise-je-siril> (bit.ly/hvrep15-99 - in Czech).

100/ <http://www.romea.cz/cz/zpravodajstvi/domaci/serial-trida-8-a-jako-podpora-stereotypu-rada-pro-rozhlasove-a-televizni-vysilani-pochybeni-odmitla> (bit.ly/hvrep15-100 - in Czech).

Even in the media, however, it was also possible to find positive examples of reporting about the issue of Romani people. One piece that actually had the potential to break down the random stereotypes held about Romani people appeared on the website Xman.idnes.cz. Readers were able to find an article there about Romani people as heroes of the anti-Nazi resistance.<sup>101/</sup>

The broadest possible range of Czech websites was very active in producing or sharing hateful and racist content. The daily Lidové noviny published a special magazine insert featuring an extensive analysis of the tabloid website Parlamentní listy, which is visited by more than 6 000 unique readers monthly. The author of the analysis, Tomáš Urban, found that Parlamentní listy pretends to be a serious media outlet and many readers also perceive it to be one. In reality, however, the tabloid shares extremist opinions and fabricated news items. Populist politicians got a lot of room to express themselves there. The website, moreover, is connected with websites like Euportál, Euserver and Protiproud, which publish hateful articles against immigrants, Jews, Muslims and other minorities. Urban also mentions that the publisher of Parlamentní listy, the OUR MEDIA company, also publishes the regional publications Krajské listy and Regionální novinky.<sup>102/</sup>

For providing room to disseminate hatred, the publisher of Parlamentní listy was punished with a fine of CZK 150 000 [EUR 5 550]. The lawsuit was filed by Jaroslav Suchý over the fact that

racist insults to his person were left online in a discussion about an article. The company appealed the verdict, but the High Court upheld it.<sup>103/</sup>

Hatred against immigrants, the LGBT+ community, Romani people, or those supporting refugee reception filled many FB profiles and the broadest possible range of obscure websites. For example, on the Protiproud website, people could read an article with this headline: *“The wave of immigrants rolls on: Refugees, or units of an invasion?”*<sup>104/</sup> Pieces against immigration appeared on the websites Evropaprotiimigraci.tumblr.com or Stopislam.eu. Hateful content against the broadest possible range of minorities also filled the website Stop-multikulti.cz.<sup>105/</sup> Hatred of the LGBT+ community was disseminated, for example, by the authors of the website bukvice.wordpress.com, where the names of well-known figures appeared in connection with allegations about their sexual orientation.<sup>106/</sup>

The “We Don’t Want Islam in the Czech Republic” initiative also administered its own FB profile and website all year. Each day the administrators added new content aimed against immigrants and Muslims. Frequently this content was disinformation, half-truths, or hoaxes, for example, when the members of the initiative showed their fans and readers a fabricated quotation against refugees from Slovak actor Milan Lasica. The quote was later demonstrated to have been a fraud.<sup>107/</sup>

<sup>101/</sup> [http://xman.idnes.cz/romove-protinacisticky-odboj-dk1-/xman-profilu.aspx?c=A150518\\_122519\\_xman-styl\\_fro](http://xman.idnes.cz/romove-protinacisticky-odboj-dk1-/xman-profilu.aspx?c=A150518_122519_xman-styl_fro) (bit.ly/hvrep15-101 - in Czech).

<sup>102/</sup> [http://byznys.lidovky.cz/parlamentni-listy-jsou-radikalni-listy-f0d-/media.aspx?c=A150817\\_124641\\_In\\_nazory\\_ELE#utm\\_source=rss&utm\\_medium=feed&utm\\_campaign=ln\\_byznys&utm\\_content=main](http://byznys.lidovky.cz/parlamentni-listy-jsou-radikalni-listy-f0d-/media.aspx?c=A150817_124641_In_nazory_ELE#utm_source=rss&utm_medium=feed&utm_campaign=ln_byznys&utm_content=main) (bit.ly/hvrep15-102 - in Czech).

<sup>103/</sup> <http://www.romea.cz/cz/zpravodajstvi/domaci/vrchni-soud-potvrdil-prelomovy-verdikt-parlamentni-listy-musi-zaplatit-odskodne-zarasticke-diskuze-pod-clanky> (bit.ly/hvrep15-103 - in Czech).

<sup>104/</sup> <http://protiproud.parlamentnilisty.cz/politika/2040-imigrantska-vlna-se-vali-dal-uprchlici-nebo-invazni-jednotky-soros-uz-nezastira-ze-jde-o-plan-na-zniceni-evropy-pad-merkelove-rozpad-eu-cechova-predpoved-zacalo-odpocitavani.htm> (bit.ly/hvrep15-104 - in Czech).

<sup>105/</sup> <http://www.stop-multikulti.cz/o-nas/> (bit.ly/hvrep15-105 - in Czech).

<sup>106/</sup> <https://bukvice.wordpress.com/> (bit.ly/hvrep15-106 - in Czech).

<sup>107/</sup> <http://www.romea.cz/cz/zpravodajstvi/islam-v-cr-nehceme-siri-vymysleny-protimuslimsky-citat-slovenskeho-herce-milana-lasicy> (bit.ly/hvrep15-107 - in Czech).

Fabricated news reports (hoaxes) have appeared much more frequently on social networking sites. Most often these were reports about alleged criminal acts perpetrated by people from various minorities. On the blogs and social networking sites, biased and false allegations have appeared reporting on supposed advantages for members of minority groups. News server Romea.cz noticed, for example, an online hoax alleging Romani people were to be given priority by Labor Offices in facilitating employment.<sup>108/</sup>

Some hoaxes aimed to damage specific initiatives or people and to pit some minorities against each other. For example, on a Czech-language FB page called “Roma against Islam” the disinforma-

tion was posted that the ideas connected with the pages were supported by the Romani music group Terne čhave or the Romani civic association Dživipen. Both organizations denied any affiliation with the page.<sup>109/</sup> A letter was also published through social networking sites by the Center of Muslim Communities expressing disagreement with the Prague Pride festival, which promotes LGBT+ rights. The Center then said nobody from its leadership had ever written such a letter. Its vice-chair later issued a statement condemning hate campaigns against any group.<sup>110/</sup> The Czech Government initiative HateFree Culture attempted to systematically explain such hoaxes and correct the record all year long through its own website.

### 3.6 Ordinary people

Animosity towards Muslims, disagreement with receiving refugees, and unwillingness to share the country with immigrants from elsewhere – all of this was apparent from a broad variety of public opinion polls as well. For example, the Government’s HateFree Culture campaign publicized the findings of a pilot survey about intolerance among youth that found that “the growth in dislike of Muslims also increased intolerance of gay people and of Romani people”.<sup>111/</sup> For that same campaign the MEDIAN agency created a survey of online hatred. It discovered that behavior committed by Romani people was assessed more stringently by respondents than the same behavior committed by a member of the majority society.<sup>112/</sup>

Prejudices and very often racist attitudes on the part of the public were documented by other surveys. The Center for Public Opinion Research issued a report in February 2015 that Czechs have the least sympathy for Romani people and that sympathy for Arabs, Greeks, Jews and Serbs had declined compared to the previous period. Of those surveyed, 16 % believe foreigners should never have the opportunity to acquire long-term residency in the CR.<sup>113/</sup> The Sociology Institute of the Academy of Sciences published a survey according to which 85 % of respondents perceive Muslims and Romani people as the most violent. *“More than half of respondents are convinced that some ethnicities and races are born less intelligent than others, and 70 %*

<sup>108/</sup> <http://www.romea.cz/cz/publicistika/komentare/gadzo-padej-do-zadu-do-fronty-romove-maji-prednost-aneb-jak-se-vytvari-nenavist> (bit.ly/hvrep15-108 - in Czech).

<sup>109/</sup> <http://www.romea.cz/cz/zpravodajstvi/domaci/romove-proti-islam> (bit.ly/hvrep15-109 - in Czech).

<sup>110/</sup> <http://www.hatefree.cz/blo/hoaxy/1068-muslimove-prague-pride> (bit.ly/hvrep15-110 - in Czech).

<sup>111/</sup> <http://www.hatefree.cz/analyza-homoklady-musulmani-a-tmavocesni-online> (bit.ly/hvrep15-111 - in Czech).

<sup>112/</sup> <http://www.romea.cz/cz/zpravodajstvi/domaci/mladi-lide-nemeri-romum-stejnym-metrem> (bit.ly/hvrep15-112 - in Czech).

<sup>113/</sup> <http://www.romea.cz/cz/zpravodajstvi/domaci/pruzkum-pribyva-cechu-kteri-nechteji-dlouhodoby-pobyt-cizincu-v-cr> (bit.ly/hvrep15-113 - in Czech).

of respondents believe some cultures can be considered better than others.<sup>114/</sup> In September the Focus agency published the findings of a survey according to which people in the CR were not satisfied with how the Government was approaching the refugee crisis. Of those respondents, 93 % would have preferred to return the refugees to their home countries. The agency reported that fear of difference or the unknown influenced that preference.<sup>115/</sup>

During the year, demonstrations took place against immigrants, Muslims, and refugees. These events were frequently organized, as was stated above, by initiatives and political groups connected with the far-right. Many of them, just a couple of months previously, had been convening similar demonstrations against Romani people. Attendance varied; for example, at the assembly against Islam convened by Dělnická strana sociální spravedlnosti on Old Town Square in Prague just 40 people attended.<sup>116/</sup> On the state holiday of 28 October, demonstrations against refugee reception took place in Brno, Liberec, Ostrava, Prague and Ústí nad Labem. Conveners included representatives of movements like the Bloc against Islam, Úsvit-Národní koalice (Dawn-National Coalition), and Svoboda a přímá demokracie (Freedom and Direct Democracy). The chair of the German anti-Islamic movement Pegida also came to Prague.<sup>117/</sup>

Hateful demonstrations mostly sparked counter-demonstrations, whether at the same place and time as the events by the far right, or at a different time. In February 2015 on Prague's

Náměstí republiky (Square of the Republic) 150 people assembled, for example, who expressed their disagreement with the growing degree of xenophobia in society.<sup>118/</sup> In June on Wenceslas Square in Prague a "happening" was held called Pevnost Česko (Fortress Czechia), the aim of which was to ridicule hate speech and xenophobia in society.<sup>119/</sup>

A component of the normalization of hatred against minorities also became the unanticipated success of the band Ortel in the Český slavík (Czech Nightingale) popular music competition. The group sings lyrics against various minority groups and came in second place in the category of "Group of the Year". Frontman Tomáš Ortel previously founded the neo-Nazi band Conflict 88 (the number 88 refers to the first letters in each word of the Nazi greeting "Heil Hitler").<sup>120/</sup>

Hateful rhetoric did not always lead to success for those who used it. Because of his racist remarks on social networking sites and his allegedly poorly-performed work, the head of the Public Relations Department at the Supreme Court, Petr Knötig, was dismissed. "Chicories, all chicories. All it would take is to leave one police patrol there to drive them away, the officers could also patrol the surroundings," Knötig posted to FB beneath photos of a newly-reconstructed fountain in Brno showing mostly Romani children playing in the water. In the discussion that was held beneath his post, insults were used such as "stinking gypsies", "monkeys", or "filth".<sup>121/</sup>

114/ <http://www.romea.cz/cz/zpravodajstvi/domaci/pruzkum-romy-maji-cesi-za-line-a-nemoralni-muslimy-za-nasilniky> (bit.ly/hvrep15-114 - in Czech).

115/ <http://www.romea.cz/cz/zpravodajstvi/domaci/pruzkum-hlavni-rol-i-v-uvazovani-o-uprchlicich-hraje-strach> (bit.ly/hvrep15-115 - in Czech).

116/ <http://www.romea.cz/cz/zpravodajstvi/domaci/protiislamske-shromazdeni-dsss-prilakalo-pouze-40-lidi> (bit.ly/hvrep15-116 - in Czech).

117/ <http://www.romea.cz/cz/zpravodajstvi/domaci/v-nekolika-mestech-probehly-nenavistne-demonstrace-proti-uprchlikum> (bit.ly/hvrep15-117 - in Czech).

118/ <http://www.romea.cz/cz/zpravodajstvi/domaci/asi-150-lidi-demonstrovalo-v-praze-proti-rasismu-a-xenofobii> (bit.ly/hvrep15-118 - in Czech).

119/ <http://www.romea.cz/cz/kalendar-akci/aktiviste-na-vaclavaku-vybuduji-pevnost-cesko> (bit.ly/hvrep15-119 - in Czech).

120/ <http://www.romea.cz/cz/zpravodajstvi/domaci/v-ankete-cesky-slavik-uspela-skupina-ortel-ktera-je-spojovana-s-neonacisty> (bit.ly/hvrep15-120 - in Czech).

121/ <http://www.romea.cz/cz/zpravodajstvi/domaci/predseda-nejvyšsiho-soudu-odvola-knotiga-za-jeho-vyroky-o-romech> (bit.ly/hvrep15-121 - in Czech).

In connection with the refugee crisis the public was very active, especially in reporting the presence of people whom they believed to be immigrants or refugees on Czech territory. Watchful citizens faithfully reported their “discoveries” to police, but the people they saw were not always actually migrants. For example, in Znojmo locals confused a funeral procession of Romani people for a group of migrants.<sup>122/</sup> In Mladá Boleslav people called police to warn them about footballers for the local team.<sup>123/</sup> In Uherské Hradiště, people reported as “illegal migrants” the members of a folk music ensemble from Benin.<sup>124/</sup>

The public turned to their political representatives through calls for action, manifestos and open letters during the year more than once. For example, majority-society people living at the Janov housing estate in Litvínov wrote a petition in March 2015 to Czech Prime Minister Sobotka complaining about their Romani neighbors and demanding a solution. The director of the Agency for Social Inclusion, Martin Šimáček, pointed out that the initiator of the petition was the chair of the Krušnohor apartment cooperative at the estate, František Ryba, who is infamous for his hateful remarks about Romani people.<sup>125/</sup>

Hateful sentiment in society and an absence of solidarity with people fleeing war sparked other calls for solidarity, though. At the

beginning of July an open letter was signed by thousands calling on the Government to stand up to hatred and xenophobia. The letter announced the creation of a platform called “Stop Hatred”.<sup>126/</sup> During the summer, a “Call by Scholars against Fear and Indifference” was also published in which academic workers objected to “The way in which ethnic and religious intolerance are being fed and generally tolerated in our country”. The call was also signed by people outside of academia through the initiative’s website.<sup>127/</sup> Another call to “break through the fear, indifference, and lack of respect for the lives of those currently in need” was also published by seven-time Olympic champion Věra Čáslavská.<sup>128/</sup> In December something called the “Advent Challenge” appeared, the signatories of which warned against populists exploiting hatred in order to personally benefit and expressing dissatisfaction with the fascisization of part of society.<sup>129/</sup>

Members of the district chamber of commerce in Ústí nad Labem published an open challenge to citizens and politicians in which they warned of alleged problems connected with Romani people moving into the city. In that challenge, reference was made to an article from a publication called Krajské listy (see the subchapter on media above) which attributed blame for the poor state of the buildings in socially excluded localities exclusively to their Romani inhabitants. Possible solutions proposed by the Chamber included conducting a head count of Romani people liv-

<sup>122/</sup> <http://www.romea.cz/cz/zpravodajstvi/domaci/smutecni-pruvod-znojemskych-romu-si-volajici-spletl-s-uprchliky> ([bit.ly/hvrep15-122](http://bit.ly/hvrep15-122) - in Czech).

<sup>123/</sup> <http://sport.tn.nova.cz/clanek/policie-zadrzela-fotbalisty-neni-divu-ze-se-lide-lekli-rekl-policista.html> ([bit.ly/hvrep15-123](http://bit.ly/hvrep15-123) - in Czech).

<sup>124/</sup> <https://www.novinky.cz/krimi/380724-lide-panikari-uprchliky-vidi-vsude.html> ([bit.ly/hvrep15-124](http://bit.ly/hvrep15-124) - in Czech).

<sup>125/</sup> <http://www.romea.cz/cz/zpravodajstvi/domaci/martin-simacek-situace-v-janove-neni-kriticka-za-petici-stoji-zajmy-bytoveho-druzstva> ([bit.ly/hvrep15-125](http://bit.ly/hvrep15-125) - in Czech).

<sup>126/</sup> <http://www.romea.cz/cz/zpravodajstvi/domaci/stovky-lidi-vyzyvaji-vladu-aby-se-postavila-nenavisti> ([bit.ly/hvrep15-126](http://bit.ly/hvrep15-126) - in Czech).

<sup>127/</sup> <http://www.vyzvavedcu.cz/> ([bit.ly/hvrep15-127](http://bit.ly/hvrep15-127) - in Czech).

