Racist Violence in the Czech Republic

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An assessment of overall trends and patterns

The most victimized group in the Czech Republic are the Roma. There are approximately 300,000 Roma of various sub-ethnicities living in the Czech Republic (however, in the last census in 2001 only twelve thousand people declared Roma nationality). In the post-communist period approximately twenty Roma have been killed for racist reasons, many others were seriously injured, including children. Roma are frequently victims of direct physical violence [Mareš 2010]. The Jewish community in the Czech Republic are (with several exceptions of physical violence) mostly the target of threats in anti-Semitic graffiti and verbal and visual anti-Semitic proclamation at far right demonstrations [Federace židovských obcí 2010].

Immigrants and foreigners are also a victimized group of racist violence, however, in comparison with Roma the number of racist attacks against immigrants and foreigners is lower (in one case in 1990 a Turkish truck driver was killed by a group of racist skinheads and Nazi-punks because the attackers considered him a “Gypsy”). The immigration rate in the Czech Republic is low in comparison with Western European countries. Foreign students have been in several cases targets of racist attacks (one student from Sudan was murdered in 1997)[Mareš 2010]. Violent Islamophobic incidents are relatively rare, more frequent are Islamophobic verbal hate speech and graffiti. Approximately 15,000 Muslims live in the Czech Republic [Libertas Independent Agency 2008].

In several cases some Roma have carried out attacks with racist motivation against the majority (Czech ethnic population). Targets were sometimes far right activists, however, sometimes also non-engaged ‘normal’ citizens, including children were targeted. [Ministerstvo vnitra 2010]. The problem of violent victimization threats against Czechs carried out by Moravian separatists should also be mentioned however this is not a very frequent occurrence and it rarely results in any actual action. The Moravian movement is weak and predominantly non-violent.

Roma are the most victimised group since the beginning of the 1990s. between 1990 and 2000 there was a high spate of racist murders against the Roma (approximately 90% of all racist murders against the Roma took place between 1990-2000, only 10% of racial murders after 2000). In addition, more violent extremist crimes were reported in the 1990´s by governmental institutions than in later years. However, racist violence in the 1990s was mostly carried out by isolated racist skinhead gangs. They did not have any significant strategy. In the 1990s the right-wing extremist party - the Assembly for Republic – Republican Party of Czechoslovakia (SPR-RSČ) - occupied parliamentary positions. This party was not connected with any strong militant movement (with the exception of several neo-Nazis in the satellite organisation Republican youth) [Mareš 2010].

Since the turn of the century, violence has been used in a more sophisticated way, particularly after 2007 when the Worker’s Party (DS, split party from SPR-RSČ established in 2002) and militant Neo-Nazis started cooperating [Mareš 2009]. Human right activist Gwendolyn Albert describes their strategy in the Roma Right Journal concisely: “During the last year and half, the Workers´ Party has perfected a
formula: It sends its “patrols” to towns with large Roma ghettos to “monitor” the situation, which usually means meeting with local residents to ask them about their grievances with respect to their “inadaptable” neighbors. The party then claims it has been “invited to address the situation;” an individual related to the party then convenes a public demonstration in the town, usually involving a march through the Roma quarter. Members of hard core neo-Nazi organizations, usually National Resistance and the Autonomous Nationalists, then show up in support, usually armed with blades and other weapons (gun violence has yet to become part of the formula). In cases where they can make advance preparations, they even cache weapons and materiel such as smoke bombs along the route of the march. The intention is to provoke the Romani community to violence; delighted onlookers in various towns have been captured on video urging these attempted pogroms on[Albert 2009]. The Worker’s Party was banned in 2010.

