



MINISTERSTVO VNITRA  
ČESKÉ REPUBLIKY

# **REPORT ON EXTREMISM AND PREJUDICIAL HATRED IN THE CZECH REPUBLIC IN 2022**

**Ministry of the Interior  
Security Policy Department  
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## 1. Introduction

The Report on Extremism and Prejudicial Hatred in the Czech Republic in 2022 (hereafter „The Report“) is submitted under the Government Resolution No. 483 of 8 June 2022.

The Report does not address all racist and xenophobic manifestations registered in the territory of the Czech Republic in 2022. Alongside members and sympathizers or extremist movements, the Report also addresses other hateful entities and phenomena that do not fulfil the criteria of the definition of extremism as used by the Ministry of the Interior. The political science perspective is not essential for the Ministry of the Interior. The Ministry is interested in the hateful element, which is based on a prejudiced generalization concerning certain social groups. Reporting is based on an established methodology. The document uses the definitions of the terms mentioned below and has a clearly defined process for drafting and approval.

The Report is written by the Ministry of the Interior. Representatives of the intelligence services, the Police, the Ministry of Justice, the Ministry of Defence, the Prosecutor General's Office, and the General Inspectorate of the Security Forces contributed to the source material.

The Ministry of the Interior addresses spectator violence, also known as hooliganism, separately.

The Report is written annually. New measures are adopted based on its findings.

The first section on the domestic scene is based on data provided by the Security Information Service and the Police, particularly experts on extremism from the National Centre against Organized Crime of the Criminal Police and Investigation Service, and Regional Directorates of the Police<sup>1</sup>. The chapter on important court decisions and other interesting cases is based on data from the Prosecutor General's Office.

Statistical data were provided by the Police, the General Inspectorate of the Security Forces, the Ministry of Defence, the Prosecutor General's Office, the Ministry of Justice, and the Probation and Mediation Service of the Czech Republic.

1 Respectively from the National Counter Terrorism, Extremism and Cybercrime Centre of the Criminal Investigation and Police Service, which was established on 1 January 2023.

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## 2. Definition of terms

According to the Ministry of the Interior, the term **extremism** refers to distinct ideological positions that deviate from constitutional and legal norms, are characterized by elements of intolerance, and attack the basic democratic constitutional principles as defined in the Czech constitutional order. These principles include:

- respect for human and civil rights and freedoms (Article 1 of the Constitution),
- a sovereign, unitary and democratic state governed by the rule of law (Article 1 of the Constitution),
- the immutability of the essential elements of a democratic state governed by the rule of law (Article 9(2) of the Constitution),
- the sovereignty of the people (Article 2 of the Constitution),
- free competition between political parties respecting fundamental democratic principles and rejecting violence as a mean of asserting their interests (Article 5 of the Constitution),
- the protection of minorities in the decision-making of the majority (Article 6 of the Constitution),
- the freedom and equality of people in dignity and rights, the inherence, inalienability, illimitability and irreparability of fundamental rights and freedoms without distinction of sex, race, colour of skin, language, faith, and religion, political or other conviction, national or social origin, membership of a nationality or ethnic minority, property, birth, or other status (Article 1, Article 3 of the Charter of Fundamental Rights and Freedoms).

Extremist attitudes can develop into activities that have a destructive effect, either directly or in the long term, on the existing democratic political-economic system - they seek to replace the democratic system with a non-democratic one (totalitarian or authoritarian regime, dictatorship, anarchy). This type of activity is dealt with by the Security Information Service based on Act No. 153/1994 Coll., pursuant to Section 5(a).

The Ministry of the Interior documents are therefore based on a uniform concept of extremism as a breeding ground for activities against the constitutional establishment and the values protected by it. Extremism usually uses the following instruments: historical revisionism, social demagogy, activism, the promotion of verbal to physical violence against opponents and against a priori defined social groups, and conspiracy theories. In the global political science literature, a distinction is usually made between left-wing and right-wing extremism, as well as religious, ecological and (in some cases) nationalist (regionalist) extremism. The last three forms of extremism occur only sporadically, or not at all, in the Czech Republic, so the Report focuses mainly on right-wing extremists (inspired by and using primarily national, racial, and ethnic resentment, sympathising with historical fascism or Nazism) and left-wing extremists (motivated primarily by social, class and anti-cultural resentment, sympathising with historical communism or anarchism).

Although in the ideal right-left political sciences models, left-wing and right-wing extremism form the opposites, the reality is more complicated because of the role of the socio-cultural and historical context against which these ideal types manifest themselves. This leads to the fact that these counterpoints can manifest themselves in different areas of unconstitutional action with very different intensities, and to different sensitivities of their social danger.

There is no legal definition of extremism. Particularly in the context of racially motivated crime, we may encounter the term extremist crime or crime with extremist subtext. Under this term, the Ministry of the Interior understands those forms of criminal activity which there is reason to believe have been motivated or influenced by extremist attitudes. Alternatively, the term “crime motivated by racial, national or other social hatred” may also be used. These are actions, which fulfil the elements of a criminal offence or misdemeanour and are motivated by an a priori hatred arising from the victim’s membership to a race, nationality, religion, class, or other social group. Attacks against symbols or representatives of an existing social system, if motivated by an a priori hatred of that system, are also a specific type of crime that can be classified in this category.<sup>2</sup>

Not all entities mentioned in the Report engaged in illegal activities in 2022. From a long-term perspective, they nevertheless fulfil the criteria to be described as extremist, as defined by the Ministry of the Interior.

In addition to the concept of extremism, the Report uses the concept of “**prejudicial hatred**“. This responds to the fact that the influence of traditional extremist entities is weakening, and their rhetoric and activities are gradually being taken over by other entities that cannot be unequivocally described as extremist.

Manifestations of prejudicial hatred refer to a behaviour that is motivated by intolerance and social biases against a particular population. In general, these are groups defined by race, nationality, ethnicity, religious, sexual orientation, political or other persuasion, social origin etc. It does not have to concern a real affiliation to a particular group, but it can refer to an alleged affiliation (e.g. if a person is mistaken for a Roma for their darker skin tone). Such manifestations do not necessarily imply a criminal offence. It can be physical violence, verbal attacks, or the use of offensive symbols. Manifestations of prejudicial hatred differ from the extremist ones particularly by the fact that they do not have to be associated with any of the anti-democratic or unconstitutional ideologies. Persons who engage in such manifestations do not necessarily have to be members or supporters of extremist movements. They also lack a clear call for the overthrow of the system of pluralist democracy and its replacement by a non-democratic system.