<sup>128/</sup> <http://denikreferendum.cz/clanek/21180-vyzva-very-caslavske> ([bit.ly/hvrep15-128](http://bit.ly/hvrep15-128) - in Czech).

<sup>129/</sup> <http://www.romea.cz/cz/zpravodajstvi/domaci/branme-se-nenavisti-a-populistum-varuje-adventni-vyzva-jeji-autori-jsou-znechuceni-fasizaci-spolecnosti> ([bit.ly/hvrep15-129](http://bit.ly/hvrep15-129) - in Czech).

ing in the Ústí nad Labem district, reducing the amount of welfare disbursed there, and permitting the Army to patrol the streets.<sup>130/</sup> The leadership of the national Chamber of Commerce distanced itself from the challenge.<sup>131/</sup>

One way people display prejudice is discriminatory behavior. The Czech Trade Inspectorate published a press release in February 2015 about the discrimination reported in 2014. A total of 40 cases had been reported, with the most frequent reason for the discrimination being nationality (21 cases), seven cases being about ethnicity and five cases about discrimination against prospective Romani tenants. Discrimination on the basis of age was reported in nine cases and inspectors reported one case of discrimination on the basis of disability.<sup>132/</sup>

Another case of racial discrimination was reported on by public broadcaster Czech Television. In August, it broadcast a reportage about security staff at Václav Havel Airport who refused to allow several Romani people to board their flight. The prevention of their boarding happened even before they could go through customs.<sup>133/</sup>

In 2015 some cases of discrimination made it to court. In June a civil dispute was heard at the Litoměřice District Court between Lenka Balogová and the broker Eliška Nosková, who had discriminated against the potential Romani tenant at a client's request.

The rejected applicant had contacted the real estate office as part of a test case about discrimination involving the Office of the Public Defender of Rights, which called the behavior of the broker a textbook example of discrimination.<sup>134/</sup> In August the court decided the broker had to apologize. However, the court did not award compensation to the discriminated woman and also did not require the broker to cover her court costs. The plaintiff, therefore, appealed the judgment.<sup>135/</sup>

A rather frequent phenomenon, especially on social networking sites, were the hoaxes that people disseminated en masse.<sup>136/</sup> For example, a woman from Dačice posted a claim to FB in the summer that refugees had slit the throats of livestock in Liděřovice. A criminal complaint was filed against her, but the state prosecutor shelved the case and did not prosecute the woman for disseminating false information.<sup>137/</sup> Three school-aged girls fabricated a story that they had been assaulted by Romani girls and the website E-mostecko.cz published a news item about the alleged incident. Later the website had to retract the report after an investigation revealed no such attack ever happened.<sup>138/</sup> An 11-year-old boy in Nový Bor told a similar lie about being assaulted when in fact he had caused himself his own injuries during an accident on his scooter.<sup>139/</sup>

<sup>130/</sup> <http://www.ohk-ul.cz/otvarena-vyzva.aspx> ([bit.ly/hvrep15-130](http://bit.ly/hvrep15-130) - in Czech).

<sup>131/</sup> <http://www.romea.cz/cz/zpravodajstvi/domaci/hspodarska-komora-povazuje-otvorenou-vyzvu-z-usti-nad-labem-za-neprijatelnou> ([bit.ly/hvrep15-131](http://bit.ly/hvrep15-131) - in Czech).

<sup>132/</sup> <http://www.coi.cz/diskriminace-v-roce-2014-nc1376/> ([bit.ly/hvrep15-132](http://bit.ly/hvrep15-132) - in Czech).

<sup>133/</sup> <http://www.ceskatelevize.cz/ivysilani/1097181328-udalosti/215411000100823/obsah/418469-romske-potize-s-odlety-do-kanady> ([bit.ly/hvrep15-133](http://bit.ly/hvrep15-133) - in Czech).

<sup>134/</sup> <http://www.romea.cz/cz/zpravodajstvi/domaci/maklerka-diskriminovala-romku-kvuli-bydleni-tvrdi-ombudsmanka> ([bit.ly/hvrep15-134](http://bit.ly/hvrep15-134) - in Czech).

<sup>135/</sup> [http://usti.idnes.cz/soud-romska-figurantka-reality-maklerka-pronajem-bytu-odvolani-phl-/usti-zpravy.aspx?c=A150818\\_2185039\\_usti-zpravy\\_alh](http://usti.idnes.cz/soud-romska-figurantka-reality-maklerka-pronajem-bytu-odvolani-phl-/usti-zpravy.aspx?c=A150818_2185039_usti-zpravy_alh) ([bit.ly/hvrep15-135](http://bit.ly/hvrep15-135) - in Czech).

<sup>136/</sup> Viz také kapitolu 3.5 Média.

<sup>137/</sup> <http://www.romea.cz/cz/zpravodajstvi/domaci/za-sireni-poplasne-zpravy-o-uprchlicich-zena-nejde-souzena> ([bit.ly/hvrep15-137](http://bit.ly/hvrep15-137) - in Czech).

<sup>138/</sup> <http://www.romea.cz/cz/zpravodajstvi/serveru-e-mostecko-se-tentokrat-povedlo-sirit-nenavist-k-romum-jen-castecne-ukazalo-se-ze-prepadeni-romkami-si-tri-divky> ([bit.ly/hvrep15-138](http://bit.ly/hvrep15-138) - in Czech).

<sup>139/</sup> <http://www.romea.cz/cz/zpravodajstvi/domaci/jedenactilety-chlapec-si-vymyslel-brutalni-prepadeni-media-rozpoutala-nenavistnou-kampan-vuci-romum> ([bit.ly/hvrep15-139](http://bit.ly/hvrep15-139) - in Czech).

Information was also reported by the media about the activities of individuals and various associations aiding people from the broadest possible range of minority groups, including refugees. Boris Rudý bought decrepit buildings in the socially excluded locality of Předlice in Ústí nad Labem that he plans to repair and lease at affordable prices. He would like to save that dilapidated part of the city and provide dignified housing there for local residents.<sup>140/</sup> In Brno the social enterprise Restart began operations, selling the Gypsy MaMa brand of clothing, among others. The shop gives job opportunities to people from disadvantaged backgrounds.<sup>141/</sup> NGOs noted that people were interested in aiding refugees by contributing material donations, offering accommodation and employment, and volunteering. The website [www.pomocuprchlikum.cz](http://www.pomocuprchlikum.cz) also began to run, providing contact information to organizations providing those fleeing war zones with aid.<sup>142/</sup>

In many places material donation collections began to arise spontaneously. Humanitarian aid was accumulated and then sent to Czech detention facilities or to refugee camps abroad. One such collection point was in Prague's Klinika Autonomous Social Center. A fund was also established to aid refugees.<sup>143/</sup> Volunteering abroad to aid refugees was organized by the Pomáháme lidem na útěku (We Aid Refugees) initiative.<sup>144/</sup> At the main train station in Prague a group of volunteers began to work primarily

on assisting people released from detention facilities, providing them with basic information and essential material aid for their travel away from the CR.

Some businesses got involved with providing aid as well. For example, the Hamé firm announced it could provide accommodation and jobs to approximately 10 Syrian families.<sup>145/</sup> The Bar Association called upon its members to provide refugees legal services free of charge.<sup>146/</sup> Many cafes, shops and other places joined the Government's campaign against hatred, HateFree Culture, and proudly put a "HateFree Zone" sticker on their doors to indicate they were a zone free of discrimination, hatred and prejudice.<sup>147/</sup>

During 2015 many cultural and social events were held that gave space to various minorities and celebrated cultural diversity and variety. The Prague Pride festival was held once again, and its parade of proud sexual minorities was attended by more than 10 000 people.<sup>148/</sup> Among other significant events there was the Romani cultural festival Khamoro, the gala ceremony awarding of the Roma Spirit prize for activities aimed at Romani integration, and the broadest possible range of multicultural events and national minority festivals.

<sup>140/</sup> <http://www.romea.cz/cz/zpravodajstvi/domaci/usti-usetri-za-demolice-v-predlicich-domy-zmenily-majitele> ([bit.ly/hvrep15-140](http://bit.ly/hvrep15-140) - in Czech).

<sup>141/</sup> <http://www.romea.cz/cz/zpravodajstvi/domaci/gypsy-mama-moda-ktera-chce-bojovatproti-predsudkum> ([bit.ly/hvrep15-141](http://bit.ly/hvrep15-141) - in Czech).

<sup>142/</sup> <http://www.romea.cz/cz/zpravodajstvi/domaci/nevladnim-organizacim-se-hlasi-lide-co-chteji-pomahat-uprchlikum-akutni-pomoc-meruje-napriklad-do-madarska> ([bit.ly/hvrep15-142](http://bit.ly/hvrep15-142) - in Czech).

<sup>143/</sup> <http://www.romea.cz/cz/zpravodajstvi/domaci/vznika-fond-na-pomoc-uprchlikum-penize-pujdou-na-vyuku-cestiny-vzdelavani-deti-i-rekvalifikace-dospelych> ([bit.ly/hvrep15-143](http://bit.ly/hvrep15-143) - in Czech).

<sup>144/</sup> <http://plnu.cz/> ([bit.ly/hvrep15-144](http://bit.ly/hvrep15-144) - in Czech).

<sup>145/</sup> <https://www.novinky.cz/ekonomika/379901-firma-hame-nabizi-ubytovani-a-praci-syrskym-uprchlikum-podle-ni-si-azyl-zaslouzi.html> ([bit.ly/hvrep15-145](http://bit.ly/hvrep15-145) - in Czech).

<sup>146/</sup> <http://www.romea.cz/cz/zpravodajstvi/domaci/advokatni-komora-vyzvala-sve-cleny-aby-uprchlikum-poskytovali-sve-sluzby-zdarma> ([bit.ly/hvrep15-146](http://bit.ly/hvrep15-146) - in Czech).

<sup>147/</sup> <http://www.hatefree.cz/blog/118-aktuality/735-hate-free-zone> ([bit.ly/hvrep15-147](http://bit.ly/hvrep15-147) - in Czech).

<sup>148/</sup> <http://www.romea.cz/cz/zpravodajstvi/domaci/pri-pochodu-hrdosti-sexualnich-mensin-slo-prahou-pres-10-000-lidi> ([bit.ly/hvrep15-148](http://bit.ly/hvrep15-148) - in Czech).





4.

Methodology  
of monitoring  
hate violence



IU has focused on systematically monitoring HV since 2010. Each incident is logged in a **database** where basic data are followed about the attack committed, the course of the incident, its circumstances, its consequences, and other significant characteristics of the crime. We also ascertain whether the incident was investigated by the police and if it was, how the case was investigated and what the outcome of any eventual trial was.

The image shows a screenshot of a web-based database interface. The form is titled 'Nový záznam' (New record) and contains several input fields and dropdown menus. The fields include: 'Název incidentu\*' (Incident name), 'Datum\*' (Date), 'Typ incidentu\*' (Type of incident), 'Datum doba\*' (Time of day), 'Datum je ročník\*' (Year), 'Kraj\*' (Region), 'Ulice\*' (Street), 'Počet napadených\*' (Number of victims), 'Kontakt v terénu\*' (On-site contact), 'Způsob vyřízení\*' (Resolution method), 'Datum vyřízení\*' (Resolution date), and 'Krátká veřejná zpráva\*' (Short public statement). There are also checkboxes for 'Způsob vyřízení\*' and 'Datum vyřízení\*'. The interface is in Czech and appears to be a standard web form for data entry.

The **low reporting rate** of HV has many causes. For victims, hateful assaults are customarily so frustrating that they do not want to discuss their victimization. Low faith in their options for obtaining justice and little information about where to go for aid frequently contribute to the frustration. Some victims also fear revenge and do not want to undergo a protracted, traumatizing criminal proceedings. **The relationship between persons at risk of and subjected to HV and the police** plays an important role. In connection with the adoption of the CVA, the rights of victims of bias violence became more visible as part of the police agenda (see our Report on HV 2014, which problematizes the approach taken by police toward HV).<sup>149/</sup> In 2015 trainings began for criminal police, riot police, and spokespersons for police as part of the HateFree Culture project.

Because HV is so little reported, IU uses other ways to monitor it besides data from police statistics. Information about hate incidents is acquired **directly from persons assaulted, their loved ones, or eyewitnesses**, and acquired second-hand, especially from **the media and from non-governmental, nonprofit organizations**. Each source listed is unique, so the analysis of this information requires the application of specific instruments described below.

Analyzing hate incidents is influenced not just by the methodology used, but also by **organizational capacities**. Given the low reporting rate, it is possible to assert that the more effort and funds are invested into monitoring, the more HV will be identified. The overview below, therefore, does not represent a definitive account of all of the HV that appeared in any given year and is not a statistically representative sample. Rather, it can be characterized as a certain survey of this phenomenon that follows these aims:

- 1) to draw attention to the issue of HV by publicizing various incidents,
- 2) to describe the state of HV in detail as the recorded incidents capture it,
- 3) to reveal unreported hate incidents, i.e., those that are either not listed in official crime statistics as HV, or are not listed there at all,
- 4) to identify problematic aspects of HV with respect to addressing them, especially the reasons why some groups of people do not report it,
- 5) to note long-term trends in the area of HV (at-risk groups, perpetrators and their structure as a data set,

<sup>149/</sup> <http://www.policie.cz/clanek/trestne-ciny-z-nenavisti.aspx> ([bit.ly/hvrep15-149](http://bit.ly/hvrep15-149) - in Czech).

## 4.1 Collection and analysis of data

IU has systematically accumulated information about hate incidents with the aid of six instruments: field work; online form; a telephone line; collaboration with non-governmental, nonprofit organizations, community organizations and religious communities; collaboration with CJA; media monitoring. We will present these instruments and assess their limits below. In our opinion these deficiencies can decrease the efficiency of finding out information about HV.

### FIELD WORK

Personal contact with people in their “natural” environment is something IU considers irreplaceable and the most effective approach to addressing problems connected with HV. In an effort to expand awareness about its activities, IU attends many public events, from public assemblies, to cultural festivals and discussions, to expert conferences and seminars. We also look for and reach out to persons from at-risk communities in places where they regularly spend time. Even though anybody can become the victim of a hate attack at any time and anywhere, the degree of that risk is not the same for all social groups.

#### Limits:

- At-risk persons lack information: The groups affected are uninformed about the issue of HV – while they are grappling with it they do not know how to respond to it in practice.
- Acceptance of hate incidents as a normal part of life: Some displays of intolerance (petty scuffles, verbal assaults) happen so frequently in some communities at risk of HV that the persons involved no longer attempt to address them and never report them to anybody. Foreign nationals especially consider such incidents a necessary “tax” to pay for residing in a foreign country.
- Absence of a typical “field”: When monitoring HV, findings from field work can be applied only to a certain extent – persons at risk of HV do not exist just in a certain locality where a staffer could work over time to gain the trust of the affected group.

- The closed nature of communities and a lack of qualified staffers from them: Especially foreign national communities and the LGBT+ communities are very closed to outsiders.

### ONLINE FOREM

A basic instrument for learning about hate incidents is the form available on the IU website. Victims or witnesses of HV can fill out specific data about the circumstances and course of the incident. The form is automatically transferred to a database where the entrusted staffers review it and choose what to do next depending on the nature of the incident. If possible, IU does its best to contact the victim with an offer of services. The form can be completed in Czech or English.

#### Limits:

- People are very distrustful of online forms and prefer to take advantage of other communication methods. If the person reporting the incident is in urgent need of aid, that also plays a role.
- The frequency with which the online form is used is significantly dependent upon its promotion. Customarily it increases after the form is presented to the public at a conference, training or workshop.
- The form is very extensive at first glance, even though only some of the data is mandatory, but asking for other information (damages, motive, place, time, etc.) could deter somebody from reporting an incident.
- The form is currently difficult to find on the IU website.
- The form has also demonstrated that it can be abused, to a certain extent. IU has received several threats through it.

### TELEPHONE LINE

A telephone line has been set up for reporting incidents and seeking aid with resolving them. One can call on a hard line (+420 212 242 300) or mobile phone (+420 773 177 636). The line is regularly available between Monday and Friday from 9:00 to 17:00. Occasionally a special phone line is opened during higher-risk public

events such as the annual Prague Pride parade. The phone line is the dominant channel through which IU establishes contact with persons reporting harm and identifies whether they are HV victims. If the incident did not involve hate and the caller is seeking a different form of aid, IU provides one-time advice or refers the person to another institution, organization, or public agency.

#### **Limits:**

- Some victims do not trust the staffers answering the phone. They do not want to speak on the phone and request a personal meeting. However, this almost always happens when the case is subsequently not assessed as having been a hate incident.

- The phone line is not a non-stop line. It is possible that some hate incidents are never reported because victims want to report them at a time other than when the line is being answered and when only an answering machine is available.

