CAPABILITIES
OF THE VISEGRAD GROUP
IN PREVENTING EXTREMISM

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FOREWORD
FROM THE BUDAPEST CENTRE

According to its mission, the Budapest Centre feels morally obliged to foster societies where individuals and groups are not threatened or living in fear, where equal respect is given to each citizen regardless of origin, belief, or identity and to call the attention of all who exercise power, regardless of political affiliation to their moral duty to halt escalating processes of division and hate.

We believe that the constant monitoring and analysis of the political landscape, through application of the mass atrocity lens, can reverse negative trends and mobilizes societies to address these potential threats.

Although there is no realistic perspective of mass atrocities in our region, none-the-less we have found warning signs of radicalization; primarily as a sort of by-product of the economic crash and migration and refugee crises, the extreme acts of various militant groups, and a fundamentalist Islam which has furthered the reach of and resources of global terrorism. These can trigger hatreds which potentially lead to the demonization of populations in Central Europe and increase the risk that some legitimate fears and concerns can generate disproportionate reactions, which can result in yet more fear and even higher tensions and in the long-run, the spectre of mass atrocity.

In September 2016, our organization convened a Task Force consisting of Czech, Hungarian, Polish and Slovak researchers to scrutinize the capabilities of the societies of the Visegrad Group as to what extent the four countries are able to show resilience to radicalization and extremist trends which may, as European history has proven, result in crimes of unthinkable scale.

This study wishes to confront political actors with the challenges they bear in terms of their particular responsibility to promote pro-human behaviour in society. Self-censorship of provocative, ill-chosen words is the first step along this road.

The Budapest Centre recommends this Report to the attention of the representatives of both the governmental and non-governmental sectors in the Visegrad countries. It hopes the next Presidency of the Visegrad Group will set the issues of radicalization on its political agenda, with the view to enhance their cooperation not only in the region but also in the Eastern Neighbourhood of the European Union where after recent catastrophes reconciliation has not reached the stage where we are safe from future tragedies.

Let me express our gratitude to the researchers and all those who participated in the preparation of this Report for their expertise, enthusiasm and engagement. I would also like to commend the governmental officials and other respondents who rendered assistance for the researchers in carrying out their tasks.

The Budapest Centre also thanks the International Visegrad Fund for the support in implementing the Initiative.

Dr. György Tatár
Chair

ENDORSEMENT

The migration crisis of 2015 is profoundly reshaping the contours of the European Union. It is radically transforming the way in which citizens and governmental institutions interact. It is reviving the populist narrative through which national political forces try to ride the wave of deeply-rooted social discontent. In doing so, it is gradually shifting the balance of the Union's internal and external policies towards an ever more defined process of securitization.

With its 65 million people, the current refugee crisis has surpassed the levels reached in the aftermath of the Second World War. Europe has hence been compelled to tackle and manage this immense flow of women and men fleeing from war-torn African and the Middle East regions through legislation and through humanitarian actions.

Despite its severity, the crisis was not faced with unanimous resolve by Member States for a coherent foreign policy approach. Consequently, several far-right and populist movements have gathered growing public support which in turn reinforced their views to reinterpret European values and societal norms with evident repercussions on the social fabric of our communities.

The V4 Task Force's Report sheds light on the Visegrad countries' capabilities to manage the inclusion of migrants within their own territories and societies. It also analyzes comprehensively the challenges arising from a harsh extremist rhetoric that is shifting towards stigmatization, demonization and ultimately, hatred.

The European Parliament is proactively defining concrete proposals for a comprehensive strategy to tackle extremism. On 13 December 2016, it adopted a resolution on fundamental rights addressing, among others, the prevention of hate speech and the improvement of integration.

It is clear to us that addressing the danger arising from hate crimes is an urgent matter. We also need to stress the importance of fostering an inclusive social dialogue while mainstreaming a solid preventive approach into the relevant national and foreign policy decisions.

The definition and deployment of mechanisms to prevent extremism and radicalization are crucial in view of the important role that young people and the future generations play as drivers of positive change.

This particular segment of society is, in fact, also the most vulnerable to extremist propaganda and recruitment, since social media platforms became the primary forum for the expression and dissemination of such polarized views.

This is a time when Europe is once again questioning itself as a regional and global diplomatic, political and economic actor. The current attacks and threats against the most vulnerable segments of societies are in reality attacks against our values and our identity.

Europe's greatest richness resides in the plurality of its peoples and religions. As per its motto "united in diversity", all European leaders, policy-makers, citizen representative and citizens itself must unequivocally protect and respect the right to be different.

In this context, the V4 Task Force's Report on the Capabilities of the Visegrad Group in Preventing Extremism provides crucial theoretical and practical findings, as well as attainable, concrete and well-grounded recommendations that should contribute to reverse the vicious cycle afflicting parts of public opinion in these countries over the last years.

Antonio Tajani
President of the European Parliament

ACKNOWLEDGEMENTS

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OVERVIEW

The V4 Task Force Initiative follows up previous regional capacity-mapping projects undertaken by the Budapest Centre for Mass Atrocities Prevention (BCMAP) over the last five years. This Report is the main product of the Initiative. It looks into the capacities of the Visegrad States (Czech Republic, Hungary, Poland and Slovakia) to prevent extremism in the context of the 'Responsibility to Protect' (RtoP) adopted by the UN General Assembly in 2005.

RtoP is a universal principle aimed at reducing the prevalence of mass atrocities, specifically targeting four of the most serious international crimes (genocide, crimes against humanity, war crimes, and ethnic cleansing). It is based upon three pillars. The first is the primary duty of States themselves to protect people from these crimes within their territorial borders; the second pillar commits the international community to assist States in carrying out this duty; and the third pillar reflects the residual obligation of the international community to take collective action in cases where a State is manifestly failing in its RtoP duties.