The violent activities of the neo-Nazi spectrum showed terrorist tendencies in the previous three years. The militant neo-Nazi group White Justice was trained in paramilitary camps; however, it was uncovered by the police in 2009. Another neo-Nazi group from the milieu of Autonomous Nationalists in Silesia carried out an arson attack against a Roma house in Vítkov in April 2009 (a two year old Roma girl was seriously injured, 80% of her body suffered serious burn injuries). The CNN journalist Andrew Tkach reporting on this case stated: ‘After police asserted that Natalka's family were victims of a racist attack, many Czechs opened their wallets and their hearts. Prime Minister Fischer's wife and son spearheaded a nationwide campaign to help them -- a move that led to the Fischer family having full-time police protection after they received anonymous death threats’. [Tkach 2010]

However anti-Roma prejudices are still strong among a large part of the Czech population. In several internet discussion forums, the alleged political preference of Roma victims has been criticized, especially in comparison with alleged “ignored” victims of Roma ethnic crime. This comparison was popular mostly after the attack of two Roma youngsters against a thirteen year old Czech boy (who was seriously injured) in north Bohemian town Krupka in 2010 [Ministerstvo vnitra 2010].

Anti-Roma violence is not only the matter of the organized extreme right spectrum. Many attacks are carried out by unorganized racists and they can be subsumed under the category of situational violence. Some Czech politicians support this with their controversial statements and militant ideas. According to the Romea former vice-mayor of the district Mariánské Hory in Ostrava Jiří Jezerský said at a public meeting of the housing department in 2006: "Give me a gun license and a permit to shoot it, and I’ll go do it." According to Romea: Jezerský made the incriminating remarks at a public meeting of the housing department on 15 August 2006. At the meeting, complaints regarding Roma from elsewhere in Ostrava who were moving into the district were discussed. Janáčková (who is a Czech senator in addition to mayor of the district) and Jezerský defended the town hall’s segregation policy, which aimed to concentrate Roma in the Bedřiška settlement. Police investigated Janáčková’s and Jezerský’s statements and found them racist. Janáčková was saved from prosecution by her senatorial immunity. Ostrava courts later acquitted Jezerský [Romea 2010b].
Official reports are related to the so called extremist violence; however, these reports reflect basic trends in the development of racist violence. The contemporary struggle of several NGOs – mostly – In IUSTITIA, aims to change of terminology of official reports. They argue that only a small part of the so called extremist crimes are committed by members of the extremist spectrum, the rest are crimes committed by non-organized and ideologically non-profiled people. These NGOs prefer the term 'hate crime' [Kalibová 2010].

In the 1990s the police were criticized by NGOs that their reports did not reflect the actual number of racist crimes. Reviews and statistics of NGOs have shown a significant higher number of racist attacks in this era (for example, reports of the Movement of Civic Solidarity and Tolerance – HOST, which is not active today)[HOST 1996]. In one case in 1996 a court rejected a racial motivation of one anti-Roma crime. It "relied on a narrow, biologically-rooted notion of race according to which Roma, like Czechs, are members of the same, 'Indo-European' race" [Goldston, Gughinski 2004].

The contemporary situation is different; disputes between the police and the NGOs are not that frequent regarding racist violence, and they only clash over some of the more controversial cases. For example, the Romea criticized the alleged police inactiveness in southern Moravian town Mikulov, where one neo-Nazi youngster threw a beer bottle into the window of the house of a Roma family (this is in the context of on-going racist harassment by this group towards this family.) The police did not classify this act as a racist crime, but the lawyer of several NGOs František Valeš demanded that this crime is classified as such.[Valeš 2010].

In several cases the police as well as NGOs described an incident as a racist attack; however, this did not mean that the deciding Court found it to be so. For example, in 2007 in the southern Moravian town Hodonín, a group of youngsters (some of them were members of the local neo-Nazi gang) attacked one drug user of Roma nationality. One of the attackers poured lighter fluid on the victim and another set fire to the victim. The victim died as a result. The court decided that the motive in the attack was hate against drug users and not hate against the Roma ethnicity of the victim [Mareš 2010].

Before mass neo-Nazi riots in Janov in 2008 and in Přerov 2009 pogroms were carried out against Roma settlements. Many crimes were committed during clashes with the police. However, due to problems with monitoring the situation no neo-Nazi (including organisers) were charged in the aftermath of the Janov riots. This led to the purchasing of better monitoring equipment for the Czech police.