- Some people may be deterred by the price of a telephone call. IU introduced a toll-free line in 2015 for victims of hate violence who are foreign nationals and/or homeless. A toll-free line operated by ROMEA, o.p.s. functions for Romani victims of discrimination and HV.

- Staffers of the line speak Czech and English. The language barrier can be one of the limits as to why victims do not use it.

## **COLLABORATION WITH NON-GOVERNMENTAL ORGANIZATIONS, COMMUNITY ORGANIZATIONS AND RELIGIOUS SOCIETIES**

Because groups at risk of HV are rather diverse in the CR, IU uses the aid of organizations that work with potentially endangered persons in other contexts (bringing them together or providing

them services). The staffers of those organizations have a lot of opportunity to learn about hate incidents. They are in frequent, long-term, natural contact with the members of at-risk groups. HV victims are used to addressing their problems with those organizations or discussing their situations with them. For that reason, it can be anticipated that they will share any news of assaults or danger with such organizations. It is important that staffers be competent to identify hate incidents and that they know about IU's services.<sup>150/</sup> In recent years, IU has established collaborations with many organizations.<sup>151/</sup>

#### **Limits:**

- The staffers of these organizations do not pay attention to the HV issue. It can happen that they overlook an incident and do not provide those involved enough information and support. People at risk of HV are not used to addressing bias violence in their communities or in other organizations. They do not know this is a topic they can raise with social workers or others in whom they can confide. The organizations themselves sometimes function as barriers. We have encountered cases of organizations deterring the efforts of victims to report hate incidents to IU, other institutions, and the police. In community-led organizations, the feeling persists that nothing can be done about HV. Some organizations keep information about HV to themselves or deal with it in their own way.

## **COLLABORATION WITH CRIMINAL JUSTICE AUTHORITIES**

IU collaborates with the CJA, whose activity in mapping HV is irreplaceable. The central role here is played by the Police of the CR, primarily its Police Presidium, Departments of Crime Prevention and of Public Relations at the Regional Police Directorates, and

<sup>150/</sup> IU implements trainings about HV and the rights of particularly vulnerable victims for social workers. During 2014/2015, 211 persons in the helping professions were trained.

<sup>151/</sup> Diakonie, the Federation of Jewish Communities in the Czech Republic, Integration Center Prague, Integration Center Ústí nad Labem, IQ Roma Servis, Jako doma ("Homelike"), Meta, Naděje (Hope), Organization for Aid to Refugees, Prague Pride, PROUD, ROMEA, Museum of Romani Culture, Association for Integration and Migration, SOZE, etc.

the Criminal Investigation Services. From the Police Presidium, IU acquires official hate crime statistics. The statistics provided from the Crime Evidence Statistics System (CESS) contain general data about selected crimes, their perpetrators, and their victims. For the purposes of concretizing this data, we contact the Departments of Crime Prevention and of Public Relations at the Regional Police Directorates. If the police investigation of a case was completed with a motion to file an indictment, we ask the state prosecutor's office and the courts for further information.

The quality of the outputs of this research activity depend on the **quality of the data in the CESS** and on the **willingness of the CJA to collaborate** with IU. As far as the quality of the data goes, further questioning has revealed several inconsistencies between the databases of the Police Presidium and those of the police units that solve the crimes recorded. The data sometimes differ with respect to the location where the crime happened and also the time at which it was committed. In some cases it was demonstrated that the merits of the crime were requalified, including changes from an incident being considered a hate crime to being considered an ordinary crime, without that information making it into the CESS. In other cases, information about incidents recorded in the CESS was not available at all at the individual police units that supposedly solved them. It is also appropriate to appreciate the willingness of the policemen and policewomen who do provide us additional data and information.

In 2015, IU requested statistics from the Police Presidium of the CR on the crimes of "Establishment, Support and Promotion of Movements Aimed at Suppression of Human Rights and Freedoms" (Section 403), "Expressing Sympathies for Movements Seeking to Suppress Human Rights and Freedoms (Section 404) and "Denial, Impugnation, Approval and Justification of Genocide" (Section 405). As has been previously noted above, these criminal charges most correspond to the definition of the felonies committed to benefit extremist groups. On the other hand, it was

possible to anticipate that cases qualified as having these merits might also involve hate incidents. This impression turned out to be partially correct.

## MONITORING THE MEDIA

News reporting by the Czech media is analyzed in three ways. First and foremost, the NewtonMedia database performs a keyword search once every two weeks. The keywords are chose with a view to at-risk groups (e.g.: rom\* (Roma), bezdom\* (homeless), černo\* (black), muslim\*, vietnam\*, rumun\* (Romanian), ukrajin\* (Ukrainian), antisemit\*, gay, lesb\*), as well as types of incident (napaden\* (assault), žhář\* (arson), útok\* (attack), etc.). This method of text searching makes it possible to analyze the national and regional media, both online and printed articles, as well as transcripts of audiovisual news reports. Even though this process is relatively effective, it does not always make it possible to discover all the hate incidents reported by the media. For that reason, a second method is used involving following the crime sections, the "police blotter" and the regional editions of selected news servers on a weekly basis: Aktualne.cz, Blesk.cz, Denik.cz, iDnes.cz, a Novinky.cz. The final method used is the Google Alerts service, which facilitates regularly sending news items to a gmail address according to key words.

IU approaches information acquired just from the media very cautiously. The incidents reported there have not always actually happened as described. Sometimes the incidents actually never happened and are later refuted. In order to avoid reproducing half-truths and lies, we attempt to verify these incidents through other sources. The most important position here is held by the victims themselves. We attempt to contact them through activists, non-governmental, non-profit organizations, the police and social workers. If that fails, or if the victims are not interested in collaborating with IU, we monitor the given incident in the media and during the course of the criminal proceedings, if any.

## 4.2 Verifying incidents and publicizing them

All incidents we learn of are further verified. IU distinguishes three ways in which incidents are assessed from a HV perspective: strongly verified, weakly verified, and unverified.

We consider an incident **strongly verified** if its course and its hate motive has been communicated to us by the victim(s) (or if they are directly quoted in the media) or if such information has been provided by two or more other actors. We consider incidents strongly verified also when the police investigation of them ends with a motion to file an indictment and continues with the prosecution and/or conviction of the perpetrator(s).

Incidents are **weakly verified** if we have managed to acquire information about them from only one source. Given that this source is usually the police, we consider it appropriate for inci-

dents identified this way not to be considered equivalent to those we call “unverified”.<sup>152/</sup>

Finally, we consider as **unverified** those incidents for which there is a strong suspicion that they were motivated by hatred, but for which that fact has been neither convincingly confirmed nor refuted. Usually, these are the incidents discovered via media monitoring.

The incidents in this report are publicized in an **anonymized form**. One of the main principles of IU's work is protecting our clients' privacy and safety. Some of these incidents did not appear in police statistics or were identified by police as other than hate crimes (i.e., they were addressed as Disorderly conduct, not as battery motivated by racist hatred).



<sup>152/</sup> Generally, the verification of the hate crimes we learn about from the CESS is governed by the rule that they are all considered HV unless proven otherwise. We have chosen to take this approach because, among other reasons, some of the incidents listed could not be verified at the level of the Regional Police Directorate, which of course does not necessarily mean they did not happen. Our approach toward extremist-motivated crimes (Section 403–404 Criminal Code) is the opposite. We consider as hate incidents just those crimes in that category for which we have managed to obtain information demonstrating that the perpetrator was motivated by hatred.





5.

Hate incidents  
from 2015



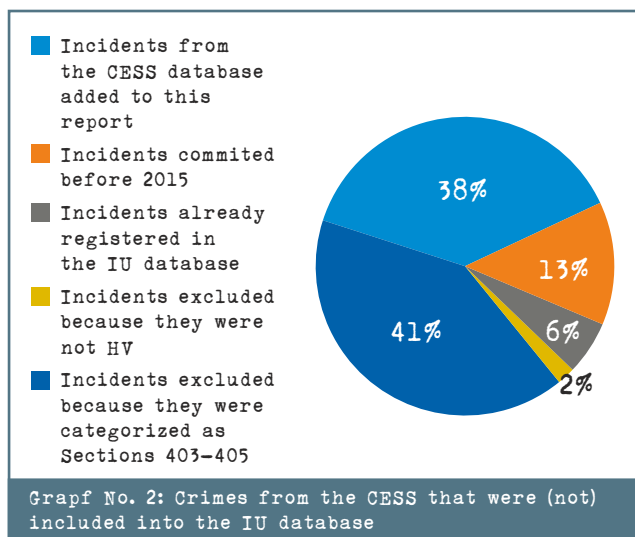
## 5.1 Quantitative analysis of incidents

In this part of the Report the findings of our quantitative assessment of the incidents will be presented in 10 subsections. The first two concentrate on sources, verification, and the year-on-year growth of these incidents. The next three describe the structure of the motivations of the attacks, compare police-recorded incidents with those recorded elsewhere, and describe the influence of the refugee crisis on the transformed structure of the motivations reported. The next two sections will first analyze the forms of attack and the damages they cause and then analyze forms of attack in relation to motivations and specific groups at risk of HV. In conclusion the circumstances of the attacks will be described in more detail (i.e., the location and time they were committed). Furthermore, characteristics of the assailants and the victims will be presented and we will assess for each incident what point it has reached in the criminal proceedings.

### 5.1.1 SOURCES AND VERIFICATION OF INCIDENTS

**IU recorded a total of 141 HV incidents in 2015.** They were identified on the basis of different sources. From the police statistics (CESS) information was acquired about a total of 131 felonies in which criminal prosecutions were begun in 2015.<sup>153/</sup> Of those felonies, **we found that a total of 50 incidents corresponded to the definition of HV and we included them in the IU database for 2015** (see Graph No. 2), while the other 81 incidents were not included for various reasons. First and foremost, 17 of felonies had been committed prior to 2015. We also did not include eight crimes reported to us by other sources. Two incidents were not included because in our opinion they were not HV incidents.<sup>154/</sup> The rest of the crimes excluded from our database are those that were qualified as covered by Section 403-405 Criminal Code. There were a total of 54 of those.

The sequence of steps taken when excluding incidents from consideration is important. Felonies committed during previous years and those which had already been recorded in the IU database overlap with the crimes qualified according to Sections 403-405. This means the number of all crimes excluded because they



are Sections 403-405 is actually even higher. Of 84 crimes so qualified, a total of 64 were excluded. Almost one-fourth of all the crimes qualified as Sections 403-405 also fulfilled the definitions of the felonies under Sections 352, 355, 356, and therefore 16 of them were used for this report.<sup>155/</sup> This finding, in our opinion,

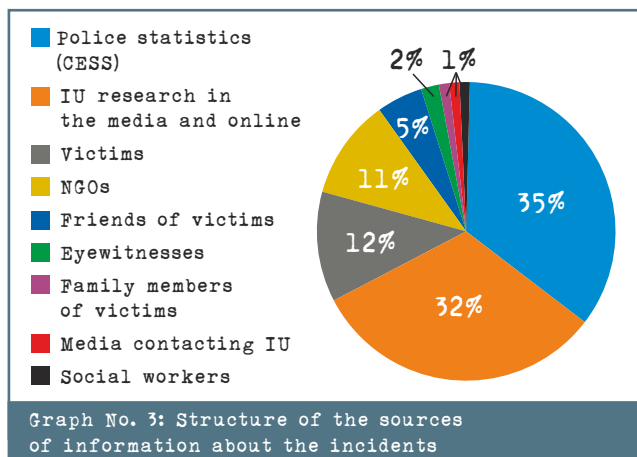
<sup>153/</sup> Of these, 84 crimes fell under Sections 403–405, 40 under Section 352, Section 355 and Section 356, five fell under Section 146, one under Section 175, and one under Section 228 Criminal Code.

<sup>154/</sup> For more details, see Chapter 2, Hate Violence and the Law

<sup>155/</sup> Two of the crimes were already included in the IU database, reported by other sources, and two had been committed prior to 2015.

testifies to the CJA tendency to give priority to the use of far-right and mainly Nazi symbolism, such as giving the Nazi salute and the use of the Nazi swastika, when qualifying such felonies.

We acquired information about the other 91 incidents in the IU database on the basis of our own research in the media and online (45 incidents), victims contacting us (17 incidents), friends of injured parties (seven incidents), non-governmental nonprofits (15 incidents), eyewitnesses (three incidents), family members of the victims (two incidents), social workers (one incident) and directly from a media outlet (one incident). The structure of the sources for these incidents is depicted in Graph No. 3 below.



**Of the 141 recorded incidents, 69 can be considered strongly verified, 71 can be considered less verified, and one is unverified. The high proportion of less verified incidents is primarily due to the nature of the sources we drew on when identifying hate incidents.**

Almost half of those less verified incidents (28) are from the CESS. That does not mean the police data are unreliable, but that the police themselves do not have enough information about the

incidents and their motivation – usually these are cases that end with the criminal proceeding being postponed or shelved. In 21 of these 28 incidents that is what happened. In the case of four other incidents it was not possible to verify them because the police investigation was still underway at the time this report was being compiled or because there was disagreement among the CJA about whether the perpetrators' behavior could be qualified as motivated by hatred. In two cases the Regional Police never answered our questions and in the last incident a different Regional Police agency was not able to answer our questions on the basis of the information registered in the CESS.

The other less-verified incidents were discovered through our own research in the media and online (23), from NGOs (11) and nine came from other sources. In these cases the sources were frequently injured parties who had not reported the assaults they endured to the CJA and who significantly limited the opportunity to verify the incident thereby.

### 5.1.2 GROWTH IN INCIDENTS?

In 2015 there were 55 more incidents recorded in the IU database than in 2014. The increased number of incidents, from 86 to 141, raises the question of why this increase happened. First and foremost it is necessary to mention the **changes done to the way IU constructs its data set**. Unlike 2014, when creating the incident set for 2015, we beefed up our collaboration with NGOs. From the information provided by the Federation of Jewish Communities in the Czech Republic, which has long-monitored antisemitism in the Czech context, we included 10 incidents. Another change was that for the first time we requested statistics on felonies meeting the definition of Sections 403-405, which have never been included in these reports before. Another 16 hate crimes were identified that way and added to the IU database for 2015.<sup>156/</sup>

The year-on-year comparisons are as follows: In the CESS database there was no significant change in the overall number of hate

<sup>156/</sup> Had we asked for statistics on those particular felonies in 2014, we would have been working not with 86 incidents in the IU database for that year, but with 106 incidents. This consideration, nevertheless, assumes that the number of incidents reported from other sources would not have changed. As the year-on-year analysis demonstrates, this is far from the case, as will be shown below.

crimes recorded. While police statistics in 2014 included 39 such felonies committed that year, in 2015 there were 38 such felonies. In 2015 the IU database had a larger number of such felonies, but leaving aside the felonies not from police sources, it is the case that in 2014 there were 37 felonies from the CESS and in 2015 34 felonies of the same nature added to the IU database. **The seeming year-on-year growth (of 13 incidents from police sources) in the case of the total CESS contribution is exclusively due to the new inclusion by IU of Section 403-405 felonies** (see Table 4). **Additionally, growth in the number of incidents was also reported by the NGOs.** In 2014 there were three incidents reported to IU by NGOs, while in 2015 there were 15 incidents reported by NGOs. **Finally, growth was observed just in the number of cases IU discovered through our own research in the media and online (from 16 such cases discovered in 2014 to 45 such cases discovered in 2015) and in the number reported to IU by friends of the injured parties (from two in 2014 to seven in 2015).** Otherwise the values did not alter much year-on-year. A decline in numbers happened from just two kinds of sources. The first was social workers, who reported four incidents to IU in 2014 and just one in 2015, and the second was victims themselves, who independently contacted IU 19 times in 2014 but only 17 times in 2015.