BCMAP views the phenomenon of mass atrocities as a multi-stage process which begins with the polarization of society into antagonistic identity-based groupings: "us" and "others". Societal polarization may develop into hatred, and then the incitement to and the perpetration of extreme acts and crimes. Based on this conceptualization, the activities of BCMAP focus upon early-stage intervention. Seeking to engage these processes of polarization and hatred before they become fully-developed, this approach aims to avert tragedies. In that spirit, this Report applies a mass atrocities lens to scrutinise the capabilities and challenges within the Visegrad Group.

This Chapter overviews the primary findings of the initiative. This includes the outcomes of individual capacity and vulnerability assessments undertaken in each State and of national workshops where the results of the national assessments were discussed by relevant experts and stakeholders and the experiences obtained by the BCMAP over the course of the ten months. The following chapters will present detailed overviews of the national capacity assessments (structured in three sections: first describing the 'institutional framework', before considering the perspectives of exposed groups and then of stakeholders) and the Report concludes with a number of recommendations.

GENERAL PERSPECTIVE

The Report confirms that there is no imminent risk of RtoP relevant crimes in any of the V4 States. All of these countries are governed by the rule of law and possess extensive safe guards against the perpetration of mass atrocity crimes.

Despite such robust resilience, however, this Report finds growing signs of extremism and radicalisation across the region. Increased social tensions were documented, based mainly on religious identities.

Concern was expressed that 'radical' and 'extremist' ideas are being increasingly integrated into the discourse of 'mainstream' political parties and governments. That highlights the fact that, even in this region, actors exercising power have the capacity not only to protect but also to do harm. This adverse trend was strongly influenced by the recent migration and refugee crisis.

The global economic and financial crisis, high levels of poverty, unemployment, and dependence on social support have increased the number of socially marginalized people. These social demographics have become more vulnerable to political 'radicalization', and they also overlap with ethnic minority groups, whose deteriorating economic condition provides a cover for racist attacks.

The migration and refugee crisis of 2015 increased opposition to 'diversity', strengthened isolationist sentiments and xenophobia. The crisis offered new opportunities for populists and extreme actors to mask prejudice, discrimination and hatred by defending national values and security.

The sensitivity of the population towards expressions of hatred has lowered. The public discourse has displayed tendencies which move increasingly towards stigmatization, demonization and hatred.

The migration crisis shifted the primary focus of hatred from "traditional" vulnerable groups to the "migrants". It appears likely that, over time, the return of public attention to "traditional" national vulnerable groups will be accompanied by a decreased level of toleration.

The last two years have witnessed the radicalization of speech. Hate speech is legitimised by expressions of political representatives and other opinion makers at all levels. Extreme groups use new rhetorical language and argumentation tactics to safely navigate within the legal boundaries and avoid prosecution. The challenges are particularly high on social media platforms.

Organisations and individuals providing assistance to victims and vulnerable groups or that are active in the field of hate prevention reported a rise in verbal, online, and even physical attacks.

In three out of the four countries interference and abuse of domestic extremist platforms were noted by foreign secret services and other governmental agencies. A relatively new and increasing trend is hostility directed to foreign funded NGOs.

The region benefits from a strong and robust legal environment. However, legislation and resources are primarily focused on the repression of hate crimes, rather than on establishing a 'culture of prevention'. Pooling national resources at a regional level is deemed an added value from the perspectives of prevention at national level.

INSTITUTIONAL FRAMEWORK

States within the V4 possess extensive constitutional, legal and law enforcement safeguards for the protection of potentially vulnerable groups. Each State takes significant measures to conform to responsibilities assumed under international treaties, particularly at the European level.

Notwithstanding this, the study has discovered a number of practices in individual cases, which offer opportunities for V4 States to further enhance the protections they provide. Regular reports assessing the risks of extremism are produced, for example the 'Report on Extremism and the Strategy to Combat Extremism' in the Czech Republic and the Slovakian government initiative 'Conception on the fight against extremism for 2015-2019' to help find tools for countering and preventing trends of radicalisation. National Ombudsman and Government Plenipotentiaries with specific jurisdictions – i.e. Roma Communities or Children's Rights – are present across some V4 States.

This study has found a persistent gap between legislation against hate crimes and extremist behaviour and law enforcement on the ground. Across the V4 police and other law enforcement agencies are insufficiently sensitised and prepared to the dangers of hate crimes, prevention of extremism and recruitment. The Polish network of 'Human Rights Plenipotentiaries' composed by local police commanders and police manual dealing with law enforcement of hate crimes are examples for bridging this gap. A 'victim-centred' approach to hate crimes has been found lacking in the majority of the countries.

The intra-governmental cooperation is mainly based on "as needed" principle. Combating extremism is focused on anti-terrorist activities at both national and regional levels. The mandate of RtoP focal points is rather vague.

Every V4 State lacks a multi-agency platform for countering and preventing extremism. Such a body could encompass expertise from across the spectrum, these could serve as nodes in a regional system of disseminating best practice and enhancing cooperation for the protection of vulnerable groups.

Despite many channels of cooperation at the V4 level, there is no forum for sharing best practices on the prevention of radicalisation and extremism. Also, there is no mechanisms in place for meetings of law enforcement and legislative bodies, despite the fact that all countries are facing similar challenges.

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PERSPECTIVES: EXPOSED COMMUNITIES

A credibility gap persists between some vulnerable groups and State authorities. The study has found that significant parts of vulnerable groups in the region (Roma communities, Jewish communities, LGBT, and Muslim communities) often perceive law enforcement and other representatives of state authority as hostile.

Researchers found concerns over the exposure of young people to radicalisation and extremist propaganda and recruitment, especially given the difficulty of policing content trafficked over the internet.

The Report has not found a strong negative trend in antisemitism. Political parties with strong anti-Semitic associations are showing signs of moving towards the political centre and rebranding themselves as mainstream.

PERSPECTIVES: SOCIAL ACTORS

The education sector, media, NGOs, and Churches are found to be crucial stakeholders across the V4 States.

The significance of education and its reform was underlined in each case as young people are both vulnerable to extremism and drivers of positive change. A robust education system can equip them with the awareness and tools to lead the development of societal resilience and counter attempts of recruitment by extreme groups.