The Czech police have specialists for investigating extremist crimes, including racist crimes. They were successful in several serious cases, for example, in the investigation of the arson attack in Vítkov in 2010. However, according to the In-IUSTITIA, the 'normal' policemen at local level sometimes ignores the racist motivation of crimes, mostly because they know the Roma victims from committing property crimes in the past [Kalibová 2010]. As a result of bad experiences with some policemen, in some cases Roma are not willing to report some cases to the police.
[Kalibová 2010]. On the other hand, there were also cases where the Roma staged attacks, such as the arson attack in Opava in 2010 [Schindlerová 2010].

The Czech criminal justice system in general deals with racist crimes in an appropriate fashion. However, in some cases, the state prosecutors and courts decisions are problematic. In particular, training state prosecutors in this field is an important task for the future. Support for victims has a general law base; however, the position of the victims in Czech law is relatively weak. In addition, the assistance of NGOs is needed for many Roma victims, particularly relating to questions of a judicial nature.

Racist violence is connected with the general development of crime in the Czech Republic. A wave of racist crimes in the 1990s occurred when the crime rate grew after the fall of communism. The current situation is in contrast with the situation in the 1990s, it can be described as better and stable. Contemporary racist incidents are often connected with regions where there is higher rate of crime than in other regions, however, it is not a rule.

**Typical case study**

An attack against a group of Roma women in the Moravian town Holešov, committed on 16 April 2008, can be described as a typical case study. The offender was Kamil Č. (born 1972), a former nationalist skinhead and activist of several right-wing extremist organisations (a. o. National Patriotic Union – NVS in the 1998-2002 and National Corporatism – NK in 2006).

First he verbally attacked four Roma women (one of them was pregnant) in the parking place outside a supermarket. He said that he ‘hated Gypsies’ and that he would ‘burn up’ the street where these women lived. One of the victims told him to stop these threats. He sprayed teargas into her eyes and subsequently shot at them with a gas gun (nobody was hit). He was probationary sentenced to two years.

The Court applied § 196, article 2 of the Criminal code (it was valid to the end of 2009, however, § 352 in the new Criminal code is similar). This norm prohibited ‘use of violence against a group of inhabitants or against an individual, or threaten them with death, injury to health or infliction of damage of great extent for their political convictions, nationality, race, creed, or because they have no creed’. [OSCE 1999: 16].

This case was not taken up by NGOs because the reaction and activity of the police was sufficient. The Court accepted the evidence and allegations of the victims (despite the fact that the offender and his friends-witnesses described the incident absolutely differently - as a racist attack against Kamil Č. and as vengeance against him because he alleged one of the Roma women of theft) [Okresní soud v Kroměříži].

**Recommendations**
• Legislation against racist violence in general is sufficient. However, this is applied and interpreted differently and widely by various state officials. In order to have a more comprehensive and streamlined approach to the legislation, the police, state prosecutors and judges should undergo training regarding its application.
• Official policy against racist violence should be more oriented to the prevention of inter-ethnic violence rather than only to reaction to racist crimes.
• Official reports should use the term “extremist violence” and “extremist crime” in limited meaning - only for crimes committed by members and sympathisers of extremist ideologies and movements.
• Racist crimes or hate crimes should be a specific category of statistics and governmental reports.
• Systematic training of various levels of the police, state prosecutors and judges in this field should be provided.
• Strengthening the position of the victims (in general) and cooperation between governmental and non governmental organisations in the field of support of hate crime victims is necessary.
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Annex 1

1. Recording incidents of racist violence

Incidents of racist violence are reported in the Czech Republic by several governmental institutions as well as by NGOs, however, there is no specific and comprehensive recording system for racist incidents. The Police of the Czech Republic use the term ‘extremist crime’. Crimes involving attacks on nation, nationality or on members thereof, and crimes committed in relation to incitement to national or racial hatred are subsumed in this category. However, in fact, this category includes all extremist crimes; including crimes committed by left-wing extremists (violent attacks against the police, for example). Hate motivation against sexual orientation, age or health of victims are not covered by this term.