Any assessment of the analysis given above would just be incomplete and speculative. Methodological changes have undoubtedly been significantly reflected by these higher numbers of incidents recorded. Similarly, the higher number of incidents discovered through our monitoring of the media and online played a role in the overall increase. We can interpret that as a **consequence either of greater media interest in the HV issue or as a**

Table No. 4:

Number of incidents per source, 2014–2015				
Source \ Year	2014	2015	Year-on-year change	
CESS	37	50	+13	
IU research (media and online)	16	45	+29	
Victims	19	17	-2	
NGOs	3	15	+12	
Friends of victims	2	7	+5	
Eyewitnesses	3	3	0	
Family members of victims	2	2	0	
Media contacting IU	0	1	+1	
Social workers	4	1	-3	

**growth in HV per se**, or as a combination of both. The fact, of course, remains that the refugee crisis, which really rather resonated in Czech society, was significantly reflected in the structure of the HV incidents reported.<sup>157/</sup>

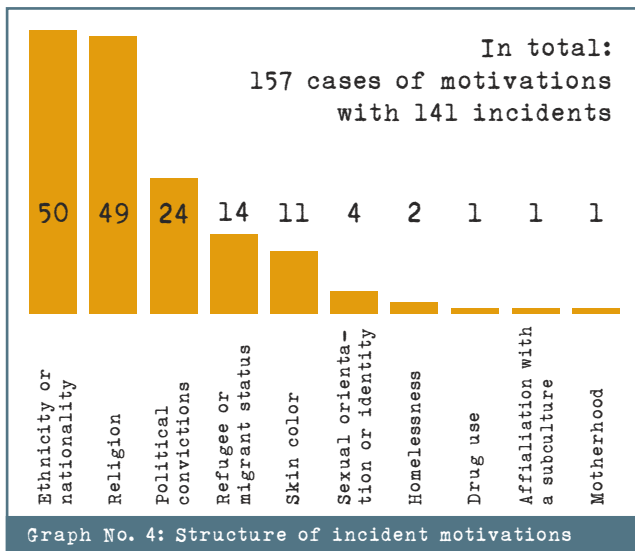
### 5.1.3 MOTIVATIONS

**There were 157 motivations ascertained for the 141 incidents recorded in 2015.** This means each incident could have been motivated by more than one type of hate motivation, for example, by ethnicity or nationality and religion simultaneously. The most frequent motivation was ethnicity or nationality (50 cases), followed by 49 cases of religious motivation. Furthermore, the motivations of political convictions, skin color and migrant or refugee status appeared relatively frequently.<sup>158/</sup> The motivations of sexual iden-

<sup>157/</sup> The influence of the refugee crisis on the HV incident structure for 2015 is discussed in section 5.1.5 Refugee crisis.

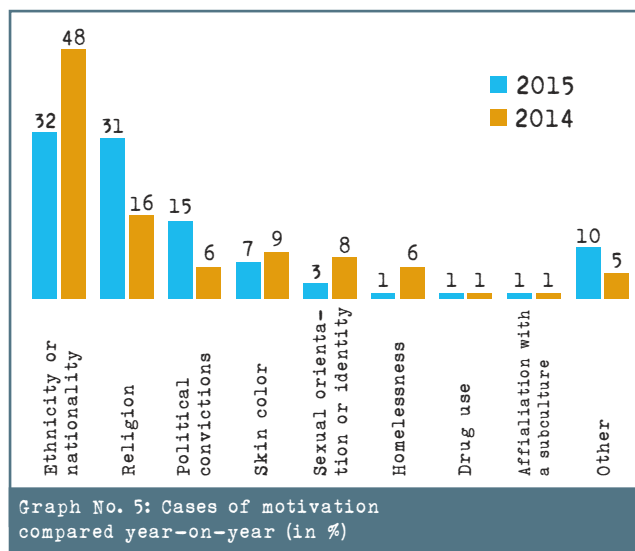
<sup>158/</sup> In the IU monitoring the category of assaults against migrants or refugees appeared for the first time in 2014, when it was included among the "other motivations". The year 2015 was no different. Given the rather high number of such attacks, however, we decided to work with this kind of motivation as a separate category. Typical examples of anti-immigrant incidents are, e.g., threatening messages such as *"Immigrants Do Not Enter, Auschwitz 330 km"* or the dissemination of fabricated new items about those fleeing war then physically assaulting others.

tity/orientation, homelessness, drug use, affiliation with a subculture or motherhood<sup>159/</sup> appeared relatively less frequently. The structure of the categories of motivations is depicted in Graph No. 4.



In Graph No. 5 these motivations are recalculated so as to better compare them with the findings from 2014. On the one hand the motivations of refugee or migrant status and motherhood were combined, otherwise all of the categories have been converted to their relative values. In comparison with 2014, in 2015 the gap between the first two most represented categories of motivation significantly decreased. The share of cases of ethnic or national motivation declined from 48 % to 32 %, while the share of cases motivated by religion grew from 16 % to 31 %. Relative growth was also recorded for the category of political convictions and other hate incidents (and assaults against migrants or refugees primarily impacted this growth). Otherwise, the share of each kind of motivation in the overall set of cases actually declined –

most of them quite insignificantly. Just in the case of attacks motivated by sexual identity or orientation was that decline somewhat more significant.



Three of the above-mentioned categories of motivations, i.e., ethnicity or nationality, religion, and sexual identity or orientation can be divided further into specific sub-categories (see Table No. 5). **Of the total number of 50 cases motivated by ethnicity or nationality, 68 % of them were motivated by hatred of Romani people.** The next subcategory in the category of ethnic/national motivation is that of assaults against Arab people. Attacks against them comprised 10 % of the total number of incidents in the ethnicity or nationality category. The difference between the number of anti-Arab and anti-Roma assaults is, therefore, rather distinct. Other ethnicities or nationalities appeared in single digits, including attacks against Vietnamese people (two), Ukrainian people (two), Russian people (one) and an ethnically Czech person (one). Among the other ethnicities or

<sup>159/</sup> In one incident, a perpetrator attacked two women because of the fact that they were mothers. He approached them in a park where they were walking with strollers. First he said that all they can do is to give a birth. When the women protested, the perpetrator punched one woman in her face. And when the other rushed to help her, he hit her as well.

nationalities that appear in the longer run we find less frequent instances of incidents motivated by the American, Iraqi or Uzbek nationalities.

In the case of religiously-motivated assaults there are just two subcategories represented. **Anti-Muslim attacks were the most numerous, representing 60 % of the incidents motivated by hatred of religion.** The remaining incidents here are comprised of anti-semitic assaults, or 40 % of all attacks motivated by religion.<sup>160/</sup> **Sexual identity or orientation is represented by just four cases,** three of which targeted gays and one of which targeted a lesbian.

Table No. 5:

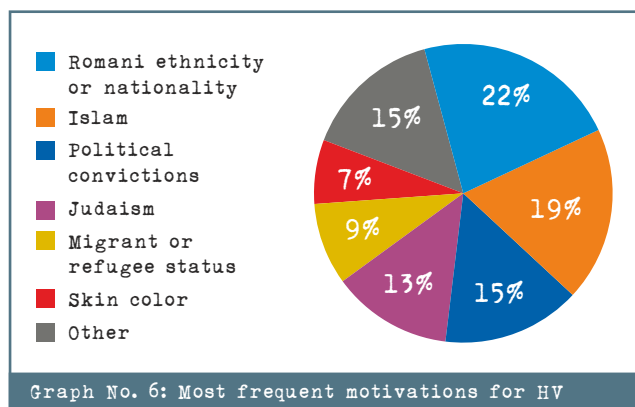
Number of cases in selected sub-categories of motivation

Ethnicity or nationality	Abs.	% of cases in the category
Romani	34	68
Arab	5	10
Vietnamese	2	4
Ukrainian	2	4
Russian	1	2
Czech	1	2
Other	5	10
<b>Number of incidents</b>	<b>50</b>	<b>100</b>

Religion	Abs.	% of cases in the category
Islam	30	60
Judaism	20	40
<b>Number of incidents</b>	<b>50</b>	<b>100</b>

Sexual orientation or identity	Abs.	% of cases in the category
Gay	3	75
Lesbian	1	25
<b>Number of incidents</b>	<b>4</b>	<b>100</b>

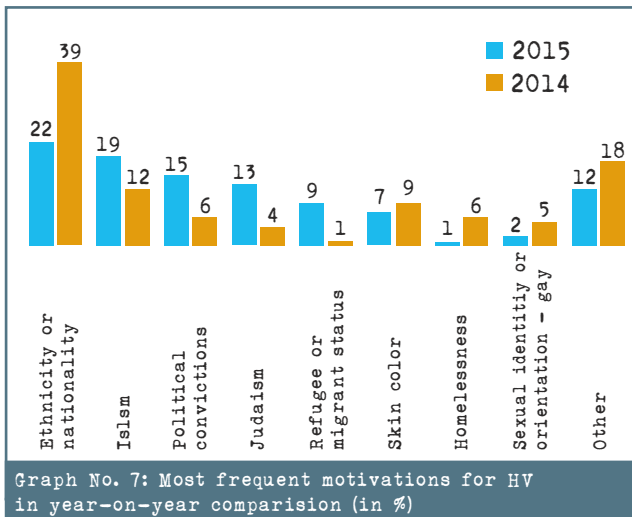
Now let's attempt to designate the social groups most endangered by HV in the CR during 2015 (see Graph No. 6). These will be deduced from the frequency of the motivations and will connect the general category with the specific sub-category. From this perspective, the three groups most at risk are (actual or presumed) Romani people (22%), Muslims (19%), and persons expressing certain political opinions (15%).<sup>161/</sup> Assaults against these groups comprised more than half of all the motivations recorded. Other groups represented are Jewish people, migrants and refugees, persons attacked because of their skin color, and others.



In comparison with 2014, therefore, the structure of the groups most endangered by HV was altered somewhat. The share of assaults against Romani people fell significantly (from 39 % to 22 %) and the anti-Muslim attacks grew (from 12 % to 19 %). Similarly, the share of attacks motivated by political convictions increased (from 6 % to 15 %), as did antisemitic assaults (from 4 % to 13 %) and attacks against migrants or refugees (from 1 % to 9 %). In all other kinds of cases that in 2014 were among the relatively most represented in the total set of attacks, on the other hand, a decline was noted in 2015 (see Graph No. 7).

<sup>160/</sup> One incident featured an assailant who was motivated both by anti-Jewish and anti-Muslim bias. In Table No. 5 the incident is included under each category of motivation.

<sup>161/</sup> The CR is a state where the Criminal Code establishes political convictions as a protected characteristic. Victims of assaults on this basis are not just political party members – they are not predominantly associated with organized politics. This is essentially a broader category that includes all who publicly declare their political positions and act in the name of those positions. An example can be, for example, human rights activists.



#### 5.1.4 COMPARISON OF POLICE-RECORDED INCIDENTS AND OTHERS

**To achieve the most precise possible picture of HV, we have attempted to compare two basic kinds of HV information sources, the CESS and all others.** Comparing information from different sources is naturally problematic. Police statistics are not just created on the basis of a different approach, but work with a different set of categories, which then must be “translated” into the categories used by IU. Despite all these limitations, however, the comparing of incidents from all sources provides, in our opinion, an interesting insight into the issue of how HV is mapped. We are comparing a total of 50 incidents reported to police and 84 reported elsewhere, and the motivations associated with them (55 motivations recorded by police, 94 motivations recorded elsewhere). We decided to exclude incidents that were reported to

both IU and the police from this comparison in order to achieve the clearest differentiation between both sets. This eliminated eight incidents from the IU database and seven from the police set.<sup>162/</sup>

First we will introduce the findings of the comparison from the standpoint of the general categories of motivation (see Table No. 6). **For the incidents recorded by police, the most frequent motivation appears to be ethnicity and nationality, comprising half of all the motivations for these incidents** (27 of 55 cases). Furthermore, with respect to these incidents, the motivation of religion appeared relatively frequently (14 cases) as did skin color (six cases). **For other incidents, religion dominated and corresponds to almost one-third of all motivations for these incidents** (31 of 94 cases). After that motivation, the most frequent were assaults motivated by ethnicity or nationality (22 cases) and political convictions (19 cases). With respect to the incidents recorded by police, political motivation was recorded in just three cases. Sexual orientation or identity and homelessness are absolutely missing as motivations from the incidents recorded by police. Of course, this is comprehensible, as these types of motivations are not established in Czech law as protected characteristics and are therefore not in reported on in the hate crime statistics. From the other sources reporting incidents, four were recorded against LGBT+ people and two were motivated by homeless status. The category of “other” is comprised of attacks against migrants or refugees; in just one case among the cases from non-police sources was the motivation for committing the assault the victim’s motherhood.

<sup>162/</sup> One incident was ascertained first from sources other than the CESS, but was then listed twice in the police statistics provided, as there were two perpetrators who committed different crimes during the incident. In the course of investigating further information, of course, it came to light that the police had combined these two different crimes into one and that we had also done that in the IU database. This is how the difference arose between the above-described eight felonies in the CESS, which were transferred into the IU database, and the seven incidents that we excluded from the comparison.



Table No. 6:

Comparison of the general categories of motivations for police-recorded incidents and those recorded by others

Motivation	Police-recorded incidents		Other incidents	
	Abs.	% *	Abs.	% *
Ethnicity or nationality	27	49	22	23
Religion	14	25	31	33
Skin color	6	11	5	5
Political convictions	3	5	19	20
Sex. identity/orientation	0	0	4	4
Homelessness	0	0	2	2
Affiliat. with a subculture	0	0	1	1
Drug use	1	2	0	0
Other	4	7	10	11
<b>Total</b>	<b>55</b>	<b>100</b>	<b>94</b>	<b>100</b>

\* % in this category

From the standpoint of the selected subcategories of motivation the situation is not much different (see Table No. 7). It is determined especially by the high share of the Romani nationality

Table No. 7:

Comparison of selected sub-categories of motivations for incidents recorded by police and incidents recorded by others

Motivation	Police-recorded incidents		Other incidents	
	Abs.	% *	Abs.	% *
Romani nationality/ethnicity	23	41	11	12
Islam	7	13	21	23
Judaism**	8	14	10	11
Migrants or refugees	4	7	9	10
Other motivations	14	25	41	45
<b>Total</b>	<b>56</b>	<b>100</b>	<b>92</b>	<b>100</b>

\* % in this category

\*\* (Jewish nationality and/or religion)

among such cases, and by the high share of Islam among the cases motivated by religion. **While police-recorded incidents display a higher degree of anti-Roma assaults recorded, the attacks more frequently recorded by others are anti-Muslim ones.** The other sub-categories followed, such as assaults against Jewish people and attacks against migrants or refugees, were also more frequently recorded by sources other than the police.

Generally we can conclude this comparison by stating that this is **continuing a trend identified in 2014**. The police continue to be relatively more able to discover assaults against Romani people, while IU has more information about anti-Muslim attacks. However, it is necessary to point out the basic growth in the police-recorded anti-Muslim incidents in comparison with 2014, when no anti-Muslim assaults were found by them. It remains an open question what values would bring the inclusion homelessness and sexual identity or orientation motivations in the CESS statistics. If these motivations were to be followed and assessed, it might demonstrate that police already have more information about such assaults available.

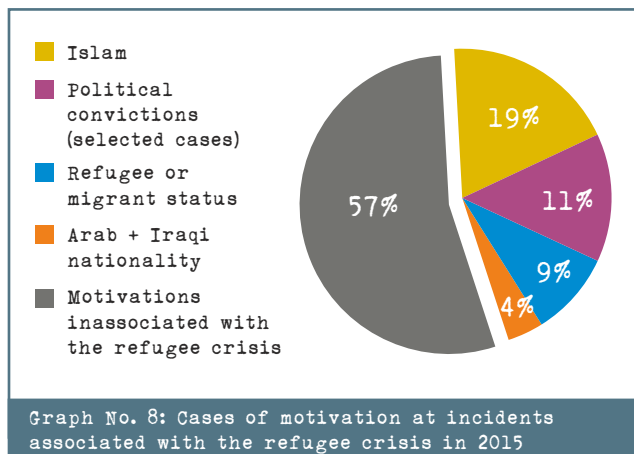
### 5.1.5 THE REFUGEE CRISIS

**The refugee crisis significantly influenced the structure of HV in 2015.** We will attempt to demonstrate the viability of that thesis in the following analysis. First, however, it is necessary to explain which incidents we have connected with the refugee crisis. Above, all we are associating **assaults against migrants or refugees** per se with the crisis, whether this directly involved actual migrants from war-torn countries – Syria first and foremost – or whether the people were migrants or refugees in a more general sense. The second set of incidents is represented by **attacks against Muslims**. Not all refugees are of the Islamic faith, of course, but they are frequently described as Muslims by those opposed to them. Similarly, it is impossible to ignore the fact that the countries from which people are fleeing are predominantly Arab ones. The third group of incidents, therefore, are **assaults against people of Arab or Iraqi nationality**. The last circle of incidents related to the refugee crisis are **attacks against political convictions**. These are inci-

dents where people are assaulted because they are associated with aiding refugees, whether they are employees of NGOs working with foreign nationals, volunteers helping refugees of war at the main train station in Prague, or activists organizing public collections to support them.