The media can have both strong positive and negative effects on expressions of hatred and social division. During the migration and refugee crisis of 2015, opponents of accepting migrants and refugees were given a disproportionate platform in each country.

In common with governments in many parts of the world, States in the V4 are faced with a serious challenge by social media platforms which became the primary forum for the expression and dissemination of extremist ideologies and views. Hatred and polarization have become a business model that ensures clicks and advertising revenue. Legislation makes strong efforts to fight incitement and regulate extreme views.

Nevertheless, this report finds the current capabilities to countering fake news and extreme narratives one of the weaknesses of capacities in preventing extremism.

Given the important role played by media bodies in democracies, the preservation of a free media and freedom of speech is of high significance… Nevertheless, in the light of the increased division of societies and the adverse trends towards extremism the Budapest Centre supports the ambitions to show no tolerance of any speech which stigmatizes, fuels hate, discrimination and ultimately may lead to RtoP crimes.

NGOs are a critical agent in efforts to prevent and combat extremism and radicalisation. There are many NGOs of various scales working across the V4 in this area. They play a role in highlighting and recording instances of hate speech and hate crimes, provide assistance and support to victims, organize humanitarian aid, and disseminate information about alarming trends and events. In the majority of cases their approach is rather reactive. A 'preventative approach' has been found lacking.

At present, NGOs enjoy operational and strategic independence across the region. In many cases, however, they have been targeted by strong criticisms and suspicion.

Although churches and denominational organizations have a potential in shaping attitudes, they were not found to play a particularly important role in preventing extremism and radicalization. Church authorities have so far demonstrated a range of attitudes to the refugee issue, from promoting the idea of humanitarian corridors and humanitarian aid to expressing great fears of the rising influence of Islam in Europe.

Drawing on these findings, the Report offers a number of recommendations in the final chapter which should contribute to the reversal of negative trends and help develop preventive capabilities in the region.

OVERVIEW

INTRODUCTION

Mass atrocity crimes represent the gravest human rights violations. The horrific events of the Holocaust, along with other recent genocides, including massacres in Rwanda and the Balkans, are ingrained upon the common memory of humankind.

Responsibility to Protect (RtoP) is the global community's response to these events, intended to prevent and mitigate the specific international crimes of: genocide, crimes against humanity, war crimes, and ethnic cleansing. Based upon the notion of 'sovereignty as responsibility', this is a statement that, in the twenty-first century, sovereignty can no longer be regarded as a shield from accountability to either domestic or external actors.[1] Since its unanimous adoption by the UN General Assembly in 2005, the attention of the international community has been turned to its practical implementation and normative elaboration.[2] Despite the continuing exposure of people in many countries to the perpetration or risk of mass atrocities, RtoP is a significant step towards protecting individuals and communities.

RtoP emphasises that the State, first and foremost, is responsible for the prevention of genocide, crimes against humanity, war crimes, and ethnic cleansing within its borders. This First Pillar responsibility extends to all individuals within its territory, citizens and non-citizens alike. RtoP's Second Pillar refers to the role of the international community in supporting States in carrying out their responsibility. The Third Pillar accords to the international community a residual duty of care. When a State is manifestly failing in its responsibility to protect, either because it is unable or unwilling to protect people, the international community, acting through the United Nations or other regional organisations, can apply all appropriate diplomatic, humanitarian and any other means at its disposal to protect populations from these crimes. As a last resort, RtoP calls for the 'timely and decisive' use of military force, pending approval by the UN Security Council.

The forms of mass violence enumerated in the RtoP are not random or single events. They are the result of a dynamic process which includes radicalisation of groups within society against another group or groups. This process of radicalisation can be initiated against target groups based on many different facets of group identity, including ethnicity, language, religion, and nationality. Radicalisation can create the symbolic dehumanisation of groups, through mechanisms such as hate speech and hate crime.[3] Although there is no universally agreed upon definition of radicalisation or extremism, it is usually understood as a socialization process in which "individuals or groups come to approve of and (ultimately) participate in the use of violence for political aims" as a result of embracing certain ideas, opinions and views.[4]

The importance of RtoP extends beyond the moral obligation to save human life and preserve the human dignity of victims. Atrocities also disrupt the social and economic fabric of life more broadly, potentially leading to wider local or regional instability. Preventative measures which intervene in processes of extremism, radicalisation, and dehumanisation therefore contribute to peace and stability more broadly. RtoP is 'universal' in that it applies always and everywhere. However, it is vital to understand that the challenges presented to States by their RtoP obligations can vary across regional contexts. For example, in Africa, we can often observe actual RtoP violations. The situation is different in Europe, which benefits from strong democratic and stable societies. These differences place diverse demands upon concerned actors; because, as UNSG Ban Ki Moon has said, 'no state is immune'.[5] In the European context, emphasis must be placed upon tools and mechanisms which operate within existing democratic structures, to

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1   We the peoples: the role of the United Nations in the twenty-first century. Report of the Secretary-General. A/54/2000. http://www.un.org/en/ga/search/view_doc.asp?symbol=A/54/2000 (accessed: 12th June 2017

2   United Nations General Assembly, 'Resolution 60/1: 2005 World Summit Outcome', paragraphs 138 and 139.

3   Stanton, Gregory H.: The Ten Stages of Genocide. 2013. http://www.genocidewatch.org/genocide/tenstagesofgenocide.html (accessed: 14th June 2017)

4   European Commission Expert Group on Violent Radicalisation, 'Radicalisation processes leading to acts of terrorism', May 2008 and Peter R. Neumann, 'Prisons and Terrorism: Radicalisation and De-radicalisation in 15 Countries', International Centre for the Study of Radicalisation and Political Violence 2010. 12.

5   "A Vital and Enduring Commitment: Implementing the Responsibility to Protect" (United Nations General Assembly Security Council, July 13, 2015).

counter trends of extremism and radicalisation which have the potential to weaken societal resilience against serious crimes. This differs greatly from those more extraordinary measures frequently required in Africa.