The risks of manifestations of prejudicial hatred are in many areas similar to the dangers posed by extremists. They are listed below. Entities that engage in such manifestations:

- Do not seek the immediate destruction of the democratic system but gradually weaken it.
- Do not respect the concept of fundamental human rights.
- Incite others to hate activities.
- Spread fear in society.

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<sup>2</sup> The full text of the definition of extremism is available here: <http://www.mvcr.cz/clanek/co-je-extremismus.aspx>.

- Fragmentise society causing antagonisms.
- Downplay the fate of victims of totalitarian regimes and victims of hate crime.
- Use disinformation and conspiracy theories to communicate with the public.
- Become an instrument of influence of countries and groups that do not respect the principles of pluralist democracy.

Manifestations of prejudicial hatred can be traced to members or supporters of a wide range of political or other social entities. However, the Report mentions only those entities for whom such manifestations represent the dominant component of their rhetoric and activities. In practice, these are for example groups in which intolerant attacks against Roma, immigrants, Muslims, or homosexuals continually prevail. Other ideological agendas may be completely absent or only represent a complementary component.

Political categories (e.g., whether it is a neo-Nazi or neo-fascist entity) are not that significant for the Ministry of the Interior. A crucial aspect is the spread of hatred arising from prejudice as it is the manifestations of hatred that pose an immediate threat for certain groups of people.

Two other groups are closely related to hate-expressing entities, namely paramilitary and domestic militia groups, and media spreading prejudicial hatred. Anarchist and orthodox communist groups are included in the left-wing extremist spectrum.

The chapter dedicated to religiously motivated extremism addresses hate speech ideologically based on extremist interpretations of various religious concepts.

## **3. Report on Extremism and Prejudicial Hatred in the Czech Republic in 2022**

### **3.1. Summary**

In 2022, the extremist and xenophobic populist scene was influenced by events with radicalising potential, such as price increases, the energy crisis, the migration crisis, the war in Ukraine and aid to Ukrainian refugees. Topics related to anti-epidemic measures still resonated.

Some right-wing extremist entities have become part of a community that is aligned with pro-Kremlin narratives. In contrast, a limited number of individuals have expressed support for their Ukrainian counterparts. Some of them have even travelled to Ukraine and have been involved mainly in rearguard activities. According to the findings of the security services, the risk of online radicalisation of "lone wolves", only loosely connected or completely isolated from the extremist scene, continues to grow.

Prejudicial hate speech continued to be evident in the xenophobic populist scene. There were anti-Semitic conspiracy theories, and attacks against Ukrainians became a new phenomenon. Anti-Muslim, anti-immigrant, and anti-Gypsyism speeches were on the decline. The Freedom and Direct Democracy movement maintained its dominance in this spectrum. However, it downplayed xenophobic themes and gave priority to other social issues, including the Russian occupation of parts of Ukraine. The movement's attitudes towards this aggression in many cases copy the narratives generated for the Central European region by propagandists working for the Kremlin regime.

The militia scene consisted of several autonomous heterogeneous groups. The previously established entities lost their importance compared to previous years. In response to the war in Ukraine, the militiamen generally expressed support to the official policy of the Russian Federation. The trend of arming with firearms can be regarded as risky.

In the anarchist movement there were debates about how to react to the war in Ukraine. That is, whether it is legitimate from the anarchist perspective to support the Ukrainian state, or even to support its war effort. In the end, the domestic community was of the opinion that anarchists should support Ukraine.

The importance of the orthodox communists has continued to decline after the failure of the Communist Party of Bohemia and Moravia in the elections. They have attracted public attention basically only through controversial statements and activities.

Most quasi-media platforms have become useful tools of pro-Kremlin propaganda. In terms of xenophobic expressions, anti-Muslim, anti-immigrant and anti-Semitic content has prevailed.

No major manifestations of religiously motivated extremism have been reported.

Over time, a relatively diverse group of "anti-system" citizens who are influenced by various conspiracy theories has become established in the Czech Republic. This group is

becoming increasingly isolated from the rest of society. Its members find contact with extremist and xenophobic entities and often become recipients and disseminators of content from quasi-media platforms. The short-term success of the protest group around activist Ladislav Vrábek proves that it is relatively easy to mobilize it through social networks.

Law enforcement authorities have dealt with cases of approval, excuse or downplaying of Russian aggression. Courts have dealt with persons who have been involved in the conflict in Ukraine in the past on the side of the self-proclaimed separatist republics.

In 2022, 149 hate crimes were detected by the Czech Police. In addition, the police recorded a total of 73 prosecutions for hate crimes. 102 persons were charged for crimes committed for racial, national, and other hate motives.<sup>3</sup> A total of 61 persons were convicted.

### **3.2. Right-wing extremists**

Based on information from security forces and international experience, it can be concluded that the greatest current risk from the perspective of right-wing extremism is isolated online communities. Although they are few in number, they represent an ideal environment for self-radicalisation. In online communities, a new subculture with a specific language, ideology, lifestyle or values is emerging. Their isolation leads to greater radicalism, directness, and often an emphasis on violent direct action. The online environment, conspiracy and anonymity make it easy and quick to make international contacts as well as to obtain a wide range of radicalising content<sup>4</sup>. While these communities may adopt mainstream right-wing extremist ideologies, they may not be intertwined with their supporters. Their members do not usually limit their communication to one particular group, but are usually active across multiple chat rooms or platforms. They are in contact with both politically and 'apolitically'<sup>5</sup> driven individuals with radical views.

Traditional right-wing extremists, often older activists, met primarily at private events. They usually showed no interest in public events organised by other entities. Only the Workers' Youth presented itself with strongly escalated and hate-filled rhetoric. Supporters of the National and Social Front maintained contacts with foreign partners. They made repeated visits to their home countries..

Some right-wing extremists have expressed support for their Ukrainian counterparts. Some have travelled to Ukraine to engage in its defence. Primarily, however, these were back-channel activities (distribution of material and food, construction of barricades).