Each crime which is investigated by the police is recorded in the Statistical Recording System of Crime (ESSC). This system records subtexts (including so called racial subtexts), and some personal data of the perpetrators and victims (age, sex, ethnic origin, nationality, citizenship). Religion and language are not reported. Ethnic origin is reported according to the information in the identity card (this is important in relation to Roma, because many Roma declare Czech their ethnic origin). However, the general description of the circumstances of the crime makes it possible to find the real ethnic origin of the victim or the perpetrator. Locations of the incidents are recorded [Fousek 2010]. Concrete crimes of the Czech Criminal Code (40/2009) are related to specific types of incidents (racial motivation for murder, injury to health, serious physical injury, violence against a group of people or an individual, extortion and dangerous threats or inciting hate against a group of people or restricting their rights and freedoms). Similar statistics are recorded by the state prosecutor’s offices and by the courts.

In the NGO sphere, the association In-IUSTITIA record incidents of racist violence and provide statistics on hate crime. The statistics are made up of incidents that are reported by the victims themselves to the organisation and by carrying out field research. It has its own form for recording incidents. This form includes the position of the reporting person (victim, witness, friend, parent, teacher, social worker, NGO activist) and a description of the incident (including location, reasons and way of attack and description of perpetrators). Other (voluntary) sections of the form contain further details of the attack, nationality, gender and age of the victim and information about perpetrators (number, affiliation to extreme right) and sections regarding proceedings after the attack (if the incident was reported, if so, to whom, and if not, why)[IN IUSTITIA 2010].

A similar form is used by the NGO Romea which focuses on hate crimes and propaganda against the Roma community [Romea 2010a]. A general recording of anti-Semitic crimes is provided by the Forum against anti-Semitism of the Federation
of Jewish Communities in the Czech Republic [Federace židovských obcí 2010]. Islamophobic incidents are registered by the Muslim organisation Libertas Independent Agency [2008]. A general overview of racist incidents is provided by the Czech Helsinki Committee (ČHV)[2010], organisation People in need (ČvT) - which is the national RAXEN centre of the Fundamental Rights Agency of the EU in the Czech Republic – and organisation ZŠvůle práva (it is a non-governmental organization focusing on legal protection of Roma citizens against discrimination, unlawful intrusion and harassment). The NGO Tolerance and civic society (ToS) observe actions of the extreme right (demonstrations, concerts etc). and also record violent incidents which are connected with such actions [Kalíbová 2010].

2. Reviewing incidents of racist violence

Statistical systems of the Czech governmental institutions (police, state prosecution, courts) are continuously updated. The Czech Ministry of Interior annually issues a document regarding extremism in the Czech Republic. It includes data about the development of extremist crime in the previous year. This document is entitled Strategy for combating extremism in the Czech Republic, before 2008 it was entitled extremism in the Czech Republic. This document is compiled by the Ministry of Interior; however, it includes data from various state institutions. It is adopted by the government and discussed in Parliament. These reports are important for the future planning of anti-extremism policy, including combating racism (however, the term extremism is criticized by several anti-racist NGOs)[Ministry of Interior 2009].

NGOs in the Czech Republic do not carry out a comprehensive review of racist violence incidents. The IN-IUSTITIA (with the most developed recording system) is a relatively new organisation and it started collecting statistics recently. It plans to carry out such reviews in the future. The Romea review anti-Roma incidents continuously on its web-site, however, this is done on an ad hoc basis and there is no formal process in place. It released in March 2010 a special issue of its Journal Romano Vodi, which includes an analysis of several hate crimes against Roma. The Forum against anti-Semitism annually releases a Report about Anti-Semitism in the Czech Republic, including violent acts. Only one similar Report about Islamophobia in the Czech Republic is released by the Libertas Independent Agency [2008]. The Czech Helsinki Committee (ČHV) annually produces a general Human Rights Report [2010] which includes chapters on Neo-Nazism and Roma-Discrimination. General reports about human rights are also released by the Amnesty International Czech Republic [2010].

The above mentioned reports of the NGOs sometimes include plans of responses to racist violence. The support for victims of hate crimes is a specific field of activity of some organisations (mostly In IUSTITIA). The reports are not directly used for planning resources of the NGOs or for additional claims; however, the general development of racist violence has an impact on such events. Reviews and reports of NGO’s are also presented in the TASK FORCE C for combating extremism. It is a platform created by the Ministry of Interior for cooperation with civic society and academics with governmental institutions in the field of countering extremism. Therefore, the reports of the NGOs can have impact on governmental policy.