This Report maps the resilience of the societies in the Visegrad region as it pertains to the processes of radicalisation and extremism. Regular assessment of the State of the Art of national preventive capacities highlights opportunities and challenges, whilst identifying concrete recommendations. It is an appropriate moment to undertake such an assessment in Europe. Recent years have seen an increase in levels of intolerance across the continent. It led to an increase in numbers of hate crimes and extremist activities. This trend has been further strengthened by large migration flows to the continent and the large number of terrorist attacks in France, Germany, the UK, and Belgium. Challenges arising from the shifting political climate vary from region to region within Europe too. These variations require different responses and tailored preventative strategies.[6] While in Western Europe trends of radicalization are primarily associated with terrorist attacks, in the Visegrad Countries anti-Roma sentiments, xenophobia, and increasing hate speech are the most pressing challenges. Given these specific challenges facing the V4 States, establishing and strengthening shared norms and principles among key stakeholders of the region is critically important.

In accordance with the acknowledged primary responsibility of the State to protect individuals within their territory, underlined by the UN Secretary-General's annual RtoP report in 2014, it is of utmost importance for the State to develop the necessary structures, knowledge, and capacities for fulfilling this duty.[7] Two sets of capacities can be built by the State. In the first instance they establish legitimate, effective and inclusive governance, which can eliminate the root causes of grievances, such as unequal access to justice or the lack of accountable and participatory political institutions. The second set of capacities aims to create "inhibitors", that is, specific actors, capacities and institutions which contribute to preventing risk from escalating to the level of extreme crisis. The current report aims to assess both of these sets of capacities in each of the V4 States individually, and also to consider the regional implications.

The V4 countries have common experiences rooted in recent history which contributes to their shared challenges. The economic crisis of 2008 had a profound impact on Central Europe, leaving the countries to a slow and painful recovery. During these painful years, right-wing extremist parties gained significant ground by exploiting the hardships. The position of extremist movements was further strengthened by the afore-mentioned migration crisis, which resulted in adopting an Islamophobic rhetoric.[8] In Slovakia, a neo-Nazi party, Slovakia's 'People's Party Our Slovakia', entered the national parliament for the first time after receiving 8% of the votes in the national elections. In Hungary, the radical right-wing party, the Movement for a Better Hungary (Jobbik) secured 21% of the votes in the parliamentary elections, becoming the third largest Hungarian party. Although neither in Poland nor in the Czech Republic radical right-wing parties have entered the Parliament, they have a long tradition in both countries and thus deserve close attention.[9]

Despite indications that some of these movements are transitioning into the political centre, and shedding their extreme rhetoric, the forecasted longevity of their appeal is a cause for concern. A recent study drawing on the database of the European Social Survey shows an increasing sympathy towards extreme right-wing ideologies across all Visegrad Countries.[10] This Report also explores the trends towards extremism and the shift in hostility from traditionally vulnerable groups, Jewish and Roma people to the Muslim community.

Negative attitudes towards the Roma population are particularly alarming as this group represents a significant and increasing percentage of the population of the V4 countries; around 1,5 million people in total. Although the Roma population in Poland is relatively small (30 000), in the Czech Republic,

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6   Ralf Melzer, Sebastian Serafin, and Friedrich-Ebert-Stiftung, eds., *Right-Wing Extremism in Europe: Country Analyses, Counter-Strategies and Labor-Market Oriented Exit Strategies* (Berlin: Friedrich-Ebert-Stiftung, Forum Berlin, 2013).

7   United Nations Security Council: Fulfilling our collective responsibility: international assistance and the responsibility to protect. Report of the Secretary-General. A/68/947. http://www.un.org/en/ga/search/view_doc.asp?symbol=A/68/947&referer=/english/&Lang=E

8   Bulcsú Hunyadi and Csaba Molnár, "Central Europe's Faceless Strangers: The Rise of Xenophobia," *Nations in Transit Analytical Brief*, June 2016.

9   Ralf Melzer, Sebastian Serafin, and Friedrich-Ebert-Stiftung, eds., *Right-Wing Extremism in Europe: Country Analyses, Counter-Strategies and Labor-Market Oriented Exit Strategies* (Berlin: Friedrich-Ebert-Stiftung, Forum Berlin, 2013). and Merin Abbass, *Right-Wing Extremism in Central Europe an Overview* (Berlin: Friedrich-Ebert-Stiftung, International Dialogue, Central and Eastern Europe Department, 2011).

10   "*Available on Demand Demand for Right-Wing Extremism Is on the Rise in Europe*" Political Capital Institute, May 23, 2014. and DEREX Index. http://derexindex.eu/

INTRODUCTION

Hungary and Slovakia, it represents around 2%, 7.5%, and 9%, respectively.[11] Moreover, while the non-Roma population in Central Europe is aging and characterized by low fertility rates, the Roma population is fast-growing and becoming increasingly younger.[12]

Preventing the headway of extremist forces from becoming more prominent is not only the concern of vulnerable groups, this is a challenge to the peace and stability of the whole society, and thus it requires joint efforts from both the governmental and non-governmental sectors. This Report considers, therefore, not only the institutional-governmental capacities, but also the role of non-governmental stakeholders, and the position of vulnerable group representatives themselves.

The Budapest Centre for Mass Atrocities Prevention strongly believes that, given the lengthy processes of radicalisation and extremism which – as the historical experiences of the 20th century has shown in Europe – potentially and over years culminate in mass violence, there is ample time for taking measures to counter and halt the negative trends and prevent the tragedies. To that end, the Budapest Centre for Mass Atrocities Prevention has launched this initiative aimed at mapping the preventive capabilities of the Czech Republic, Hungary, Poland and Slovakia through mass atrocity lens and explore opportunities and challenges faced when countering antisemitism, anti-Roma feelings, hatred, extremism, and radicalisation. The project builds on the experience obtained by the Budapest Centre during its two-year V4 Prevention programme in 2014-2015 when the knowledge and skills of representatives of the governmental and non-governmental sectors in the four countries have been developed to better recognize and respond to the risks of extremism and mass atrocities.