The National Democracy and the Workers' Party of Social Justice were completely marginal entities that failed to organise their independent major action in the monitored period. In view of their relationship to the war in Ukraine, they can be perceived as part of a community that is consistent with pro-Kremlin narratives. They are entities that facilitate the dissemination of ideas generated by the official Russian propaganda for the Central European region.

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<sup>3</sup> Údaj zahrnuje i 24 návrhů na potrestání v rámci zkráceného přípravného řízení.

<sup>4</sup> Zmínit lze např. mobilizační manifesty či návody pro uskutečnění útoku.

<sup>5</sup> Např. příznivci subkultury Incel („involuntary celibate“ – nedobrovolný celibát).

In connection with the publication of the pseudo-historical publication *The Myth of 6 Million*, the publishing house Bodyart Press s.r.o. and its managing director were sentenced by the District Court in Žďár nad Sázavou, and subsequently by the Regional Court in Brno, to fines for the crime of denying, questioning, approving and justifying genocide.

### ***3.3. Manifestations of prejudicial hatred***

The monitored period offered a wide range of expressions of xenophobia.

Anti-Semitic invective is increasingly common, responding to the various anti-Semitic theories disseminated by the disinformation media. In the context of the war in Ukraine, conspiracy theories have been spread that the conflict was instigated by Jews. The Russian Federation was allegedly threatened by these claims of power and used aggression to defend its interests or its existence.

There has been no significant escalation of anti-Muslim or anti-immigration sentiments in connection with the migration wave along the so-called Balkan route. The Czech Republic was only a transit country for migrants and there were no instances that could be used to stir up hatred. Islamophobia has lost its significance, but it is used as an additional topic.

Verbal attacks against Ukrainians have become a new phenomenon. To a lesser extent, anti-Russian speeches were also registered.

In response to the shooting at the Tepláreň<sup>6</sup> club in Bratislava, the police have dealt with xenophobic acts against the LGBT+ community.

Antigypsyism was on the decline. It appeared especially in relation to the Ukrainian Roma. The domestic Roma community remained somewhat "neglected" in view of other conflicts. The antigypsyism cycle of the past years has now ended and the conditions are not currently in place for a new one to be fully initiated.

Xenophobic populist politicians and activists have long demonstrated a high degree of flexibility in their search for issues or enemies. In many of them, it has been possible to observe a smooth transition from criticism of alleged Islamisation to criticism of alleged 'covid totalitarianism'. Since March, these topics have been neglected and replaced by the conflict in Ukraine. In the latter case, the adoption of pro-Kremlin narratives has become increasingly strong and explicit.

The unrivalled body on this scene - the Freedom and Direct Democracy movement - has also undergone such a development. It has scrupulously guarded its dominant position. In fact, it was the only "patriotic" entity to succeed in the local elections. It was also the only one that managed to nominate its presidential candidate, Jaroslav Bašta, for the elections using parliamentary votes.

Some politicians whose careers have been or are still associated with the Freedom and Direct Democracy movement were convicted during the period under review. Former MPs Miloslav Rozner and Lubomír Volný were given suspended sentences. Rozner's case

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<sup>6</sup> The perpetrator of this act shot and killed two visitors to a cafe popular with members of the LGBT+ community and injured one person in October 2022. The manifesto he posted online included anti-Semitic slurs.

concerned a statement about a "non-existent pseudo-concentration centre" in Lety u Písku, while Volný's case concerned the spreading of alarmist news in connection with the Covid 19 disease. The fine was imposed on Daniel Makay, a Bruntál councillor for the Freedom and Direct Democracy movement, for his statements about Vladimir Putin's "excellent strategy" during the war in Ukraine, including his recommendation to use the hydrogen bomb.

### ***3.4. Paramilitary and militia groups***

The Czech militias represented a complex community. It consisted of individuals who primarily pursued their passion for the military, but also of persons who gave their membership in the militia a political overlay. Only a few individual groups were truly active, and their functioning was distinctly autonomous and virtually independent of higher authority.

Politically, in the case of the home militia, anti-democratically oriented home militia members were strongly influenced by various conspiracy theories. Some of them became admirers of Putin's Russia. This adoration was also reflected in their attitude towards Russian aggression against Ukraine.

Among paramilitary and militia groups, the trend of arming themselves with firearms has become increasingly widespread. For the time being, however, the findings do not indicate that any of the militiamen actually planned to use them to commit a violent crime. Nevertheless, this risk, particularly in relation to less mentally stable individuals among the militia, still persists. The possible indoctrination of young people can also be regarded as a risk.

### ***3.5. Anarchist scene***

The Czech anarchist community continued to be stable. Personnel-limited teams failed to attract the wider public. Anarchist messages are too diffuse, lengthy and complicated. It is not unusual for different groups to fail to agree on key issues, engaging in polemics that are difficult for the general public to understand.

The anarchists' attitude to the war in Ukraine is proof of this. There have been debates about whether it is right, from an anarchist perspective, to support the Ukrainian state and its war aspirations when it comes to Russian aggression. The Anarchist Federation and Antifascist Action adopted the pragmatic position that it was first necessary to defeat the Putin regime and only then could one focus entirely on undertaking efforts to move towards an anarchist society.

Compared to the past, the number of meetings, benefit concerts and various commemorative events has decreased. Direct international contacts were noticeably weaker. There was also no significant increase in participation in protests abroad. Similarly, the participation of foreign activists at events in the Czech Republic was only quite minimal.

Supporters of the so-called insurgent anarchism did not carry out any direct violent action during the reporting period. Police officers charged an anarchist activist with the offences of violence against public authority and damaging private property in connection with two

incidents of setting fire to containers in Teplice in 2021. The actions were directed against the police, the latter also against "rich people".

### **3.6. Orthodox communists**

Orthodox communists represent an increasingly stagnating community. The aging dogmatists are no longer active, the new young activists are negligible in number. Communist groups have also been affected by the failure of the Communist Party of Bohemia and Moravia in last year's parliamentary elections.

Orthodox communists criticize the current situation in the Czech Republic, but they do not come up with feasible solutions. Instead, they repeat clichés of communist propaganda, commemorate various historical anniversaries and comment on events abroad. In relation to the war in Ukraine, many orthodox communists are parroting the claims of the Kremlin's propaganda.