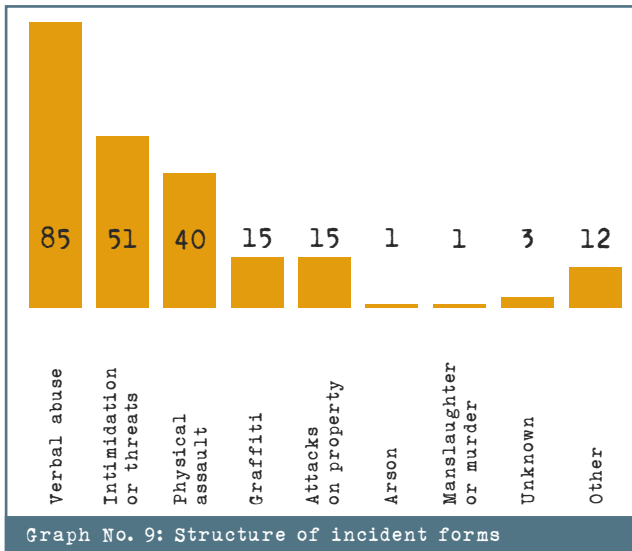
We will analyze these incidents at the level of the cases of motivations. Above it was stated that between 2014 and 2015 a relative growth was recorded in the categories of religion, political convictions, and other motivations (which were mostly migrant or refugee status). In the case of religion, this was determined especially by assaults against Muslims. While in 2014 that motivation appeared in 10 cases (12 % of all motivations that year), in 2015 it appeared in 30 cases (19 %). In the category of political convictions it is necessary to further differentiate between these incidents according to whether or not they were associated with the refugee crisis. In 2014, one of five such incidents was connected with the refugee crisis, while in 2015, 18 of 24 such incidents was linked to the crisis. This is, therefore, a year-on-year growth from 1 % to 11 %. For the category of refugee or migrant status, the growth is also rather significant (8 percentage points) – while in 2014 a single such case was recorded, one year later there were 14 such cases. For the category of ethnicity or nationality, a relative decline was generally recorded, but it did not apply to assaults against persons of Arab or Iraqi ethnicity or nationality – no such attack was recorded in 2014, but six were recorded in 2014 (an increase of 4 percentage points).

**All the above-mentioned incidents associated with the refugee crisis accounted for 14 % of all the cases of motivation in 2014 and 43 % of all the cases of motivation in 2015** (see Graph No. 8). From the standpoint of individual incidents there were 12 in 2014 and 61 in 2015. Their share of all recorded incidents in each year remains the same for the above-mentioned motivations. Taking this analysis into consideration, therefore, it can be stated that in the structure of the HV motivations recorded by IU, the refugee crisis made an essential impact and year-on-year its representation in the overall structure of HV incidents was tangibly increased.

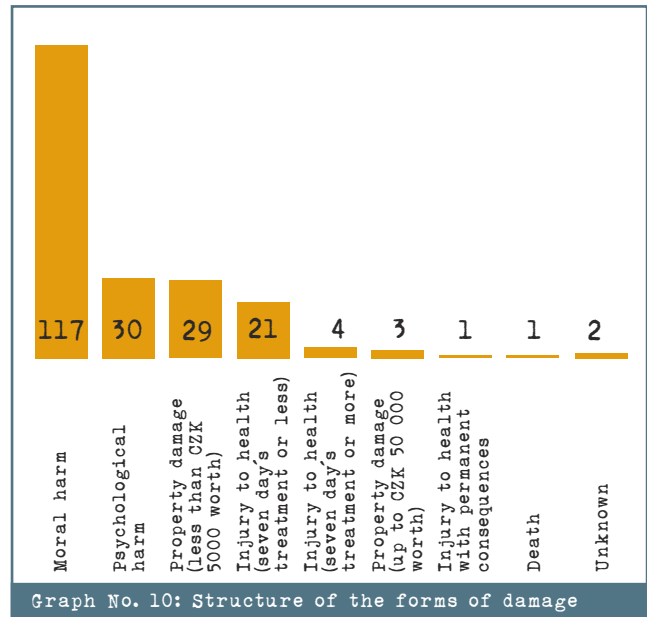


### 5.1.6 FORMS OF ASSAULT AND THE DAMAGE CAUSED

As with motivations, the forms of assault greatly exceed the number of incidents. One incident can frequently be characterized by more than one form of attack. In 2015, 223 forms of assault were recorded for 141 incidents. From Graph No. 9 it is apparent that most were either spoken or written attacks. **Curses, insults, and verbal assaults comprise, together with intimidation or threats, almost two-thirds of all forms of attack.** The third most-numerous are physical assaults, which contribute almost one-fifth of the total structure of forms of attack. The next numerous are attacks against property and graffiti, which contribute almost 15 % to the overall structure of forms of attack. Isolated incidents of arson and murder were also recorded. A relatively high number of other forms of assaults is determined here primarily by cases of giving the Nazi salute (nine out of 12 incidents in the "other" category) which were accompanied by other forms of attack, above all verbal abuse, intimidation and threats.



The structure of the damages arising from these incidents basically corresponds to the structure of the form of assaults described above. **From a total of 208 cases of damages, what predominates are moral harms impacting human dignity** (see Graph No. 10). There were 117 instances of such damages. There is a rather significant gap between that set and the second most numerous type of harms, psychological injury displaying as fear, increased anxiety or sleep disorders (30 cases). Almost the same number was recorded for small-scale property damage (29 cases). The double-digit examples of damages include minor injuries to health (21 cases). The other types of damages are in the single digits, with one case resulting in permanent damage to the victim's health and another resulting in the victim's death.



**Generally, therefore, in the HV cases in 2015 the forms of assault were less serious and the damages were even less consequential.** However, these statistical values should not overshadow the fact that some assaults were committed especially brutally, with tragic outcomes. An example is the murder of a homeless man who was sought out for victimization by two minors. They punched him with brass knuckles, kicked him, set his hair on fire with a lighter, fired an air pistol at him, forced a crutch into his anus and then used scissors to stab his buttocks and genitals.<sup>163/</sup>

### 5.1.7 FORMS OF ASSAULT AND MOTIVATIONS

Now we will demonstrate which forms of attack are associated with which kinds of motivations. Table No. 8 depicts the incidence of selected forms in relation to the general categories of motivation such as ethnicity or nationality or religion. Table No. 9 then portrays the correspondence of selected forms of assault to spe-

<sup>163/</sup> The described incident is listed in section 5.2 Characteristics of individual incidents at no. 23, Murder of a homeless man.

cific sub-categories of those motivations, such as the Muslim religion or Romani nationality. Both tables show not just the absolute values of the numbers of cases in each category of motivation, but also the relative values correlated to the forms of assault. **When combined, these indicators make it possible to better investigate the composition of the forms of attack in relation to each category of motivation.**

Let's give **an example**. The category of religion in Table No. 8 shows 49 cases with that motivation, in which there were 28 verbal assaults (57.1 %), 16 cases of intimidation or threats (33 %), 10 physical attacks (20 %), etc. These percentages express the share of each form of assault reported for that category of motivation. For better orientation, these shares are in **different colors** in the table. The three most frequent forms of assault are indicated by dark, medium and light shades of color (see the legend beneath Table No. 9 below). If we compare the categories of ethnicity or nationality and religion, it becomes apparent that the assaults motivated by ethnicity/nationality are marked by a higher proportion of physical attacks than the religion-motivated assaults are. In the categories of assaults motivated by the victims' drug use or homelessness, physical attacks are the most frequent of all, but here it is necessary to remember that we are comparing very different sets. The indicator of the absolute value for the number of instances of a certain motivation, therefore, is very important aspect of comprehending the structure of the forms of assault in each category.

Now we will focus on the most significant findings. **Verbal abuse appears in most of the incidents (60 %)**, which is apparent in the high representation of this form of assault in different categories of motivation. Verbal abuse represents the greatest share of all forms of assault for each category, with the exception of homelessness and affiliation with a subculture. **Intimidation or threats are typical of assaults motivated by the victims' political convictions** and are most represented for those attacks, save for one case where such assault was motivated by the victim's affiliation with a subculture. Another interesting finding is the **relatively high incidences of property damage among attacks against the victims' political convictions. For assaults motivated by**

**the victims' religion, graffiti stands out as the most frequent form of attack.** This can be said about the assaults in the category of "other" as well, but in absolute terms that is a small set of incidents. It is interesting to note that all three such incidents were motivated by the victims' refugee or migrant status.

**As far as the more serious forms of assault are concerned, the categories of homelessness and affiliation with a subculture are obviously more prevalent.** Just the cases with those motivations involved the more serious forms of attack. It is necessary to approach these findings cautiously, however, because only a few incidents were recorded as falling into these categories. **Physical attacks were relatively highly represented among incidents motivated by skin color, sexual identity or orientation, or ethnicity or nationality.** There were least represented among assaults motivated by the victims' religion or political convictions.

From the standpoint of the selected sub-categories in Table No. 9 it is apparent that **Romani people represent a group that is gravely endangered by HV.** Physical assaults were committed in 15 of the 34 incidents (44 %) motivated by the victims' actual or assumed Romani nationality. **Incidents associated with the refugee crisis typically involved intimidation or threats.** Of those, incidents motivated by the victims' political convictions especially contribute to almost one-third of the incidents associated with the refugee crisis and are presented separately. It is possible, therefore, to state that people who support refugees in various ways are most at risk of intimidation or threats. **It is also interesting that assaults motivated by Arab ethnicity are mostly verbal.** For the antisemitic assaults and attacks against refugees or migrants, graffiti is characteristic, and for the category of assaults motivated by the victim's political convictions in association with the refugee crisis, property damage is characteristic.

Table No. 8:

Structure of the forms of assault framed by categories of motivations										
	Verbal abuse	Intimidation or threats	Graffiti	Property damage	Physical assault	Arson	Manslaughter/murder	Unknown	Other	Total incidents
<b>Ethnicity or nationality</b>										
Abs.	31	17	3	4	19	0	0	3	5	50
% of all in category*	62,0%	34,0%	6,0%	8,0%	38,0%	0,0%	0,0%	6,0%	10,0%	
<b>Religion</b>										
Abs.	28	16	9	5	10	0	0	0	4	49
% of all in category*	57,1%	32,7%	18,3%	10,2%	20,4%	0,0%	0,0%	0,0%	8,2%	
<b>Political convictions</b>										
Abs.	14	14	3	6	5	0	0	0	2	24
% of all in category*	58,3%	58,3%	12,5%	25,0%	20,8%	0,0%	0,0%	0,0%	8,3%	
<b>Skin color</b>										
Abs.	6	4	1	0	5	0	0	0	3	11
% of all in category*	54,5%	36,4%	9,1%	0,0%	45,5%	0,0%	0,0%	0,0%	27,3%	
<b>Sexual identity or orientation</b>										
Abs.	4	2	0	0	2	0	0	0	0	4
% of all in category*	100,0%	50,0%	0,0%	0,0%	50,0%	0,0%	0,0%	0,0%	0,0%	
<b>Homelessness</b>										
Abs.	0	0	0	0	1	0	1	0	0	2
% of all in category*	0,0%	0,0%	0,0%	0,0%	50,0%	0,0%	50,0%	0,0%	0,0%	
<b>Drug use</b>										
Abs.	1	0	0	0	1	0	0	0	0	1
% of all in category*	100,0%	0,0%	0,0%	0,0%	100,0%	0,0%	0,0%	0,0%	0,0%	
<b>Affiliation with a subculture</b>										
Abs.	0	1	0	0	0	1	0	0	0	1
% of all in category*	0,0%	100,0%	0,0%	0,0%	0,0%	100,0%	0,0%	0,0%	0,0%	
<b>Other</b>										
Abs.	11	4	3	0	1	0	0	0	1	15
% of all in category*	73,3%	26,7%	20,0%	0,0%	6,7%	0,0%	1,0%	0,0%	6,7%	

\* % of all incidents framed by category of motivations

Table No. 9:

Structure of the forms of assault framed by selected sub-categories of motivations										
	Verbal abuse	Intimidation or threats	Graffiti	Property damage	Physical assault	Arson	Manslaughter/murder	Unknown	Other	Total incidents
<b>Romani ethnicity or nationality</b>										
Abs.	20	14	2	2	15	0	0	2	4	34
% of all in category*	58,8%	41,2%	5,9%	5,9%	44,1%	0,0%	0,0%	5,9%	11,8%	
<b>Islam</b>										
Abs.	20	10	3	4	7	0	0	0	3	30
% of all in category*	66,7%	33,3%	10,0%	13,3%	23,3%	0,0%	0,0%	0,0%	10,0%	
<b>Judaism</b>										
Abs.	8	6	7	1	3	0	0	0	1	20
% of all in category*	40,0%	30,0%	35,0%	5,0%	15,0%	0,0%	0,0%	0,0%	5,0%	
<b>Political convictions associated with the refugee crisis</b>										
Abs.	11	14	0	4	3	0	0	0	1	18
% of all in category*	61,1%	77,8%	0,0%	22,2%	45,5%	0,0%	0,0%	0,0%	27,3%	
<b>Refugee or migrant status</b>										
Abs.	10	4	3	0	0	0	0	0	1	14
% of all in category*	71,4%	28,6%	21,4%	0,0%	0,0%	0,0%	0,0%	0,0%	7,1%	
<b>Arab plus Iraqi nationality</b>										
Abs.	5	1	0	0	1	0	0	1	0	6
% of all in category*	83,3%	16,7%	0,0%	0,0%	16,7%	0,0%	0,0%	16,7%	0,0%	
<b>Refugee crisis</b>										
Abs.	41	26	4	8	10	0	0	1	5	161
% of all in category*	67,2%	42,6%	6,6%	13,1%	16,4%	0,0%	0,0%	1,6%	8,2%	

\* % of all incidents framed by category of motivations

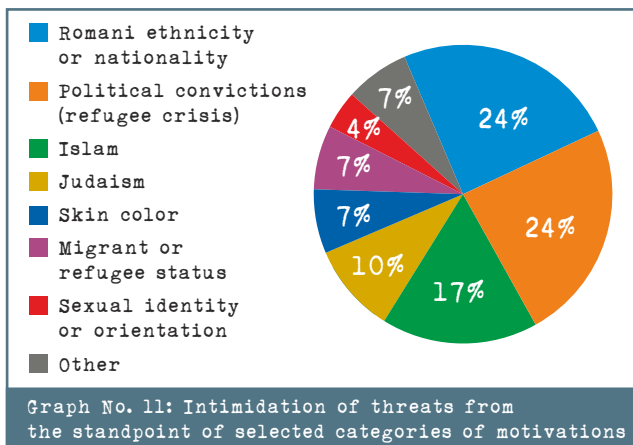
#### Legend to Tables 8 and 9:

These colors depict the intensity of the frequency of each form of assault framed by each category of motivation.

- First place
- Second place
- Third place

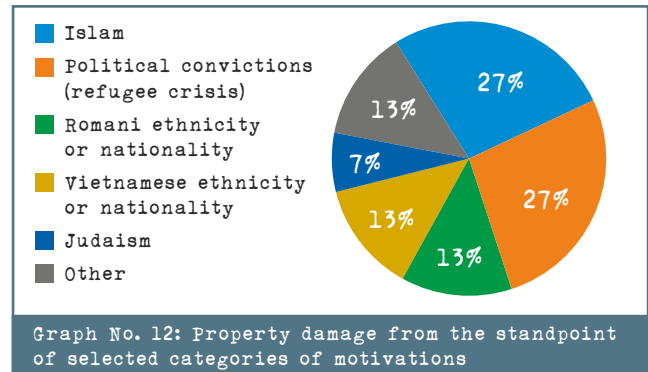
Given the described limitations of the graphs above and the related restrictions on any kind of conclusion being deduced from their analysis, a change of perspective presents itself for consideration. While so far we have researched the composition of the forms of assaults for each category of motivations, now we will demonstrate **how each category of motivation contributes to the overall structure of selected forms of attack**.<sup>164/</sup> When doing this we combined both the general and the specific categories of motivations to take into account those with the greatest incidence. By doing so we excluded the assaults that were least frequent but which nevertheless had scored rather high values in the tables above with respect to form of attack.

**As far as the form of intimidation or threats is concerned (see Graph No. 11), the most-represented motivations here are those of Romani nationality and political convictions associated with the refugee crisis.** Each of those motivations corresponds to 24 % of the overall structure of the incidents committed this way. Anti-Muslim assaults constitute 17 % of attacks committed this way. All three of the above-mentioned motivation categories, therefore, comprise more than two-thirds of all attacks committed in this way.

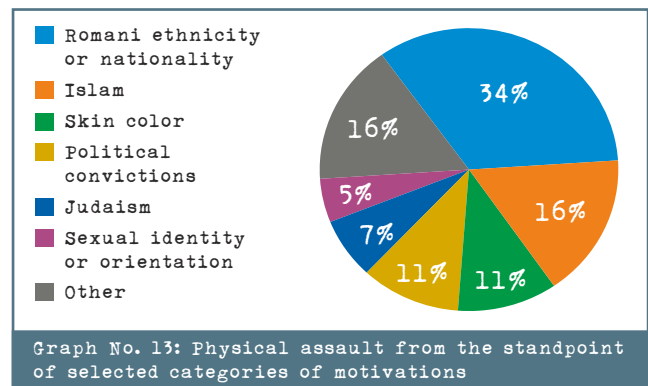


**The category of political convictions associated with the refugee crisis is also distinct in that it occupies the position of the**

**most-represented category of motivations for property damage incidents** (see Graph No. 12). Such incidents do not concern anti-Romani assaults, but anti-Muslim ones. Together, these contribute to 54 % of the overall structure of the motivations for property damage. The next two most numerous motivations, Romani nationality and Vietnamese nationality, share corresponding proportions, with each contributing 13 % to the total number of property damage incidents.