In September 2016, the Budapest Centre established the V4 Task Force on the Prevention of Mass Atrocities which is comprised of experts and institutions from across the Visegrad region to prepare a comprehensive assessment of regional and national preventative capabilities of the four societies in preventing radical trends. The Report of the V4 Task Force builds upon solid scientific research combined with the experience of practitioners working within the V4 Countries. V4 national experts carried out desk research so as to collect all available public and scientific information on the existing capabilities, shortcomings, and challenges in the preventive architecture of the Visegrad Countries. The desk research was enriched by the experience of practitioners through bilateral consultations and national workshops to make feasible policy recommendations for improving the national preventive capabilities.

This Report proceeds through four in-depth national chapters, undertaken by local researchers in each of the four Visegrad States. These follow a structure of first considering the 'Institutional Framework' of the State. The following two sections provide a detailed outline of the perceptions; first of exposed communities, and then of key stakeholders. The report concludes with a number of detailed recommendations arising from these national reports and round-table discussions. The Budapest Centre will submit the Report to political decision makers in each of the four States for consideration of the implementation of our Recommendations. It is hoped that follow-up activities will generate cooperation across the V4, enhancing national and regional resilience.

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11   Estimates on Roma population in European countries. Support Team of the Special Representative of the Secretary General of the Council of Europe for Roma Issues.

12   Roberta Gatti et al., *Being Fair, Faring Better: Promoting Equality of Opportunity for Marginalized Roma*, Directions in Development: Human Development (Washington, DC: World Bank, 2016).

INTRODUCTION

1. CAPABILITIES TO PREVENT EXTREMISM IN THE CZECH REPUBLIC

I. INSTITUTIONAL FRAMEWORK

Legal environment

Since the rise of violent right-wing extremism after the Czech Velvet Revolution in 1989, measures to counter extremism have been gradually implemented.[13] Specific legislation has been adopted. The threat has received serious attention from even the highest political figures. Responsible actors and audiences have constantly been re-evaluated to keep pace with social and political developments.

Today, we are witnessing the mainstreaming of hate narratives which can cause societal division and threaten vulnerable groups. Although the occurrence of mass atrocities is highly unlikely in the Czech Republic, the findings of this report indicate that hateful and polarising tendencies, previously associated with so-called extremists on the socio-political margins, are becoming accepted across society more broadly. Therefore, the traditional concept of extremism and strategies designed purely on its countering and prevention are outdated and unsustainable and no longer sufficient to address the current threats which vulnerable groups and the society at large are facing.[14]

In 2016, a National Security Audit (NSA) was prepared and approved by the Czech government to identify and analyse national security threats.[15] The report deals extensively with extremist threats and assesses the suitability of existing legislation, and the capacities of the security infrastructure to respond to these.

According to the NSA, high risks are attributed especially to the: ability of extremists to split society and weaken the state through generating antagonisms based on ethnic, religious, class or other identities as the majority population is getting polarized based on animosities resulting from different opinion positions. Further increase of tensions based on ethnic or religious identities, including protests and violence are serious risks particularly in combination with the acceptance of extremist ideas in mainstream politics.[16]

However, numerous respondents, including experts working with victims of hate crime, also noted an increase in hostility based on class and social status, aimed particularly towards people on the lowest social status levels. Additionally, a new discourse targeting Roma people differs from the previous race-based hostility.[17] This discourse focuses upon them as 'spongers', and as such hostility towards them can be mobilised across a wider range of social groups than appeals couched in typically 'racist' language could.[18]

One of the main consequences of public frustration towards the Roma community is that local incidents and unrest can occur without extremist groups playing any meaningful part. The likelihood of such occurrences is often increased by the decisions and actions of local municipalities regarding housing privatisation, 'zero tolerance' policing policies, public space management or corruption cases, all of which can increase frustration within local population.[19]

Respondents from both the governmental and non-governmental sector, as well as representatives of vulnerable groups, emphasised their perception that hatred directed towards Roma, migrants, and other minorities is becoming increasingly embedded within Czech society. They added that as a result, the risk

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13   Jan Charvát, "Současný Politický Extremismus a Radikalismus" (Univerzita Karlova, Institut politologických studií, 2007), 50, https://is.cuni.cz/webapps/zzp/detail/8000889008/?lang=en. (accessed: 9th June 2017)

14   "Audit národní bezpečnosti" (Ministerstvo vnitra České republiky, 2016), 36, http://www.mvcr.cz/cthh/clanek/audit-narodni-bezpecnosti.aspx.

15   "Audit národní bezpečnosti" (Ministerstvo vnitra České republiky, 2016), http://www.mvcr.cz/cthh/clanek/audit-narodni-bezpecnosti.aspx.

16   Ibid., 36.

17   Lucie Trlifajová et al., "Analýza politik nulové tolerance v Litvínově a Duchcově" (SPOT - Centrum pro společenské otázky, z.s., 2015), 18, http://centrumspot.cz/wp-content/uploads/2016/07/SPOT_-_vyzkumna_zprava_-_Nulova-tolerance-v-Litvinove-a-Duchcove.pdf. (accessed: 10th June 2017)

18   Viktor Kundrák, "Slipping in Spiral, Questioning Harm Caused by Hate Speech and Its Potentiality" (Université Libre de Bruxelles, 2015), 63.

19   Trlifajová et al., "Analýza politik nulové tolerance v Litvínově a Duchcově," 16. and Jan Ort, Filip Pospíšil, and Štěpán Ripka, "Bezpečnost a sekuritizace Romů v České republice" (Otevřená společnost, o.p.s., 2016), http://www.otevrenaspolecnost.cz/knihovna/otevrenka/policie-jako-sluzba-verejnosti/bezpecnost-a-sekuritizace-romu.pdf. (accessed: 1th June 2017)

that institutions might not act justly towards all citizens, but rather discriminate against certain individuals or groups of people has increased. The list of threats identified by the National Security Audit describes primarily threats coming from outside of the governmental sector. However, given the complex nature of such threats, one should dedicate equal attention to the state sector, and the risk that the State might pass discriminatory and polarising legislation, and take actions which target vulnerable groups.