Orthodox communists have only been able to win significant attention through controversial statements and actions.<sup>7</sup>

The law enforcement authorities dealt with cases related to the communist regime before 1989, both regarding the use of firearms on the Czechoslovak border and the activities of former State Security officers. The courts have also dealt with the rehabilitation of persons who were persecuted during that time.

### **3.7. Media spreading hateful prejudice <sup>8</sup>**

With the beginning of the Russian aggression, the domestic quasi-media platforms have downplayed the criticism of anti-epidemic measures, migration and the alleged "Islamization" of the West, and have given priority to topics related to the war in Ukraine. The Russian invasion initially came as a surprise to them. In the first days of the occupation they therefore retained a certain restraint. However, they eventually began to reproduce the pro-Kremlin propaganda in full force. They benefited greatly from the situation when the Russian side started to prepare media products that could be easily adopted or further adapted to the Czech reality.

Part of the pro-Kremlin propaganda is also an ambition to break the unity of the international democratic community, including by pointing out the alleged mistakes and weaknesses of the West. The promotion of xenophobic and conspiratorial themes is an integral part of this effort.

In 2022, Jews, Muslim migrants, and Ukrainians in particular topped the hate list. A number of new conspiracy theories have emerged in relation to the former group.<sup>9</sup> Similar

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<sup>7</sup> In 2022, there was much publicised coverage of the case of two Czech communists who commented for the Russian media on the September pseudo-referendums in Donbas and the prosecution of Josef Skála, the former vice-chairman of the Communist Party of Bohemia and Moravia, for questioning the historical facts about the so-called Katyn massacre.

<sup>8</sup> The report focuses on those media outlets that have been producing hate messages for a long time, and this type of content is a significant part of their production.

manipulative techniques were used in relation to Ukrainian refugees as had previously been used with Muslim immigrants. Ukrainians fleeing the war were portrayed as ungrateful, spoiled people who came to the Czech Republic only for benefits. There were also claims that their ranks included mafiosi, Africans, Muslims, Islamic State terrorists, etc. Ukrainian Roma have become a popular target of attacks. During the year, the anti-Islam and anti-immigrant card continued to be recycled, which is already well tested and therefore it is an integral part of the theme range of those spreading disinformation narratives.

### ***3.8. Religiously motivated extremism***

No major manifestations of religious extremism were registered in 2022. Within that spectrum no direct threat of a religiously motivated attack was registered by the security forces in 2022.

Calls by foreign Islamist extremists to commit simple terrorist attacks were not reflected by the local Muslim community.

No increased risk was registered in connection with the migration wave under the so-called Balkan route. Migrants used the Czech Republic only as a transit country.

The Czech Muslim community has a self-regulatory mechanism in relation to extremist religious interpretations. Its representatives know that there are legal limits for the dissemination of hateful content. They are also aware that any radicalising tendencies of specific individuals or groups would harm the whole community.

The Muslim community has also been affected by anti-epidemic restrictions. Its representatives increasingly closed themselves off from the majority population. For many Muslims, some current social issues that resonate in the Czech Republic or the European Union become incomprehensible. In some cases, they do not even identify with them in terms of values. Many Czech Muslims reflect the friendliness of a large part of Czech society towards Ukrainian refugees, and put it in contrast with the Islamophobic manifestations of some groups and activists in connection with the first wave of migration. As a result, there is also distrust towards the state and its institutions.

The Supreme Court has annulled the judgement of the High Court in Prague and the Municipal Court in Prague against an Iraqi who was facing charges of terrorist offences allegedly committed on behalf of the so-called Islamic State.<sup>10</sup>

### ***3.9 Other relevant events related to extremism and terrorism***

At the time of the coronavirus epidemic, an incoherent group of anti-systemic citizens emerged. These people distrust the state, the principles on which it is based, as well as the government and its domestic and foreign policies. They feel that under the current situation

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<sup>9</sup> One of these theories, for example, claims that the Jews are deliberately fomenting conflict in Ukraine in order to create their empire there.

<sup>10</sup> According to the Supreme Court, the conditions for proceedings against the fugitive person were not met in the preliminary proceedings, as it was not obvious that the man had learned that he was being prosecuted in the Czech Republic.

and the current social order, their voice is not and will not be heard. Their value priority is patriotism and they call for a fundamental change in the functioning of the state.

An ideological, in some cases almost spiritual, alternative is offered by various conspiracy theories spread by quasi-media platforms and accounts on digital platforms. Virtual communities are formed around these ideological schemes which are disseminated mainly in the online space. These groups then tend to meet especially in various protest rallies. In 2022, these individuals shifted their activities to less used platforms which have less stringent measures from providers.

Conspiracy theories often incorporate a xenophobic element and thus find points of contact with various extremist or virulently nationalist entities. Quasi-media platforms and other states' propaganda agents willingly work with these theories.

Various quasi-media platforms and digital platform accounts have brought along a trend of aggressive and invasive behaviour and the "normalisation" of lying. These phenomena have a strong radicalising potential. Law enforcement authorities have therefore started to increasingly reflect this fact.

The year 2022 has become rich in stimuli that quasi-media-platforms can work with. These included pricing, the energy crisis, the migration crisis, the war in Ukraine and aid to Ukrainian refugees. Topics related to anti-epidemic measures continued to be medialized.

The Czech courts have dealt with cases of several people who in the past were involved in the conflict in eastern Ukraine fighting on the side of the separatists. The Prague City Court acquitted Alexander Franchetti, accused of establishing an organised criminal group aimed at committing a terrorist attack and allegedly involved in the annexation of the Crimean peninsula, for a lack of evidence.

The law enforcement authorities have dealt with cases of approving, excusing or downplaying the Russian aggression.

In response to the anchoring of the Czech state within the international democratic community and its attitude towards the aggression in Ukraine, other risky activities have been monitored, such as the coordinated dissemination of disinformation in the online space, cyber-attacks, dissemination of alarmist messages and various forms of intimidation of opponents.

Police officers from the National Centre against Organised Crime of the Criminal Police and the Investigation Service have launched an online questionnaire for witnesses and victims of war crimes in Ukraine. Some of these persons were also interviewed.

The courts have imposed further suspended sentences on those who approved the anti-Muslim terrorist attack in Christchurch, New Zealand.

During the year, the first level of terrorist threat was in effect.