The final selected form of assault is physical attack (see Graph No. 13). **Here more than one-third of all physical assaults were anti-Romani.** The next most-represented motivation is far behind these, Islam (at 16 %), followed by skin color (11 %) and political conviction in general (11 %).



<sup>164/</sup> This method of presenting conclusions is not without its problems, however. Given that some incidents are characterized by more than one form of assault and more than one motivation, some of the incidents are represented here more than once.

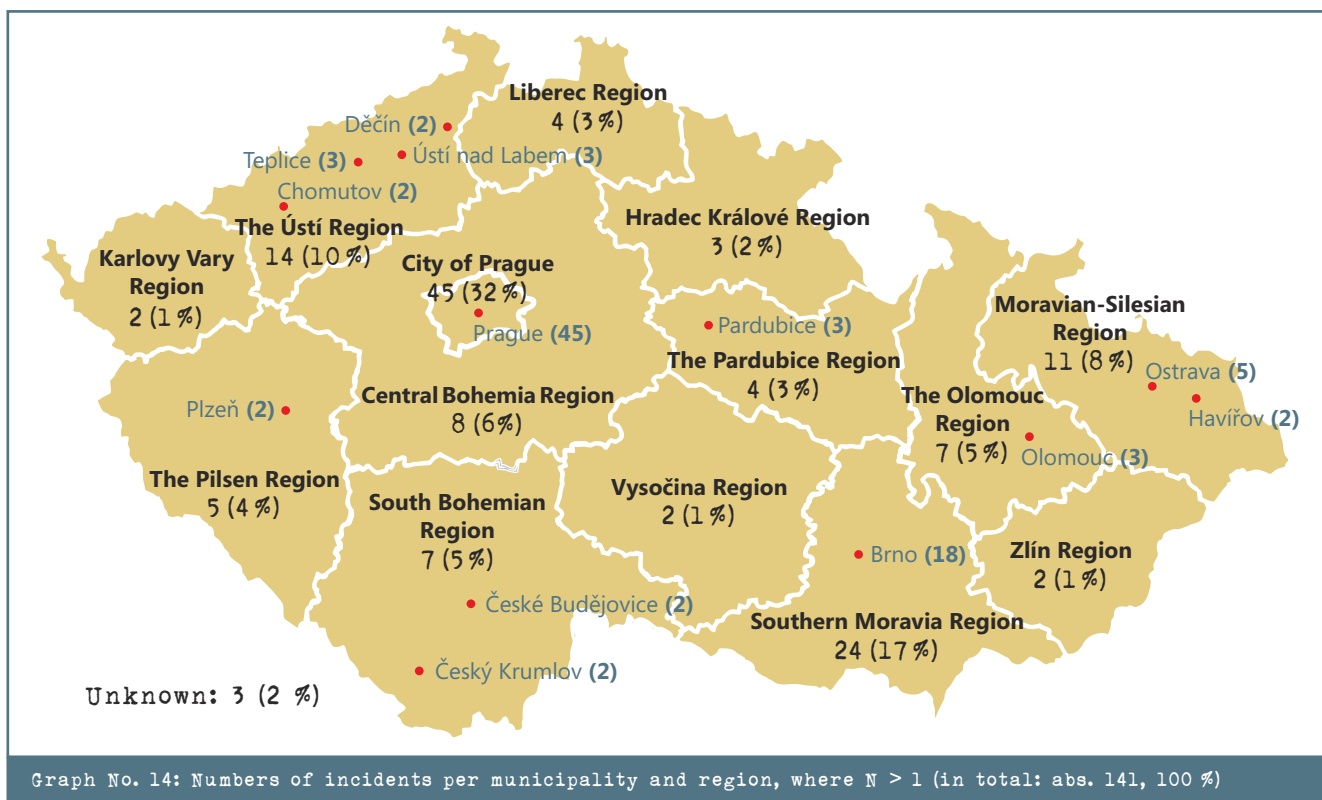
The above analysis confirms that **through the lens of the data accumulated by IU, Romani people, Muslims, and people displaying their political opinions – above all those advocating for refugees – are the groups most endangered by HV.** Assaults against such persons are found in all three of the selected forms of attack that are most frequent with respect to the overall structure of incidents.

### 5.1.8 LOCATION AND TIME

The location of an incident is recorded at three levels – the kind of place, the municipality, and the region. **At the regional level, the highest number of assaults was recorded in the Region of the City of Prague and in the Southern Moravia Region.** Further-

more, more than 5 % of all incidents happened in each of the Central Bohemian, Moravian-Silesian and The Ústí Regions. The municipal-level frequencies correspond to the regional-level frequencies. There were 45 incidents in Prague, 18 in Brno, five in Ostrava and three in Ústí nad Labem. **A greater frequency of incidents appears in big cities,** which is apparent from looking at the map presented here (Graph No. 14). Only in municipalities with more than 40 000 people did more than one incident happen, with the exception of the town of Český Krumlov.

At the level of the regions we can differentiate the **numbers of cases according to motivation.** In Table No. 10 the selected sub-categories are depicted. **The dominant representation of the Region of the City of Prague and Southern Moravia Region is**





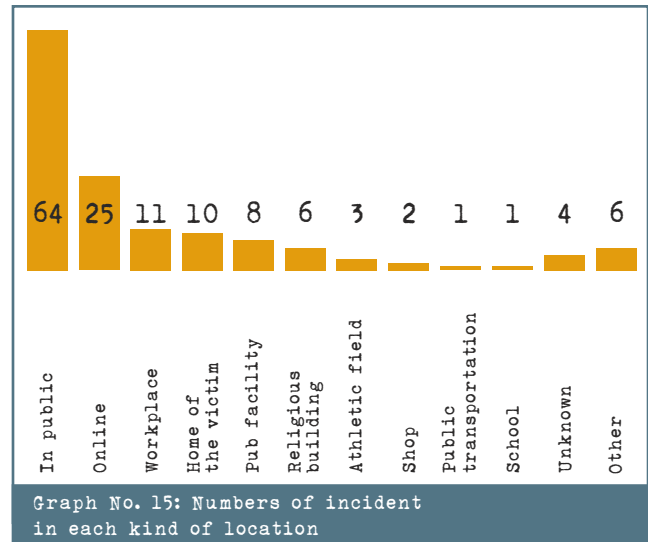
**persistent.** However, it must be pointed out that for one kind of motivation the most assaults were noted in the Southern Moravia Region, namely, attacks against Muslims. Otherwise, assaults against persons supporting refugees were relatively most frequent in Prague. The Region of City of Prague and the Southern Moravia Region also concentrate the vast majority of attacks associated with the refugee crisis – more than two-thirds. **However, a different image is acquired when we focus on anti-Romani assaults.** These were most-recorded in the Moravian-Silesian, Southern Moravia and The Ústí Regions.

Table No. 10:

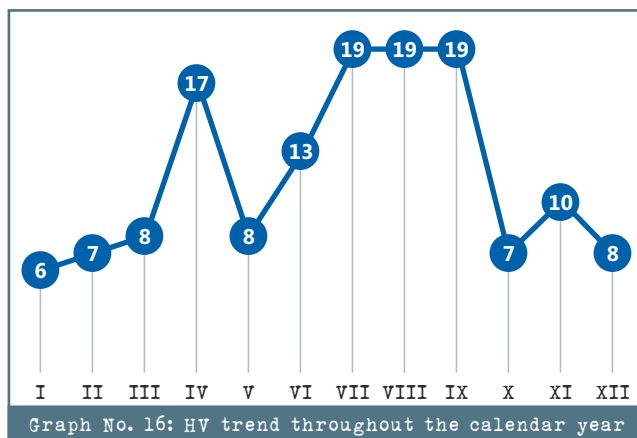
Motivations from a regional standpoint													
Motivations	Region												
	City of Prague	South Bohemian Region	Southern Moravia Region	Karlovy Vary Region	Hradec Králové Region	Liberec Region	Moravia-Silesian Region	The Olomouc Region	The Pardubice Region	The Pilsen Region	Central Bohemia Region	The Ústí Region	Zlín Region
Romani nationality or ethnicity	3	1	5	1	0	3	5	4	0	2	2	7	1
Islam	9	1	10	1	1	1	0	0	0	2	1	3	1
Judaism	8	2	1	0	0	0	2	1	1	0	2	2	0
Political convictions (refugee crisis)	12	0	1	0	0	0	0	1	2	1	0	0	0
Migrant or refugee status	5	1	2	1	0	0	2	1	0	0	1	1	0
Skin color	4	1	0	0	1	0	2	1	0	0	0	1	0
Arab plus Iraqi nationality	3	0	2	0	0	0	0	0	0	0	0	1	0
Refugee crisis	27	2	14	1	1	1	2	1	2	3	2	3	1

**At the level of the specific kinds of places, we recorded most incidents as happening in public spaces** (45 % of all incidents) **and then online** (18 % of all incidents, see Graph No. 15). Altogether more than two-thirds of incidents happened in these kinds of places. There is a big gap between these kinds of locations and the next most frequent places, namely, the victim's workplace

(8 %), the victim's home (7 %) and pub facilities (6 %). In other kinds of places such incidents are less frequent. The category of "other" is comprised of three assaults committed by telephone, two attacks on a metro car, and one attack committed in the home of the perpetrator.



The time of the incidents can be followed from the perspective of different periods: Which quarter of the year, which month, and what time of day. For all of these time periods, it is the case that the incidents are distributed relatively unevenly. **More than two-thirds of all incidents (67 %) happened during Q2 and Q3, with 40 % happening in Q3** (see Graph No. 16). At the level of months, we observe that incidents happen most frequently in July, August and September. In each of these months there were 19 incidents (13 % of all incidents). From this it can be deduced that **the most dangerous months from the standpoint of HV are exactly the summer months.**



It is somewhat more difficult to designate the time of day of each incident, whether because the exact time was not ascertained or because the assault took place over a longer period of time. For that reason, 33 % of these incidents do not have clear information for this category. For the remaining two-thirds, the **differences between daytime and nighttime occurrence are not big**. While 36 % of assaults were perpetrated between 6 AM and 6 PM, 31 % of these attacks were perpetrated between 6 PM and 6 AM the following day. What is interesting is that after subtracting all incidents committed online, the positions of incidents committed during the day and during the night are transformed. Removing those incidents leaves us with 35 % of incidents perpetrated at night and 33 % perpetrated by day.

### 5.1.9 ASSAILANTS AND VICTIMS

In 2015 we recorded 147 individual victims associated with 91 of the incidents in the set. For the remaining 50 incidents there was either no concrete victim (41 incidents),<sup>165/</sup> or the victims were legal entities (in seven incidents) or no details could be found about the individual harmed (two incidents). The characteristics followed about the victims are their age, citizenship

and sex. These characteristics could be ascertained just for some victims, so the numbers of characteristics available differ for each category (see Table No. 11).

We were relatively most successful when it came to the characteristic of sex. This was recorded for all 147 victims, with **men more prevalent than women (58 % vs. 42 %)**. In 2014 men had predominated even more (64 % vs 36 %).

Citizenship was ascertained for 130 victims. **Czech citizens predominated** (104 victims) and **foreign nationals represented 26 cases** (20 % of all victims for whom citizenship was known). Of the foreign nationals, most were citizens from non-EU countries (20 victims). In 2014 foreign nationals comprised 17 % of all 70 victims for whom citizenship was known. In that respect, there is a slight increase in the proportion of foreign nationals among the victims, and this applies more significantly to victims from non-EU countries. We observed a growth from 9 % in 2014 to 15 % in 2015 of non-EU citizens among the victims for whom citizenship is known.

As far as age is concerned, that could be clarified for 117 of the victims. For one-fifth of them their age could not be ascertained. **Victims are most frequently between 19-25 years of age (27 %) and between 26-35 years of age (30 %)**. Those younger than 19 represent 14 % and those older than 35 represent 29 %. In 2014, on the other hand, most victims were between 26 and 45 years of age (54 % of all victims that year) and the age structure was more evenly distributed. It can be stated, therefore, that year-on-year the age composition of the victims has become younger.

Table No. 11:

Characteristics of the victims		
Sex	Abs.	%
Man	86	59
Woman	61	41
<b>Total</b>	<b>147</b>	<b>100</b>

<sup>165/</sup> Some incidents, usually those corresponding to defamation or incitement of hatred against a certain group of persons, have no individual victim. Of course, that does not mean they are so-called victimless crimes. The victim in this case is the entire group assaulted.

Citizenship	Abs.	%
Czech citizen	104	80
Third country citizen	20	15
EU citizen	6	5
<b>Total</b>	<b>130</b>	<b>100</b>

Age	Abs.	%
15 and younger	8	7
16 - 18	8	7
19 - 25	32	27
26 - 35	35	30
36 - 45	22	19
46 - 55	5	4
56 and older	7	6
<b>Total</b>	<b>117</b>	<b>100</b>

We have also followed the **characteristics of the assailants** (see Table No. 12). The **identity of the attacker** was known to the victim, the public, or the CJA in more than half of all incidents (72). In 2014 this was less known, with the perpetrator's identity ascertained in 47% of incidents.

How many people had participated per assault remained uncertain in less than one-quarter of the incidents. From the available information, however, it can be deduced that **these attacks were perpetrated more by individuals than by groups**. (44 % versus 32 %). In 2014 the same values were recorded for this parameter as in 2015.

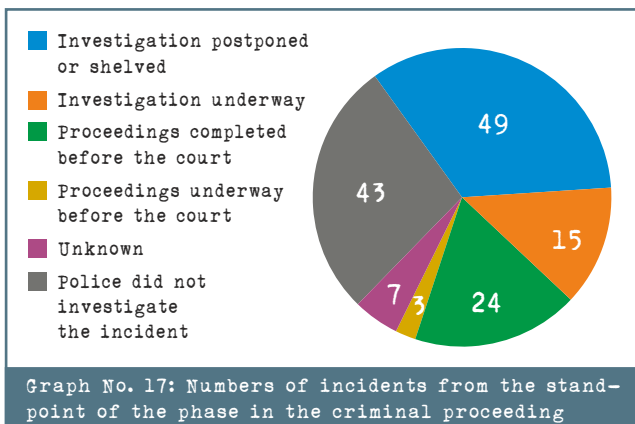
Last but not least, we investigated the issue of whether it is possible to characterize an assailant as **an adherent of the far right**. For 43 incidents it was possible, which corresponds to 30.5 % of all incidents. Given that this value was 20 % in 2014, it is possible to state that there has been a relative increase in the share of far-right perpetrators for all kinds of these incidents.