Additionally, the Audit mentions that a, 'certain level of risk is posed by the abuse of domestic extremist platforms by foreign governmental powers to weaken the democratic system in the Czech Republic' this might further increase the gravity of extremist threat.[20]

The legal environment to counter extremism is fully in line with the legislative requirements of the European Union. The decisions of international judicial bodies, e.g. the European Court of Human Rights, are essential in this regard. Fundamental documents of the Czech Republic relevant to extremism include the Charter of Fundamental Rights and Freedoms.

Nevertheless, the term extremism is not directly referenced in Czech legislation.[21] Although several pieces of legislation do consider 'crimes with an extremist subtext', and these do provide tools with which to counter extremism. Provisions in the administrative and criminal law can be used to combat extremism, for instance through restriction of the right to freedom of expression, of association, of assembly, of petition or the labour law. Pieces of legislation offer law enforcement authorities the possibility of issuing strict punishments for violence having an extremist subtext.

The overwhelming sentiment within the security community is that the current legal framework is sufficient to prosecute extreme acts and violations.[22] Nonetheless, findings of this report indicate the need for applying a multi-faceted approach when countering extremism that might require going beyond legislative measures. Similarly, respondents working with vulnerable people within the social care sector suggested that the institutional framework for countering extremism should be viewed as going beyond the human rights legislative and security infrastructure and multi-agency platforms including social care sector, education etc. need to be established.

Law enforcement

As shown previously, the legal environment is sufficiently developed to effectively deal with the threat of extremism in the Czech Republic. However, our findings point to a critical deficit in law enforcement capacities. The existing discrepancy between the legal framework and its implementation is one of the key factors affecting the efficacy of governmental efforts to fight extremism. Respondent from the governmental sector added that such has the potential to eventually undermine public respect towards the democratic system and to strengthen general levels of distrust among minority communities towards the state and law enforcement authorities.

The National Security Audit suggests that a prominent cause of this discrepancy is the shortage of experts in the justice system of the Czech Republic who possess the necessary expertise in the field of extremism, have an overview of the current situation, and are aware of associated risks.[23] Currently, the greatest challenge faced by authorities is to combat illegal and reprehensible content on the internet. In this regard, security forces face three challenges. First, the enormous amount of internet content, second, the lack of qualified specialists, and third, servers located in third countries are beyond the reach of national authorities.

A further problem serving to alienate law enforcement from the general public is a deficient strategic communication. Building a better system of communication, both for information exchange and for coordination within the different departments and units of the state sector and towards the wider public is essential for effectively countering extremism. Insufficient justification, explanation and contextualization of repressive practices by the Ministry of Interior have long been unaddressed areas.[24] The public is informed only about isolated events taken out of context. The police, as a result, are not viewed as protecting the interests of the population, but as a kind of natural enemy of the extremists.[25]

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20 "Audit národní bezpečnosti" (Ministerstvo vnitra České republiky, 2016), 36, http://www.mvcr. cz/cthh/clanek/audit-narodni-bezpecnosti.aspx.
21 Ibid., 32.
22 Ibid.
23 Ibid., 33.
24 Ibid., 34.
25 Ibid.

Moreover, respondents from NGOs working to support victims of hate crime, in addition to respondents from the governmental sector, identified several other areas where law enforcement needs further improvement. These include an insufficient understanding of current trends in communication technology, lack of an adequate response to the new rhetorical language and argumentation tactics used by hate groups to avoid prosecution, the absence of systematic and well-coordinated data collection on hate crime among different government departments, lack of capacity to collect, map and analyse hate speech, particularly on social networks, and low sensitivity towards victims of hate violence.

International cooperation

The Czech Republic is a member of several international organizations interested in combating racism and xenophobia. The Council of Europe and the European Union are of particular importance in this regard, while the cooperation with the United Nations, the Organization for Security and Cooperation in Europe and the V4/Austrian Group on Combating Extremism should also be highlighted.

Intra-governmental cooperation

According to the NSA, the Ministry of Interior coordinates counter-extremism efforts at the central state administration level.[26] A key role is played by the police. Within the police, several specialised units have particular responsibility for anti-extremist measures. The police have experts on extremism within its Criminal Police and Investigation Service. The Security Information Service gathers information on criminal activities directed against the democratic foundations, sovereignty, and territorial integrity of the Czech Republic. The Office for Foreign Relations and Information and the National Intelligence Service deal with the activities of foreign extremists that may impact national security. Particularly in the field of prevention, a number of tasks are carried out by the Office of the Government and, at the international level, by the Ministry of Foreign Affairs.

However, intra-governmental cooperation is not absent of weaknesses. Non-governmental experts that support victims of hate crime underlined that as a consequence of the reluctance of competent governmental bodies to communicate with NGOs about extremism, the governmental documents do not reflect findings of these organisations. Although certain committees, such as the Government Council for Roma Affairs and the Government Council for National Minorities are supposed to act as an expert interface with the State administration, the government and the vulnerable groups for representing the latter at top governmental levels, both their mandate and capacities are very limited.[27] Despite the fact that multiple actors are considered as participants in the intergovernmental cooperation against extremism, there is currently no official established multiagency platform with the objective of countering extremism or radicalisation. Information exchange takes place only on an ad-hoc and informal basis. It was highlighted that the field of online hate speech and trolling, especially, would demand a system in place that clearly defines the role of different actors to effectively engage in prevention or response. Although certain focal points do exist within the State and governmental structure, with the purpose of cooperation under certain circumstances, their activities are mainly based on diverging needs specified by numerous resorts and lack strategic perspective, and do not provide a stable network for a holistic approach regarding the topic of extremism and the protection of exposed communities.