#### **4. Significant Court Decisions and Other Interesting Cases**

As regards extremist crimes, manifestations of sympathy for Nazi or neo-Nazi movements prevailed in 2022 as in the previous year. These were mainly cases of performing

the Nazi salute to the simultaneous verbal statements "Sieg heil", but there were also cases of public presentation of other Nazism related symbols (swastika, SS symbols), without any significant development or deterioration of the situation in this respect..

The Supreme Court's resolution of 22 November 2022, Case No. 3 Tdo 982/2022, according to which the presentation of symbols of historical Nazism can generally be assessed without further delay as a manifestation of sympathy for neo-Nazism, i.e. a movement that demonstrably aims to suppress human rights and freedoms or advocates racial, ethnic, national, religious or class hatred or hatred towards another group of persons, as defined by Section 403(1) of the Criminal Code. This decision relativises the significance of the amendment to the Criminal Code No. 220/2021 Coll., which, effective from 1 January 2022, introduced a new offence - Section 403a of the Criminal Code, regulating the offence of disseminating a work to promote a movement aimed at suppressing human rights and freedoms. If the motive for this amendment was the ambiguous interpretation of Section 403 of the Criminal Code in application experience, then it should be noted that this ambiguous interpretation stemmed in particular from the Supreme Court's resolution of 12 June 2019, Case No. 8 Tdo 314/2019, which set de facto impossible requirements for the specification of a movement within the meaning of Section 403(1) of the Criminal Code, the conclusions of which appear to be incorrect and outdated.<sup>11</sup> The obsolescence of these elements of a crime is also evident from the fact that it was not applied in 2022.

The so-called "hate crime" has, of course, been impacted by the Russian aggression against Ukraine and the consequent high number of Ukrainian refugees in the Czech Republic. Shortly after the start of the Russian attack, the Supreme Public Prosecutor warned the public that approval of this aggression can be criminal under certain circumstances, and can be qualified in particular as the crime of denying, approving and justifying genocide under Section 405 of the Criminal Code (the name of the crime is somewhat narrow, as it covers not only genocide, but also crimes against humanity, war crimes and crimes against peace).

This warning was soon specified by the Opinion of the Supreme Public Prosecutor's Office on selected aspects of criminal law on the approval of armed actions in the context of the war conflict in Ukraine of 2 March 2022, Case No. 1 SL 117/2022, which, in particular, stressed that freedom of expression is one of the fundamental human freedoms, but it is not unlimited. Only the most serious violations of freedom of expression can be punished through criminal law. Endorsement of Russian aggression was criminalized in a few cases in 2022. The above activity of the Supreme Public Prosecutor's Office was apparently of general preventive significance.

Among the cases where approval of Russian aggression in Ukraine was assessed as criminal, we can mention the statements of D. M., who expressed his support to Vladimir Putin on Facebook, stating, for instance, that he believed that the "Ukrofascists" would be

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<sup>11</sup> See also Kandová, K.: Extremist crimes in Czech decision-making practice, or an invitation to tea with Hitler? State Prosecution 2020, No. 5.

defeated and Ukraine would be liberated, and calling for the use of a "smaller hydrogen bomb to clear strategic territories and destroy offensive military equipment". In a judgment of the Bruntál District Court of 13 September 2022, Case No. 4 T 44/2022, D.M. was found guilty of committing the offence of denying, approving and justifying genocide under section 405 of the Criminal Code.

The high number of Ukrainian refugees has led to the fact that they (along with Roma, Muslims, Jews, members of the LGBT+ community, etc.) are also victims of prejudicial hate attacks (especially of a verbal nature), but given the number of refugees on the territory of the Czech Republic, the number of such attacks appears to be relatively low. However, hate attacks against Russians also occur.

Many of the hate speeches are perpetrated, as has become common in recent years, in virtual space, and the phenomenon of threatening e-mails and statements on the Internet against government officials and the media continues. The earlier threats were motivated by opposition to the measures taken to combat the Covid-19 pandemic, while the current ones are motivated by the government's support for Ukraine. As regards attacks against public officials, it is worth noting the Supreme Court's resolution of 27 April 2022, Case No. 8 Tdo 233/2022, according to which incitement as defined in Article 364 of the Criminal Code may also include a speech at a public gathering in which one of the speakers encourages the audience to physically assault certain persons (e.g. politicians or local government representatives because of the exercising of their authority).

### **Selected cases registered by the Criminal Procedure Department of the General Public Prosecutor's Office in 2022**

As in previous years, there were no race-based (or otherwise biased) attacks resulting in death in 2022, as reported by the prosecutor's office.

Among the cases that have been finally closed, and can be considered of judicial significance, it is noteworthy to mention the criminal prosecution of the Bodyart Press s.r.o. publishing house and its managing director for committing the offence of denying, questioning, approving and justifying genocide under Section 405 of the Criminal Code, which they allegedly committed by providing a translation and subsequent sale of the book "The Myth of the Six" by David L. Hoggan, which is a part of the Holocaust denial discourse. The defendants were found guilty by the judgment of the District Court in Žďár nad Sázavou on 6 January 2022, Case No. 2 T 145/2021, and their appeal was dismissed as unfounded by the Regional Court in Brno on 14 June 2022, Case No. 8 To 89/2022.

We can also mention the well-publicized case of former Czech MP J. Š., who made a Facebook post in which he referred to premature babies as useless people whom society should get rid of. The accused was prosecuted for the offence of inciting hatred against a group of persons or restricting their rights and freedoms under Section 356(1), (3)(a) of the Criminal Code and was convicted by the judgment of the District Court Plzeň-sever of 18. The sentence in the judgment of the Regional Court in Plzeň of 26 October 2021, Case No. 9

To 354/2021, was revoked on his appeal and a new sentence was imposed. The defendant's appeal was dismissed as plainly unfounded by the Supreme Court's decision of 13 July 2022, Case No. 11 Tdo 210/2022. It is worth mentioning that in this case the defendant incited hatred against "another group of persons" as defined in Article 356(1) of the Criminal Code, other than the groups usually specified, i.e. nation, race, ethnic group, religion and class.