Table No. 12:

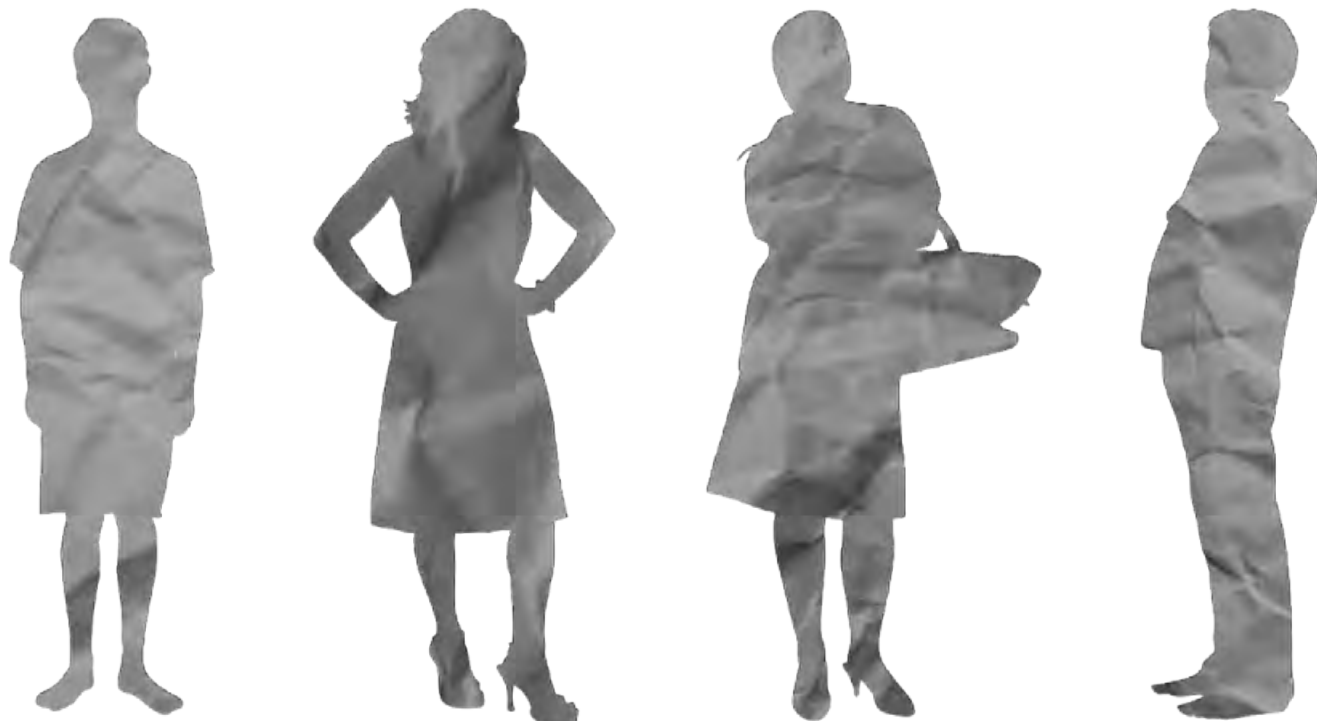
Characteristics of the perpetrators		
<b>Known attacker</b>	Abs.	%
Yes	73	52
No	68	48
<b>Total</b>	<b>141</b>	<b>100</b>
<b>Number of perpetrators</b>	Abs.	%
Single	62	44
Group	45	32
Number unknown	34	24
<b>Total</b>	<b>141</b>	<b>100</b>
<b>Adherent of the far right</b>	Abs.	%
Yes	43	30,5
No	36	25,5
Number unknown	62	44
<b>Total</b>	<b>141</b>	<b>100</b>

## 5.1.10 CRIMINAL PROCEEDINGS

From the IU statistics it can be seen that the police learned of at least 91 of the cases (65 %) recorded by IU in 2015 (see Graph No. 17). From the standpoint of those 91 incidents, as of the day of writing, police investigations were still underway in 15 incidents (16.5 %) and investigations had been postponed or shelved for 49 incidents (54%), most frequently because the perpetrator was never identified. A total of 27 cases made it before the courts, and in three cases (3 %) the trials are still underway. Court decision, therefore, have been issued in a total of 24 of the 91 incidents (26 %) i.e., in less than one-third of the hate assaults brought to the attention of the police.



At first glance, therefore, it is apparent that the police have a relatively high awareness of the hate crimes also reported to IU. Nevertheless, our analysis reveals that the police have demonstrably clarified **the hate motivation during the criminal proceedings in just 61 incidents (43 % of all incidents recorded in the IU database)**. In the other cases, this did not happen either because the motivation was not included in the legal definition (as in the murder of the homeless man), because the less-serious assaults were qualified as misdemeanors, because the bias motivation was ignored, or because we did not manage to ascertain the relevant facts.



## 5.2 Charakteristika jednotlivých incidentů

In this sub-chapter, selected incidents of hatred are described. They have been chosen according to whether they proceeded to trial. They include not just incidents for which a verdict has already been issued, but also those where the trial is still underway. There were a total of 27 such incidents. Along with describing what happened during these attacks and the activity of the CJA, we also describe IU's activity.

### 1. ARSON ATTACK ON A SYNAGOGUE

**January 2015, Moravian-Silesian Region**

**Status:** First-instance verdict in effect

**Bias motive:** Religion (Judaism)

**Form of the incident:** Attack on property (damage to a building and items)

*A flammable plastic material was placed on the threshold of the wooden doors to a synagogue in the Moravian-Silesian Region and set alight by a man in his late thirties. As the man left the scene of his crime, he gave the Nazi salute. The fire died out on its own but caused an estimated CZK 3 500 [EUR 130] of damage. The District Court sentenced the man for committing felony "Damage to a thing of another" according to Section 228 paragraph 1, 3, letter b) and "Expressing sympathies for movements seeking to suppress human rights and freedoms" per Section 404 Criminal Code to one year in prison, suspended for three years, and paying financial compensation for the damages. The sentence has taken effect.*

### 2. "THE STATE IS SUBSIDIZING YOU BUT YOU CAN'T FIND A JOB"

**March 2015, The Ústí Region**

**Status:** First-instance verdict in effect

**Bias motive:** Ethnicity/nationality (Romani)

**Form of the incident:** Physical and verbal assault

*"You black swine, you black motherfuckers, the state is subsidizing you but you can't find a job!" A man in his thirties made those remarks in the early morning hours in a bar in The Ústí Region to other customers because of their Romani nationality. He then punched one of them. Both fell beneath the table, which they dam-*

*aged along with the chairs and four glasses. The attacker also grabbed the victim's head at one point, causing him a laceration that was three centimeters in length that had to be treated with surgery. The court convicted the perpetrator of committing felony "Disorderly conduct" per Section 358 paragraphs 1, 2, letter a) in concurrence with felony "Defamation of a nation, race, ethnic or other group of people" per Section 355 paragraph 1, letter a) Criminal Code. His sentence was to perform 300 hours of community service and stop consuming alcohol under the supervision of a probation officer. The sentence has taken effect.*

### 3. AGAINST "WHITES"

**March 2015, Moravian-Silesian Region**

**Status:** First-instance verdict in effect

**Bias motive:** Skin color

**Form of the incident:** Intimidation or threats, physical and verbal assault

*Two minors assaulted two other minors in front of a department store in a town in the Moravian-Silesian Region. During the attack they shouted: "You fucking white gadje, you white whores, white swine, we'll kill you all, we'll set you all on fire - we already got rid of two today!" They also pushed their victims but did not cause them any physical injuries. Not long afterward the minors' parents arrived at the scene. One father became verbally involved in the conflict and the assailants fled the scene. The police, nevertheless, managed to track down both attackers. They were convicted of committing felony "Violence against group of people and individuals" per Section 352 paragraph 2, "Defamation of a nation, race, ethnic or other group of people" per Section 355 paragraph 1 letter b), and "Disorderly conduct" per Section 358 paragraph 1 Criminal Code. One perpetrator was sentenced to a prison sentence of three*

months, suspended for 14 months, the other to 180 hours of community service. The verdict has taken effect.

## 4. "JEWISH QUESTION UNSOLVED"

### March 2015, Vysočina Region

**Status:** First-instance verdict announced, has yet to take effect

**Bias motive:** Religion (Judaism)

**Form of the incident:** Verbal assault

Adam B. Bartoš and Ladislav Zemánek, who at the time were members of the National Democracy party (Národní demokracie), were charged with placing a sign with a text defaming the Jewish nation on a symbolic location, the grave of Anežka Hružová. The sign read: "The Jewish question has still not been satisfactorily resolved." A photograph of the sign was published on the party's website with a declaration that connected the murder of Hružová with an alleged "Jewish despotism, domination, and threat [that] persists to this day." The prosecutor charged both men with felony "Defamation of a nation, race, ethnic or other group of people" and "Instigation of hatred towards a group of people or of suppression of their rights and freedoms" per Section 355 paragraph 1 letter a) and paragraph 2 letter b), as well as Section 356 paragraphs 1, 3 letter a) Criminal Code. The chair of National Democracy, Bartoš, got a one-year prison sentence suspended for two years. Zemánek was also found guilty but was not punished because he expressed regret for his actions. The verdict had not yet taken effect at the time of publication.

## 5. "YOU FUCKING GYPSY, COME HERE"

### April 2015, South Bohemian Region

**Status:** First-instance verdict has taken effect

**Bias motive:** Ethnicity/nationality (Romani)

**Form of the incident:** Physical and verbal assault

A man assaulted a minor at a housing estate in a town in South Bohemian for reasons that remain unclear. He punched him in the face with the words "You fucking Gypsy, come here!" He then got into a conflict with Romani men who began to throw rocks at him

and another four men whom he had joined after the assault. They suffered minor injuries requiring medical attention. The first perpetrator responded by pulling a revolver from his pocket. He pointed it at them and then fired into the air. The court sentenced all of the assailants to community service work. The behavior of the initial perpetrator was qualified as felony "Disorderly conduct" per Section 358 paragraphs 1, 2 letter a) and felony "Defamation of a nation, race, ethnic or other group of people" per Section 355 paragraph 1 letter a) Criminal Code, sentencing him to 210 hours of community service, refraining from the consumption of alcohol and other habit-forming substances, and confiscated his revolver. The other assailants were sentenced to community service of either 140 or 160 hours and some were required to pay the costs of medical treatment. The verdict has taken effect.

## 6. THREE-YEAR-OLD VICTIM

### April 2015, The Ústí Region

**Status:** First-instance verdict has yet to take effect

**Bias motive:** Ethnicity/nationality (Romani)

**Form of the incident:** Intimidation or threats, verbal assault

An invitation to coffee resulted in a hateful assault. Without any preceding conflict, a 40-year-old man sitting in his garden first began to assault a woman invited for coffee by asking her "Why is your child black?" and "Why did you have a child with a Gypsy?" He then grabbed the woman's three-year-old daughter by the hand and told her that he "hates Gypsies" and that she is a "little black swine". He then said "all Gypsies should die" and threatened to "throw [the girl] into a bag and drown [her] like a kitten". She urinated then and there out of fear. The mother and daughter left and he yelled after them that his dog would eat the girl before she could eat it for dinner. He was convicted of felony "Violence against a group of people and individuals" per Section 352 paragraph 2 Criminal Code and sentenced to seven months in prison. The sentence was suspended for 18 months and had not taken effect by the time of publication of this report.

## 7. BRAND-NAME SHOES

### April 2015, The Ústí Region

**Status:** First-instance verdict has taken effect

**Bias motive:** Ethnicity/nationality (Romani)

**Form of the incident:** Physical and verbal assault

A 20-year-old man pushed a minor to the ground, sat on him, and punched him in the face while shouting racist, vulgar expressions. That was the beginning. Then the man stole the minor's tennis shoes, valued at CZK 2 500 [EUR 92] and committed more violence against him. The victim managed to escape for a moment but the perpetrator caught up with him when he was being accompanied by his mother. The perpetrator attempted to attack her too, but was prevented from doing so when the minor pushed his mother out of the way and stood up to the assailant, who beat him until police arrived, tearing his t-shirt, among other things. The investigation found the perpetrator had shouted crude racist insults from the window of his home that same evening at a group of Romani people standing on the street. For felony "Disorderly conduct" per Section 358 paragraph 1, "Dangerous threatening" per Section 353 paragraph 1 and "Defamation of a nation, race, ethnic or other group of people" per Section 355 paragraph 1 letter b) Criminal Code, the court sentenced him to nine months in prison, suspended for 18 months and instructed him to compensate the victim for the damages caused.

## 8. THREATENING A FOREIGN NATIONAL BECAUSE OF RELIGION

### April 2015, Pilsen Region

**Status:** First-instance verdict in effect

**Bias motive:** Religion (Islam)

**Form of the incident:** Intimidation or threats, verbal assault

A 25-year-old man from the Pilsen Region repeatedly threatened a foreign national who used to live in the Czech Republic. He sent the foreign national messages on FB insulting him because of his Muslim faith and threatening to cut his daughter's head off: "You shitty Islamic pig! You won't find any place to hide! That shitty wannabe prophet of yours is just a pedophilic pig who fucks donkeys :) Do you want war? You'll get it. We will use the same practices

you do on your mentally retarded children :) You shitty filth :) and on you, you fucker, we'll make you watch how slowly they die! A Muslim is not a human being, but a sub-race, and those belong in the gas chambers! SIEG HEIL FUCKER. YOU'RE DEAD!" Five minutes later another message came: "That daughter of your is really an ugly whore :) thanks for her photograph :) :) expect to get her head on a platter together with a pig's carcass :) bye matherfucker! :) " On the basis of these messages, the victim contacted his daughter, who was still living in the Czech Republic. He also filed a crime report online. Police qualified the case per Section 352 paragraph 2 Criminal Code as felony "Violence against a group of people and individuals". The District Court sentenced the perpetrator to nine months in prison, suspended for 18. The verdict is in effect.

## 9. THREATS AGAINST JEWISH PEOPLE

### April 2015, Moravian-Silesian Region

**Status:** First-instance verdict in effect

**Bias motive:** Religion (Judaism)

**Form of the incident:** Giving the Nazi salute, intimidation or threats

A man attended celebrations in a town featuring an exhibition of military technology from the Second World War wearing a t-shirt with the image of Adolf Hitler reading "The Killers World Destruction Tour". When he began to urinate in the parking lot, a police officer told him to stop and leave the celebration because he was drunk. The man responded by giving the Nazi salute. Another three police officers came to the scene. He verbally assaulted them all, calling them "kikes" and shouting "Death to Jews!" repeatedly. He was pacified by the police patrol and transported from the scene. The District Court convicted him of felony "Threatening with intention to affect public official" per Section 326 paragraph. 1 letter a), "Disorderly conduct" per Section 358 paragraph 1 and "Expressing sympathies for movements seeking to suppress human rights and freedoms" per Section 404 Criminal Code. He was sentenced to eight months in prison, suspended for 18 months.

## 10. THREATS BECAUSE OF POLISH ORIGIN

### May 2015, Moravian-Silesian Region

**Status:** First-instance verdict has taken effect

**Bias motive:** Ethnicity/Nationality (Polish)

**Form of the incident:** Intimidation or threats

*"You Polish whore, open the door, you're too afraid, come out here, I'll destroy you!" A man living in an apartment building repeatedly threatened his neighbor who lived one floor below him with such words. He did not stop making the threats even after a local police patrol was called to the scene by the victim, just moved away from the door to her apartment, which he had been striking with his walking stick, to the balcony of his own apartment. The court convicted the man of felony "Violence against a group of people and individuals" per Section 352 paragraph 2 Criminal Code to nine months in prison, suspended for two years and four months. He was ordered to visit outpatient psychiatric services without further deprivation of liberty. According to the expert witness, the man was not in his right mind when he committed the crime, but he had been punished for similar attacks on the victim previously. The proceedings ended at the first instance and the verdict is in effect.*

## 11. ASSAULTED FOR BEING ROMANI

### May 2015, Moravian-Silesian Region

**Status:** First-instance verdict has taken effect

**Bias motive:** Ethnicity/nationality (Romani)

**Form of the incident:** Intimidation and threats, physical and verbal assault

*A man walking his dog in front of his own home was assaulted by a perpetrator who mistook him for a Romani person. Police say the victim was actually a citizen of a South Asian country. The assailant first attacked the victim verbally, shouting at him that he was a "black Gypsy". He then attempted to punch the victim in the face and kicked his dog with his knee. He then walked away, shouting at the victim, threatening to kill him and repeatedly shouting the Nazi greeting "Sieg heil". The court convicted the assailant of felony "Violence against a group of people and individuals" per Section 352 paragraph 2, "Disorderly conduct" per Section 358 paragraph 1 and "Expressing sympathies for movements seeking to suppress*

*human rights and freedoms" per Section 404 Criminal Code. He was sentenced to 260 hours of community service. The court further ordered him to refrain from using all habit-forming substance under supervision of a probation officer. The verdict has taken effect.*

## 12. A BORROWED SCOOTER

### May 2015, Central Bohemia Region

**Status:** Reported to police, qualified by the court as a misdemeanor

**Bias motive:** Ethnicity/nationality (Romani)

**Form of the incident:** Intimidation or threats, physical assault

*What began on the street of a Central Bohemia town with the unpermitted borrowing of a scooter from a minor ended with death threats against his father. The boy's father objected to the inappropriate behavior of two 30-year-old men and was physically assaulted by them. One man grabbed the victim by the front of his t-shirt, tearing it, and threw him on the ground, allegedly calling him a "black mug" and threatening to "kill him and cut off his head". The other man, the brother of the attacker, added that he would "throw nerve gas into [his] house". He then pulled a knife out of his backpack and gave it to his brother, saying "Kill the black swine". When the brother began to go after the victim, his brother allegedly incited him by saying "Kill the black swine, stick it in his neck". Nevertheless, the assailant laid the knife on the ground and began to draw a cross with his finger, which the prosecutor said was intended to further intimidate the victim. It is not clear from the court transcript whether all of this actually transpired as described by the defense, but the prosecutor unequivocally failed to demonstrate that the intimidation with the knife actually happened, as well as the racist abuse and threats. For that reason, the court decide to send the case to the relevant municipal authority to be dealt with as a misdemeanor against civil coexistence.*