Human resources

As shown by the National Security Audit, whilst the anti-extremism infrastructure is relatively well developed and the police have a sufficient number of specialists within the riot and criminal police services, and it is also equipped with relatively high quality material and technical equipment, two factors mitigate the efficiency of police counter-extremism work.[28] First, extremism is often considered by police officers as a politically sensitive issue. Second, the police share the views of the wider population on certain social issues such as social exclusion, minorities and migration.[29]

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26 Ibid., 32.
27 The two Councils are advisory, initiative-taking and co-ordinating bodies of the Czech Government for matters of policy towards national minorities and their members. They support the cooperation of ministries and collecte, consider and submit information, groundwork documents and proposals to the Government for the creation and application of the Government policy in the given area of responsibility of the Councils. "National Minorities | Government of the Czech Republic," https://www.vlada.cz/en/ppov/rnm/historie-a-soucasnost-rady-en-16666/. (accessed: 11th June 2017) and "Roma Community Affairs | Government of the Czech Republic," https://www.vlada.cz/en/ppov/zalezitosti-romske-komunity/the-council-for-roma-community-affairs--50634/. (accessed: 10th June 2017)
28 "Audit národní bezpečnosti" (Ministerstvo vnitra České republiky, 2016), 33. http://www.mvcr.cz/cthh/clanek/audit-narodni-bezpecnosti.aspx.
29 Ibid.

The National Security Audit also noted that although the Czech Republic has many experts on extremism, knowledge about its prevention and related phenomena is insufficient. Preventing extremism is, at least at the state administration level, often understood solely as a repressive measure and therefore cannot provide sustainable solutions. Anti-extremist policy often mistakenly focuses solely on extremist 'clients', while forgetting that its primary concern should be the protection of rights and freedoms of the victims of extremism. It is not the role of the state, based on some ritualised perpetuity, to study extremist groups. Its ambition should be to constantly analyse the threats posed by extremists to their real and potential victims and to be able to effectively protect these victims, provide them with a sense of security and with conditions for a dignified life.[30]

Another problem highlighted by the NSA is that the concept of right wing and left wing extremism is outdated and thus needs to be revised to meet current challenges.[31] Further areas that potentially require improvement include strategic guidance, expert training, efficient use of existing measures and communication among relevant police units. Additionally, in spite of the fact that the non-governmental sector can be regarded as a driver of innovation, poor collaboration between the governmental and non-governmental sector can also be mentioned as weakness.

II. PERSPECTIVES: EXPOSED COMMUNITIES

Respondents from vulnerable groups and organizations providing support for them perceive serious threats towards exposed communities. First and foremost, the increase of mainstream anti-Islamism and the refugee crisis have intensified general negative sentiments towards Muslims, refugees, and other groups.[32] This 'mainstreaming' of hate narratives is considered by exposed communities as the greatest threat, since those narratives are no longer exclusive to extremist hate groups but widely shared throughout society. However, contrary to general perceptions, hatred towards Roma was not weakened by the increase of hatred towards Muslims and migrants.[33] The intensity of hatred is at least as similar as in the past, it is just more dispersed among multiple targets.[34] Furthermore, respondents from the non-governmental sector working with migrants added that the Roma were often linked to the so-called 'migration crisis' because they were used as a deterrent example of a minority with different culture that could not be integrated in the Czech society. This mainstreaming of hate narratives poses extra threats to exposed groups, including the Roma, Jewish, and LGBT communities, since emboldened hate groups have gained a degree of public legitimacy they lacked a decade ago. Non-governmental respondents working in the legal field noted that the deficiency in enforcing legislation discussed above deepens sentiments of fear and distrust towards state authorities, especially when these laws are sometimes disproportionately applied to hate speech made by members of vulnerable communities.[35] This, in turn, encourages hate groups as it often gives them the feeling of being above the law. At the same time, the Roma minority appreciates the role police played during recent anti-Roma protests: their swift reaction and pro-active approach to informing local Roma communities about the anticipated threats.[36]

Public mistrust towards the media, state institutions, and NGOs as sources of credible data and information is increasing, while the popularity of internet sites providing so-called 'alternative news' is on the rise.[37]

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30 Ibid., 27.

31 Ibid., 36.

32 Zora Hesová, "The Mainstreaming of Islamophobia in the Czech Republic," *4Liberty.eu Review* 2016, no. 4 (2016): 131, http://4liberty. eu/wp-content/uploads/2016/04/4liberty.eu-Review_4_FULL-VERSION_Single-Page.pdf. (accessed: 11th June 2017) and "Analýza: Valí Se Na Nás Hordy Verbeže, Negrů a Primitivů," *HateFree Culture*, 2015, http://www.hatefree.cz/blo/analyzy/1049-analyza-verbez. (accessed: 9th June 2017)

33 "Zpráva O Extremismu: Útoky Na Romy Vystřídala Nenávist Vůči Muslimům - Deník Referendum," 2017, http://denikreferendum.cz/ clanek/25305-zprava-o-extremismu-utoky-na-romy-vystridala-nenavist-vuci-muslimum. (accessed: 6th June 2017)

34 Šárka Kabátová, "Xenofobové Na Romy Nezapomněli. Diskuse Se Ještě Vyostřily, Ukázala Analýza | Domov," *Lidovky.cz*, December 6, 2016, http://www.lidovky.cz/diskuse-o-romech-na-internetu-jsou-negativnejsi-nez-driv-ukazala-analyza-internetu-gz8-/zpravy-domov.aspx?c=A161205_154755_ln_domov_sk. (accessed: 11th June 2017)

35 "Účastník Piety Dostal Osm Měsíců Za Rasistické Výroky U Žatecké Pizzerie," *iDNES.cz*, December 21, 2016, http://usti.idnes. cz/soud-v-lounech-potrestal-miroslava-fedaka-za-rasisticke-vyroky-pri-piete-za-mrtveho-roma-v-zatecke-p-i57-/usti-zpravy. aspx?c=A161221_103234_usti-zpravy_vac2 (accessed: 8th June 2017) and "Muž Po Smrti Roma v Pizzerii Vyhrožoval Kuchaři, Jde Za to Do Vězení," *iDNES.cz*, December 7, 2016, http://usti.idnes.cz/rozsudek-rom-zatec-vyhruzky-kuchar-pizzerie-fag-/usti-zpravy. aspx?c=A161207_174330_usti-zpravy_alh. (accessed: 11th June 2017)