Another publicized case was the anti-Romani statements made by Nymburk Mayor J. Č., who was suspected of committing the offense of inciting hatred against a group of persons or restricting their rights and freedoms under Section 356 (1), (3) (a) of the Criminal Code. In view of his attitude to the whole matter and his previous reputation for integrity, the filing of a petition for punishment was suspended by a resolution of the prosecutor of the Nymburk District Public Prosecutor's Office on 18 August 2022, file no. ZK 326/2022, and the suspect deposited the sum of CZK 30,000 intended for financial assistance to the victims of crime.

## 5. Statistics of criminal activity motivated by hatred<sup>12</sup>

### 5.1. National Police statistics

For the following statistical evaluation, acts with hateful subtext include cases of selected tactical-statistical classifications tagged as extremist.

There were 181,991 criminal offences committed in the territory of the Czech Republic in 2022. Offences with hateful subtext accounted for 0.07 % of the total. In 2022, the Police detected 149 criminal offences with hateful subtext. In a year-on-year comparison, the number of detected hate crime acts increased by 41.

Of the above-mentioned criminal offences, 46.3 % were solved, i.e. 69 (56.5 % in 2021, i.e.69 criminal offences). In 2022, 73 individuals were prosecuted for offences with hateful subtext.

Total amount of criminal offences with hateful subtext recorded in the territory of the Czech Republic between 2016 and 2022

Year	Recorded Criminal Offences	Share in Total Crime Figures (%)	Solved Criminal Offences	Prosecuted and Investigated Persons
2016	143	0,07	99	X
2017	153	0,08	102	132
2018	179	0,09	107	136

<sup>12</sup> The data does not reflect latent crime, it does not take into account acts that for various reasons have not been detected, reported and thus recorded.

<b>2019</b>	170	0,09	96	122
<b>2020</b>	134	0,08	61	92
<b>2021</b>	108	0,07	61	99
<b>2022</b>	149	0,08	69	73

Source: Police of the Czech Republic

## 5.2. Police statistics by acts

### Criminal offences

Tactical-statistical classification	1.1.-31.12.2022	
	registered	solved
Intended Bodily Harm (Sections 145 - 146a)	9	3
Violence and Threats Against Group of People and Individuals (Section 352)	46	22
Dangerous Threatening (Section 353)	10	2
Damaging other's property (Section 228)	15	11
Disorderly Conduct at sports and public events (Section 358)	2	2
spraying (Section 228/2)	22	5
Defamation of Nation, Race, Ethnic or Other Group of People (Section 355)	17	9
Instigation of Ethnic and Racial Hatred (Section 356)	28	15
Support and Promotion of a Movement (Sections 403, 404, 405)	0	0
<b>TOTAL</b>	<b>149</b>	<b>69</b>

### Prosecuted Persons

Tactical-statistical classification	1.1.-31.12.2022
	Prosecuted persons
Intended Bodily Harm (Sections 145 - 146a)	3
Violence and Threats Against Group of People and Individuals (Section 352)	20
Dangerous Threatening (Section 353)	2
Damaging other's property (Section 228)	2
Disorderly Conduct at sports and public events (Section 358)	11
spraying (Section 228/2)	3
Defamation of Nation, Race, Ethnic or Other Group of People (Section 355)	8
Instigation of Ethnic and Racial Hatred (Section 356)	15
Support and Promotion of a Movement (Sections 403, 404, 405)	0
<b>TOTAL</b>	<b>73</b>

In 2022, 149 hate crimes were recorded. Of these, 69 were solved. In the reported period, the most common registered offence was violence and threats against a group of people and individuals, with 46 committed offences.

The Czech Police registered a total of 73 prosecutions for hate-motivated acts in 2022. The most frequent crimes were violence against a group of citizens and violence against an individual in which 20 persons were involved.

### 5.3. Police regional statistics

#### Criminal Offences

Region	1.1.-31.12.2022	
	registered	solved
Prague	79	28
Central Bohemian	8	2
South Bohemian	2	2
Pilsen	4	3
Ústí nad Labem	5	1
Hradec Králové	2	2
South Moravian	10	1
Moravian-Silesian	4	2
Olomouc	7	7
Zlín	4	4
Vysočina	2	0
Pardubice	4	1
Liberec	15	13
Karlovy Vary	3	3
<b>TOTAL</b>	<b>149</b>	<b>69</b>

#### Prosecuted persons

Region	1.1.-31.12.2022
	Prosecuted persons
Praha	22
Central Bohemian	5
South Bohemian	2
Pilsen	3
Ústí nad Labem	2
Hradec Králové	0

South Moravian	3
Moravian-Silesian	1
Olomouc	15
Zlín	4
Vysočina	0
Pardubice	1
Liberec	14
Karlovy Vary	2
<b>TOTAL</b>	<b>73</b>

In 2022, the highest number of hate-motivated acts was registered in Prague (79), followed by the Liberec Region (15). The highest number of prosecutions for hate-motivated offences in 2022 was registered in Prague (22), in the Olomouc Region (15), and the Liberec Region (14).

#### **5.4. Crimes motivated by hatred against selected groups**

Number of offences by victims (persons assaulted)

Targeted group	1.1.-31. 12. 2022
	Registered
Jews	25
Roma	20
LGBT+	13

In 2022, 25 anti-Semitic crimes were registered. Compared to 2021, there was a drop by 12 acts. Offences with an anti-Semitic subtext in 2022 accounted for 16,8 % of the total number of offences with an extremist subtext. In 2021, they accounted for 34,3 %.

A total of 20 crimes motivated by hatred against Roma were registered. This is a drop by 13 acts compared to the previous year. These crimes accounted for 13,4% of the total number of crimes with extremist subtext in 2022. In 2021, the figure was 30,6%.

Furthermore, 13 acts motivated by hatred towards the LGBTQ+ community were registered which was by 2 acts more than in the previous year.

#### **5.5. Criminal offences committed by members of Security Forces**

In 2022, the security forces did not investigate any hate crimes or crimes with extremist subtext committed by members of Security Forces.

## **5.6. Criminal offences committed by members of the Army of the Czech Republic**

The Military Police did not investigate or examine any finding, criminal report or complaint concerning suspicion of a criminal offence by a member of the Armed Forces against another because of his or her race, ethnic group, nationality, political beliefs or religion (i. e. acts with extremist subtext), which would require the initiation of criminal proceedings under relevant provisions of the Criminal Procedure Code.