### 13. ATTACK WITH A SPADE

#### May 2015, Central Bohemian Region

**Status:** Appeals verdict has taken effect

**Bias motive:** Ethnicity/nationality (Romani)

**Form of the incident:** Attack on property (damage to a building and other items), intimidation and threats, physical assault

*In the Central Bohemia Region a 25-year-old man damaged property and physically injured several persons because of their Romani nationality. At 2 AM a car with a fake license plate drove up to a home where the perpetrator's alleged girlfriend was. When the perpetrator got out of the car, he used a garden spade he had brought with him to smash the doors and windows of the other personal vehicles parked in front of the house. He also then damaged the glass of the balcony doors and windows, causing damage in excess of CZK 25 000 [EUR 925]. During that, he shouted threats like: "Come out you black mugs, I'm gonna kill you all!"; "Today I will kill all of you here, you black mugs, I will shoot you all dead here". Several people actually began to gradually run out of the house. The perpetrator had previously had a physical conflict with one of them, and apparently his behavior targeted that person. He struck one of them with the spade and then pushed him toward the wall. Finally he himself was thrown to the ground and the others lay on top of him until the police patrol that had been called arrived at the scene. The perpetrator had alcohol and THC in his blood. Because of this, and because during his assault he had been on probation for felony "Disorderly conduct", the court sentenced him to three and a half years in prison without the possibility of parole. The appeals court rejected his appeal and upheld the first-instance verdict, which is in effect.*

### 14. FOOD SERVER ASSAULTED

#### May 2015, The Ústí Region

**Status:** Trial still underway

**Bias motive:** Ethnicity/nationality (Romani)

**Form of the incident:** Intimidation and threats, physical and verbal assault

*A guest at a restaurant in The Ústí Region assaulted a food server one evening, saying: "Be grateful for your job, you're a dirty Gypsy*

*woman. Nobody talks to me like that. You're going to die." He then repeated "Black Gypsy woman, black mug" with the aim of insulting her. The victim repeatedly gave testimony to police about the matter, which investigated it as felony "Defamation of a nation, race, ethnic or other group of people" per Section 355 Criminal Code. The testimony first given by the victim was favorable toward the perpetrator, but she then changed it. Because of that, he threatened her that "she would get hers", that she should "be wise", and that he was going to "tear her hair out". He then made good on some of those threats, threatening her with hair-cutting scissors, cutting some of her hair off, and pulling some of it out before further physically assaulting her, throwing her naked onto the street, and continuing his threats. He said that if she didn't change her testimony he would throw everything out of her apartment, take her telephone, beat her, and her "entire family would shit themselves". There is no more information available about the case and the trial has not finished in the matter.*

### 15. RACISM THROUGH THE WINDOW

#### May 2015, Southern Moravia Region

**Status:** First-instance verdict has taken effect

**Bias motive:** Religion (Judaism)

**Form of the incident:** Intimidation and threats, physical and verbal assault

*A 30-year-old man spent more than a year assaulting another man and woman who were his neighbors. He would repeatedly shout abuse and threats through the window of his home at the couple and their guests: "I'll tattoo a swastika on the little one!", "The White Race will win!", "I'll kill that ginger-haired cunt!". One day he flew the flag of the German Navy from the Second World War with a Nazi swastika on it, about a meter and a half wide and almost a meter long, from his window while shouting "Sieg Heil!". When his neighbor asked him to stop, he objected, shouted that they were "kikes", and that if there were a war they would be on the front line. During the evening hours he fired an air gun toward the neighbor's home, shouting "I'll kill that ginger-haired cunt... You cunt, I'll shoot you dead, I'll kill you, whore!" The prosecutor charged him with felony "Dangerous threatening" per Section 353 paragraphs 1 and 2 letter c) and "Expressing sympathies for movements seeking to suppress human rights and freedoms" per Section 404 Criminal Code.*

*He was convicted to 12 months in prison, suspended for three years. The verdict has taken effect.*

## 16. ROMANI WOMAN THREATENED

### July 2015, Moravian-Silesian Region

**Status:** First-instance verdict has taken effect

**Bias motive:** Ethnicity/nationality (Romani)

**Form of the incident:** Intimidation and threats, physical and verbal assault

*Due to a previously unresolved dispute, a 30-year-old man assaulted a woman on the sidewalk in front of her home in a village in the Moravian-Silesian Region, shouting vulgar expressions and threats about Romani people. He also attempted to physically assault the victim after running in her direction swinging a chain over his head. The victim hid in the entryway to her home from the attacker. He struck the glass in the door several times, causing more than CZK 3 000 [EUR 110]. One week later, he assaulted the woman's partner using the chain again when he encountered him on the street with his minor daughter. He threatened him and said the man should withdraw the crime report filed against him. The first attack was listed in the police database as felony "Violence against a group of people and individuals" per Section 352 Criminal Code. Police ultimately requalified it to felony "Dangerous threatening" per Section 353 paragraph 1 and 2 letter c) and "Disorderly conduct" per Section 358 paragraph 1 letter a) Criminal Code. The prosecutor believed a hate motivation had not been demonstrated. The court identified with that qualification and sentenced the perpetrator to one year in prison suspended for two years and confiscated his chain. That verdict has taken effect. Despite the lack of proven hate motivation, IU has decided to keep this incident in the database because we do not have enough information to assess the matter for ourselves. We are classifying it as an unverified incident.*

## 17. "COME OUT HERE YOU BLACK MUGS"

### June 2015, The Ústí Region

**Status:** First-instance verdict has taken effect

**Bias motive:** Ethnicity/nationality (Romani)

**Form of the incident:** Giving the Nazi salute, intimidation and threats, verbal assault

*Four men wearing high-topped boots, dark pants and black t-shirts with racist motifs and slogans arrived at night in front of a home where they shouted racist insults at the Romani occupants and threatened them by giving the Nazi salute and yelling Nazi slogans. Among other things, they yelled "Black mugs, come out here!" and "Where are you, black swine?" The men were convicted of felony "Disorderly conduct per Section 358 paragraph 1, "Expressing sympathies for movements seeking to suppress human rights and freedoms" per Section 404 and "Defamation of a nation, race, ethnic or other group of people" per Section 355 paragraph 1 b), and paragraph 2 letter a) Criminal Code. The court sentenced them to eight months in prison, suspended for two years. That verdict has taken effect.*

## 18. ATTACK ON A MUNICIPAL CELEBRATION

### June 2015, The Olomouc Region

**Status:** First-instance verdict has taken effect

**Bias motive:** Ethnicity/nationality (Romani)

**Form of the incident:** Physical and verbal assault

*During celebrations of the anniversary of the establishment of a town in The Olomouc Region, a man defamed others because of their Romani nationality. The pretext was an intervention by local police and crime prevention assistants, who asked the man to identify himself after he attacked somebody else. When they were physically arresting the perpetrator, he abused them in connection with their Romani nationality and vulgarly insulted the other Romani people there. The District Court convicted him of felony "Disorderly conduct" per Section 358 paragraph 1 Criminal Code, "Violence against public official" per Section 325 paragraph 1 letter a) Criminal Code, and "Defamation of a nation, race, ethnic or*

other group of people" per Section 355 paragraph 1 letter a) Criminal Code and gave him a total sentence of one year in prison, suspended for two and a half years. The court ordered the perpetrator to refrain from excessive consumption of alcohol. The first-instance verdict has taken effect.

## 19. DEFAMATION OF THE CZECH NATION

### June 2015, Hradec Králové Region

**Status:** First-instance verdict in effect

**Bias motive:** Ethnicity/nationality (Czech)

**Form of the incident:** Intimidation and threats, verbal assault

A man who was near the firehouse in a smaller town in the Hradec Králové Region loudly shouted insults and threats including "The Czech nation is the most fucked-up nation that exists and should die out." He also yelled that he would blow up the firehouse and made this threat: "Czechs to the gas chambers, then you'll start to die out, because [the town] would burn down, your only good luck is that I wasn't there, I'd have chopped somebody's head off and released his guts from his body." His threats were apparently a reaction to a previous incident that IU has not managed to clarify. When police arrested him, he threatened two officers with physical assault not just on themselves, but on their loved ones. For committing felony "Violence against a group of people and individuals", "Defamation of a nation, race, ethnic or other group of people", "Disorderly conduct", and "Threatening with intention to affect public official", the perpetrator was sentenced to 12 months in prison, suspended for 60 months during which the convict must be supervised by a parole officer.

## 20. NAZI SALUTE DIRECTED AT TURKS

### June 2015, South Bohemian Region

**Status:** Trial underway

**Bias motive:** Religion (Islam), skin color

**Form of the incident:** Giving the Nazi salute, verbal assault

A man at a discotheque in a South Bohemian town began shouting the slogans of German Nazis and Italian Fascists at a group of young men from Turkey because of their Muslim faith and skin color. He accompanied his verbal assault by giving the Nazi salute and continued to do so in front of the police patrol called to the scene. Police charged the man with felony "Expressing sympathies for movements seeking to suppress human rights and freedoms" per Section 404 Criminal Code. The first hearing had yet to be held at the time this report was published. The crime is connected to another one the defendant is alleged to have committed, namely, accomplice to robbery. The defendant did not attend the first hearing in the trial and an arrest warrant has been issued for him.

## 21. ASSAULT AND GIVING OF THE NAZI SALUTE AS REVENGE

### June 2015, Southern Moravia Region

**Status:** First-instance verdict in effect

**Bias motive:** Religious faith (Islam)

**Form of the incident:** Giving the Nazi salute, intimidation or threats, physical assault

A participant in a demonstration convened in Brno by the Workers Social Justice Party against EU quotas for accepting refugees bothered a woman who was passing by. He wanted to take a photo with her because she was wearing a head scarf. He attempted to forcefully pull her toward him. She defended herself, of course, and ultimately managed to evade his grasp. He responded by giving the Nazi salute three times and using the official greeting of Nazi Germany. The court convicted him of "Expressing sympathies for movements seeking to suppress human rights and freedoms" per Section 404 Criminal Code to a prison sentence of eight months suspended for two years. That verdict has taken effect. IU qualifies this incident as

*hate violence given the behavior of the convicted perpetrator toward the victim. The attack was motivated by her religion.*

## 22. DEFENSE OF A ROMANI BOY

### July 2015, Pilsen Region

**Status:** Appeals verdict has taken effect

**Bias motive:** Ethnicity/nationality (Romani)

**Form of the incident:** Physical assault

*Through our e-mail counseling service IU was contacted by the sister of a man who had been assaulted for standing up for a minor at a discotheque where the boy was being verbally attacked by a small group of men because of his Romani ethnicity/nationality. The assailants jumped on the man and repeatedly punched him. He received medical treatment from the ambulance called to the scene and was taken to hospital, where he spent 10 days. The court sentenced one perpetrator to a suspended 20-month prison sentence. The convicted perpetrator appealed. The second-instance court ruled that the perpetrator had just been defending himself against the man standing up for the boy. The prosecutor appealed that decision, but the third-instance court decided the case the same way – it had been a case of self-defense. We offered the victim our legal and social work services and explained to him that in order to win compensation for non-pecuniary damages he would have to sue, and since the criminal court decision did not recognize him as a victim, the outcome of a civil lawsuit would be very uncertain, and he would bear the costs of the civil proceedings should he lose. The client is receiving professional medical treatment and is not demonstrating any interest in other aid or any motivation to continue the case.*

## 23. MURDER OF A HOMELESS PERSON

### August 2015, The Pardubice Region

**Status:** Second-instance (High Court) verdict in effect

**Bias motive:** Homelessness

**Form of the incident:** Homicide/murder

*Two minors assaulted a homeless man sleeping on a bench. The attack was especially brutal and torturous. The assailants used*

*brass knuckles to punch the man in his chest and head. They kicked him in various parts of his body, including his crotch. They also fired an air pistol at the victim, shoved his crutch into his anus, repeatedly stabbed him with scissors in the area of his buttocks and genitals, and used a lighter to set his hair on fire. The victim died as a consequence of his injuries. The Regional Court qualified the crime as murder and sentenced both perpetrators to seven and a half years in prison without the possibility of parole. The judge especially took into account that the perpetrators chose the man randomly. They had no specific reason for assaulting him. The High Court upheld the verdict. We consider this a clear case of hate violence. However, it is not listed as one in the police statistics, as social status does not yet fall under hate motivation in the Criminal Code.*

## 24. "KILL ALL NEGERS"

### August 2015, City of Prague

**Status:** First-instance verdict in effect

**Bias motive:** Skin color

**Form of the incident:** The perpetrator displayed something written on his own body

*A 20-year-old man was detained by police at a demonstration on Wenceslas Square in Prague after publicly revealing the message "Kill All Negers" (written in English with the epithet misspelled in this way) and a so-called Celtic cross drawn on his body. He was convicted per Section 404 Criminal Code – "Expressing sympathies for movements seeking to suppress human rights and freedoms". The court sentenced him to one year in prison, suspended for three years. The verdict is in effect.*

## 25. STABBING

### September 2015, City of Prague

**Status:** Reported to police, trial underway

**Bias motive:** Ethnicity/nationality (Uzbeki), religion (Islam)

**Form of the incident:** Physical and verbal attack

*Two men from a post-Soviet republic were assaulted in a park. They walked past a bench and one of the men sitting on it turned toward them and declared: "We already have the Islamic State here." The victims approached the assailant asked him what he had against them. His answer was to stab them with a knife. One victim suffered*

serious injuries to his abdomen with permanent consequences. Because he believes he was assaulted because of his ethnic origin, it has significantly affected him and he has absolutely stopped speaking Russian in public. The perpetrator was charged with grievous bodily harm, but bias motivation was not found. The victim sought compensation for damages. The court decided, completely outside the framework of a fair trial, to give the convicted perpetrator a suspended sentence. According to the law, it is possible to sentence a perpetrator of grievous bodily harm to anywhere between five and 12 years in prison without parole. The court can deviate from those legal assessments only under absolutely extraordinary circumstances, and even then, cannot sentence the perpetrator of such a crime to less than a year in prison (Section 58 paragraph 3 Criminal Code). The court, however, exceptionally reduced the punishment below even that limit. In order to do so, it first declared that the assault had been an attempted felony to which the limits described above do not apply. The court then handed down a punishment of three years in prison, suspended for five years. The court also was indifferent to how it interpreted the extraordinary circumstances leading to this approach, alleging that the defendant had confessed his crime and had no prior record. Neither of those circumstances is, according to the established case law, considered exceptional. The prosecutor appealed. The victim cannot legally appeal to seek a different sentence length. The victim was awarded the right to compensation for damages to the extent documented by an expert assessment. Given the perpetrator's financial situation it is not likely the victim will ever be fully compensated.

## 26. ATTACK ON THE METRO

**September 2015, City of Prague**

**Status:** First-instance verdict in effect

**Bias motive:** Religion (Islam)

**Form of the incident:** Intimidation and threats, verbal assault

A woman originally from Bosnia was assaulted by two men in the metro while leaving the theater. They cursed her and threatened her because of her religion. Another passenger stood up for her and after she exited the metro accompanied her to the closest tram stop. The woman had partially filmed the incident on her mobile phone

and filed a crime report against the man. The sister-in-law of the assaulted woman contacted IU and the organization began to work with her. IU provided the victim with legal representation during the criminal proceedings. Thanks to thorough police work, both perpetrators were identified and their prosecution began. They were found guilty of felony "Disorderly conduct" per Section 358 and "Violence against a group of people or individuals" per Section 352 Criminal Code. Both were sentenced, one to 12 months in prison suspended for 40 months and the other to eight months in prison suspended for 30 months.

## 27. "EXTERMINATE ALL ISLAMIC PEOPLE"

**November 2015, Southern Moravia Region**

**Status:** First-instance verdict in effect

**Bias motive:** Religion (Islam)

**Forem of the incident:** Verbal assault

"I am of the opinion that We, as the nation, can't do much about this. However, I am certain of one thing: Islam and Muslims in general need to be defeated using physical force!! I am in favor of using chemical weapons against IS and exterminating all Muslims worldwide. Otherwise, if a single Muslim remains, even a child, this will repeat after decades or even centuries. Exterminate all Islamic people from the planet – that is the only solution, then we will not have to fear for the future of our children, that somebody will tell them Islam is the best. Islam IS NOT A RELIGION, but global terrorism, racism against Jews and other Religious faiths and against those who have no faith. As I say, exterminating Islam from the world is the only option!!" The author of this statement, posted to the FB group Blok proti islámu (Bloc against Islam), was convicted of felony "Defamation of a nation, race, ethnic or other group of people" per Section 355 paragraph 1 letter b), paragraph 2 letter b) and "Instigation of hatred towards a group of people or of suppression their rights and freedoms" per Section 356 paragraph 1, paragraph 3 letter a) Criminal Code to a total punishment of one year in prison, suspended for two years.

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