In 2022, no soldier was dismissed from service on the grounds of supporting, promoting or sympathising with a movement which demonstrably aims at suppressing human rights and freedoms or advocates national, religious or racial hatred or resentment against another group of persons (Article 19(1)(m) of Act No. 221/1999 Coll., on professional soldiers, as amended).

## **5.7. Court Statistics**

In 2022, the courts of the Czech Republic convicted a total of 50,196 persons (49,647 in 2021, 48 556 in 2020, 55,594 in 2019, 54,488 in 2018, 55,069 in 2017, 61,399 in 2016, 65,569 in 2015, 72,854 in 2014, 77,976 in 2013, 71,471 in 2012, 70,160 in 2011), which represents an increase of 549 persons, i.e. 1,11%, compared to 2021. Of this number, a total of 61 persons were convicted in 2022 for racially motivated crimes. This number represents only 0.12% of the total number of convictions in that year.

Compared to 2021, there was a decrease in the number of persons finally convicted of racially motivated offences (by 6 persons, i.e. by about 9.0%), whereas in the previous year, in 2021, a total of 67 persons were convicted of such offences (in 2020 – 74 persons, in 2019 - 49 persons, in 2018 - 54 persons, in 2017 - 47 persons, in 2016 - 77 persons, in 2015 - 54 persons, in 2014 - 52 persons, in 2013 - 71 persons, in 2012 - 83 persons, in 2011 - 111 persons). It is clear from the above data that the share of these offences in the total number of convictions in the Czech Republic remains very low. In absolute numbers, it has oscillated in recent years between approximately 50 and 100 offenders.

Offenders were convicted of the following crimes in 2022 <sup>13</sup>:

<b>Criminal Offence</b>	<b>Provision of the Criminal Code</b>	<b>Convicted Persons</b>
Grievous Bodily Harm	Section 145	2
Bodily Harm	Section 146	11
Robbery	Section 173	2
Extortion	Section 175	3
Breach of Domicile	Section 178	1

<sup>13</sup> The sum is greater than 61 because one person can be (and often is) convicted of multiple offences

Damage to Another's Property	Section 228	2
Violence against a Public Official	Section 325	1
Violence against a Group of Persons and an Individual	Section 352	9
Dangerous Threats	Section 353	6
Defamation of a Nation, Ethnic Group, Race or Religion	Section 355	9
Instigation of Hatred towards a Group of Persons of Suppression of their Rights and Freedoms	Section 356	2
Disorderly Conduct	Section 358	36
Incitement to commit a crime	Section 364	4
Establishment, Support and Promotion of Movements Aimed at Suppression of Human Rights and Freedoms	Section 403	1
Expressing Sympathies for Movements Seeking to Suppress Human Rights and Freedoms	Section 404	23
Denying, questioning, approving and justifying genocide	Section 405	3

In 2022, the perpetrators of these offences were most often convicted of disorderly conduct under Section 358 of the Criminal Code - 36 persons. Convictions for the offence under Section 404 of the Criminal Code for Manifestation of sympathy for a movement suppressing human rights and freedoms followed - 23 persons in total, and Criminal Injury under Section 146 of the Criminal Code - 11 persons.

For these racially motivated offences, 4 persons were sentenced to unconditional imprisonment. Of the persons convicted of racially motivated offences, one person was classified by the courts as a repeat offender. In 2022, the courts imposed suspended prison sentences on 31 persons. A sentence of community service was imposed in 9 cases. Three juvenile offenders and three women were sentenced.

## **5.8. Statistics of the Prosecutor General's Office**

Overview of criminal offences motivated by racial, ethnic, and other hatred between 2008 and 2022<sup>14</sup>

Criminal Offences Motivated by Racial, Ethnic, and Other Hatred	Prosecuted Persons	Accused Persons
2016	95 (+33 )	92 (+30 )
2017	98 (+31 )	90 (+29 )
2018	144 (+33 )	128 (+31 )
2019	98 (+16 )	89 (+15 )

<sup>14</sup> This refers to the number of prosecuted and accused persons with the flag "racial, national or other intolerance".

2020	95 (+29 )	81 (+14 )
2021	86 (+25 )	58 (+14 )
2022	98 (+30 )	78 (+ 24 )

Compared to 2021, there was a slight increase in the number of persons prosecuted for racial, national and other hate crimes in 2022 (128 prosecutions in total; +17 compared to 2021). The number of persons indicted increased compared to the previous year (+30) and is comparable to 2019 and 2020. The difference between persons prosecuted and indicted in 2022 was not as significant as in the previous year (26 persons; 39 persons in the previous year). In 2022, 30 persons were subject to summary pre-trial proceedings and 24 persons were subject to a proposal for punishment. The number of cases processed in summary pre-trial proceedings is comparable to previous years, while the number of motions for punishment filed in 2022, after three years of stagnation (2019-2021), showed an upward trend (+10 compared to 2021).

In 2022, a total of 30,511 persons were prosecuted in the Czech Republic (37,857 persons in summary proceedings). A total of 26,717 persons were charged in 2022 (motion for punishment has been filed for 35,741 persons). The proportion of persons prosecuted (including summary proceedings) for racial, national and other hate crimes to the total number of persons prosecuted (including summary proceedings) was 0.19%. In the case of persons charged (including motions for punishment), it was 0.17%. The proportion of hate crimes in the total volume of crime therefore remains low.

Persons prosecuted and charged for racial, national and other hate crimes in 2016-2022<sup>15</sup>

	Sec 140/3g CC.		Sec 145/2f CC		Sec 146/2e CC		Sec 175/2f (g) CC		Sec 228/3b CC		Sec 352/2 CC.		Sec 352/3 CC	
	Prosecuted	Defendant	Pros.	Def.	Pros.	Def.	Pros.	Def.	Pros.	Def.	Pros.	Def.	Pros.	Def.
2016	0	0	1	1	3	3	0	0	3	3	17	17	19	19
2017	0	0	1	1	13	12	0	0	5	5	10	8	3	3
2018	0	0	1	1	8	8	3	3	2	2	20	18	11	11
2019	0	0	1	1	4	4	0	0	0	0	26	26	8	7
2020	0	0	2	2	3	3	0	0	1	1	17	16	6	4
2021	0	0	1	1	0	0	2	2	0	0	20	18	7	3
2022	0	0	0	0	3	3	1	1	0	0	14	13	4	3

Persons prosecuted and charged for racial, national and other hate crimes in 2016-2022 2016-2022<sup>16</sup>

<sup>15</sup> Numbers of persons prosecuted and charged by Criminal Code qualification - one person may appear in more than one qualification.

<sup>16</sup> Numbers of persons prosecuted and charged by Criminal Code qualification - one person may appear in more than one qualification.

	Sec 355 CC		Sec 356 CC		Sec 403 CC		Sec 403a CC		Sec 404 CC		Sec 405 CC	
	Pros.	Def.	Pros.	Def.	Pros.	Def.	Pros.	Def.	Pros.	Def.	Pros.	Def.
2016	17	17	7	5	0	0	-	-	27	26	1	1
2017	10	9	6	5	2	0	-	-	44	43	4	4
2018	26	23	27	20	6	6	-	-	31	28	9	8
2019	22	19	20	15	0	0	-	-	45	42	9	8
2020	22	18	20	14	2	2	-	-	39	35	3	3
2021	24	20	18	7	6	1	-	-	30	28	4	3
2022	24	19	19	6	3	2	0	0	35	31	13	10

The most frequent crimes in the racial, national and other hate crimes category in 2022 were:

- Manifestation of sympathy for a movement aimed at suppressing human rights and freedoms under Section 404 of the Criminal Code (35 persons prosecuted, 31 persons charged).
- Defamation of a nation, race, ethnic or other group of persons pursuant to Section 355 of the Criminal Code (24 persons prosecuted, 19 persons charged).
- Incitement to hatred against a group of persons or to restriction of their rights and freedoms under Section 356 of the Criminal Code (19 prosecuted persons, 6 accused persons).
- Violence against a group of citizens and against an individual under Section 352(2) of the Criminal Code (14 prosecuted persons, 13 accused persons).
- Denying, questioning, approving and justifying genocide under section 405 (13 persons prosecuted, 10 persons charged).

Compared to 2021, the number of persons prosecuted and charged with the offence of denying, questioning, approving and justifying genocide under section 405 has increased slightly (+9 prosecuted persons, +7 charged persons), whereby approving the Russian aggression against Ukraine can be qualified as this offence. There was also an increase in the crime of manifesting sympathy for a movement aimed at suppression of human rights and freedoms under Section 404 of the Criminal Code (+ 5 prosecuted persons, + 3 accused persons), the crime of bodily harm under Section 146(2)(e) of the Criminal Code (+ 3 prosecuted persons, + 3 accused persons).

A slight drop in the number of prosecuted and indicted persons was reported in 2022 compared to 2021 for the criminal act of violence against a group of citizens and an individual under Section 352(2) of the Criminal Code (- 6 prosecuted persons, - 5 indicted persons) and for the criminal act of extortion under Section 175(2)(g) of the Criminal Code (-1 prosecuted persons, - 1 indicted person).

In 2022, no one was prosecuted for the offence of murder under section 140(3)(g) of the Criminal Code, for the offence of grievous bodily harm under section 145(2)(f) of the Criminal Code and for the offence of damage to foreign property under section 228(3)(b) of the Criminal Code. Zero values were also recorded for the offence of dissemination of a work promoting a movement intended to suppress human rights and freedoms under section 403a, of the Criminal Code amended by Amendment No. 220/2021 Coll., with effect as of 1 January 2022.

## 5.9. Statistics of the Probation and Mediation Service

The number of cases related to extremist-motivated crimes registered by the Probation and Mediation Service has been traditionally very low. In 2022, there were 57 new cases across the country. Since 2002, the proportion of such crimes has ranged from 0.2% to 0.7% of newly registered cases per year. In 2022, this proportion reached 0.3% of all new cases (21,655 cases). The proportion of cases with extremist overtones has thus increased by 0.1 percentage points compared to the previous year.

Offences with an extremist subtext in the Czech Republic and in particular judicial regions between 2018 and 2022

Počet případů / Kraj	2018			2019			2020			2021			2022		
	Extremistický podtext	(%)	Celkem												
Praha	8	0,3	2564	12	0,5	2463	11	0,5	2338	4	0,2	2139	9	0,4	2097
Středočeský	8	0,3	3008	8	0,2	3298	7	0,2	2903	5	0,2	2673	4	0,1	2730
Jihočeský	1	0,1	1666	2	0,1	1796	4	0,3	1473	0	0,0	1481	3	0,2	1680
Západočeský	10	0,4	2500	8	0,3	2712	12	0,5	2403	3	0,1	2372	5	0,2	2304
Severočeský	12	0,3	4535	13	0,3	4738	8	0,2	4055	11	0,3	3658	22	0,5	4076
Východočeský	3	0,1	2410	5	0,2	2616	9	0,4	2199	2	0,1	1969	5	0,2	2184
Jihomoravský	9	0,2	3638	3	0,1	3549	4	0,1	3117	2	0,1	3066	8	0,3	3140
Severomoravský	9	0,2	4893	7	0,1	5208	15	0,3	4737	17	0,4	4421	7	0,2	4661
ČR	59	0,2	24047	54	0,2	25122	70	0,3	22122	41	0,2	20517	57	0,3	21655

Note: Values are cleared of transferred files between individual regions and the Probation and Mediation Service centres. Within the framework of the Probation and Mediation Service, extremist crimes are defined as crimes under Sections 352, 355, 356, 401, 402, 403, 404, 405 of Act No.40/2009 Coll. and other criminal activity with extremist subtext (racially, religiously, politically, or otherwise motivated)

In terms of the structure of the offences (more than one offence may be recorded in one registered case), the group of cases with extremist overtones was made up mainly of perpetrators of the offence of expression of sympathy for the movement suppressing rights and freedoms of an individual, Section 404 of the Criminal Code (18.5% of the offences), and the offence of violence against a group of persons and against an individual, Section 352 of the Criminal Code (16.1% of the offences).

The offence of defamation of a nation, race, ethnic or other group of persons, Section 355 of Act No.40/2009 Coll., was committed in 9.7% of cases. Other offences with extremist overtones (Sections 401-402 of Act No. 40/2009 Coll.) did not occur in 2022. Extremist subtext was also reported in connection or in combination with other offences. It was most often associated with the offence of rioting, Section 358 of Act No. 40/2009 Coll.