36 Ort, Pospíšil, and Ripka, "Bezpečnost a sekuritizace Romů v České republice," 11.

37 The whole reference is missing. Please insert this: "Důvěra K Vybraným Institucím Veřejného Života" (Centrum pro výzkum veřejného mínění, n.d.), https://cvvm.soc.cas.cz/media/com_form2content/documents/c2/a4279/f9/po170410.pdf (accessed: 11th June 2017) and Jan Boček, "Studie: Důvěra v Média Je Rekordně Nízká. Nevěří Jim Mladí Dospělí Nebo Voliči Levice", https://interaktivni.rozhlas. cz/duvera-mediim/. (accessed: 11th June 2017) and "Dopady dezinformačních operací v České republice" (Evropské hodnoty z.s., September 12, 2016), http://www.evropskehodnoty.cz/wp-content/uploads/2016/09/Dopady-dezinforma%C4%8Dn%C3%ADch-operac%C3%AD-v-%C4%8Cesk%C3%A9-republice.pdf. (accessed: 11th June 2017)

Extremists discovered that anti-Islamic movements provide an appropriate platform that is acceptable for the public, and thus it enables them to mainstream their ideology.[38] Potentially, that might also have a direct impact on the increase of antisemitism, which in the Czech Republic remains at the lowest level in both the European and wider global contexts.[39]

There is an unprecedented rise of verbal, online, and physical attacks against individuals and organisations, including business and private companies who help victims and vulnerable groups or that are active in the field of hate prevention.[40] They are labelled as traitors since their work is regarded as going against the interests and security of the state. The funding of Czech NGOs by foreign sources has recently been politicized by individual politicians across the Czech political spectrum.[41]

Non-governmental experts emphasise that hoaxes and disinformation actively serve to deepen fears and aggression.[42] Fear from being attacked (even verbally) prevents individuals and institutions from expressing opinions that otherwise could contribute to countering hatred. Hate speech and the so-called 'dog whistle' activism, where hate group leaders and politicians mobilize their supporters for action, often completely avoid vocabulary that could be considered as hate speech. Respondents from organisations that provide support to vulnerable groups as well as practitioners working in the field of communication campaigns for countering extremism noted that any individual, group or official initiative that challenges hateful narratives publicly or provides alternative narratives is often labelled as an act of aggression itself that bears full responsibility for increasing hatred in society.

Perception of the protections provided by the state is rather negative from the perspectives of respondents from the non-governmental sector and minority groups because they see an imbalance of access to justice, traditional distrust towards authorities and insufficient law enforcement. his distrust is further strengthened by the total absence of communication of state authorities directed towards victims and vulnerable groups that would assure them that their protection is important and taken seriously. For strengthening the sense of security within the Roma communities, it is important to inform the Roma community about the results of prosecutions for hate crimes directed against them.[43] Public commitment that these types of threats and crimes will be taken seriously and will be considered a priority is generally missing. Victims often do not report offences to police because they fear retaliation and the discriminatory attitude of law enforcement authorities.[44]

Despite the fact that the NSA encourages stronger cooperation between governmental and non-governmental actors, respondents both from governmental and non-governmental sector agreed that such interaction remains limited and generally ad hoc as a consequence of the mutual distrust between the parties.[45] Beyond the Government Council for Roma Affairs and Government Council for Ethnic Minorities that should serve as interface between minority groups and the state and governmental sector, there is no platform or working group for regular information exchange and planning. Nevertheless, as the NSA underlines it, better cooperation with the non-governmental sector offers several advantages. In that context, some representatives of NGO sector underlined NGOs could assist the governmental sector by providing not only experience and expertise, but also insight into vulnerable communities, local knowledge, networks of trust as well as good understanding of the negative impact of hatred on individuals and communities. They are suitable actors who could facilitate dialogue and mediate conflict, alleviate pressure by organizing public

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38   "Zpráva O Extremismu Na Území České Republiky v Roce 2015" (Ministerstvo vnitra České republiky, 2016), 9.

39   "The ADL GLOBAL 100: An Index of Anti-Semitism," accessed June 16, 2017, http://global100.adl.org/#map. (accessed: 7th June 2017)

40   "Uprchlíky Zastřelit a Vás Oběsit. Neziskovky Čelí Odpůrcům Migrantů | Domov | Lidovky.cz," 2017, http://www.lidovky.cz/neziskovky-celi-odpurcum-migrantu-dup-/zpravy-domov.aspx?c=A150618_161924_ln_domov_jzl; "Vadí I Pomoc Uprchlíkům. Filantropické Firmy Čelí Bojkotům a Výhrůžkám | Domov," Lidovky.cz, September 12, 2015, http://www.lidovky.cz/vadi-i-pomoc-uprchlikum-filantropicke-firmy-celi-bojkotum-a-vyhruzkam-1zs-/zpravy-domov.aspx?c=A150911_153853_ln_domov_jzl. (accessed: 14th June 2017)

41   "Sněmovní Tisk 1049/0, Část Č. 1/3," https://www.psp.cz/sqw/text/tiskt.sqw?O=7&CT=1049&CT1=0. (accessed: 14th June 2017)

42   Matouš Hrdina, Hana Daňková, and Liudmila Kopecká, "Projevy Nenávisti v Online Prostoru a Na Sociálních Sítích" (Člověk v tísni, n.d.), https://www.clovekvtisni.cz/cs/clanky/jak-se-siri-nenavist-na-ceskem-internetu; netbite.cz, (accessed: 14th June 2017); "Reklama Na Českých Dezinformačních Webech," Think-Tank Evropské Hodnoty, http://www.evropskehodnoty.cz/vyzkum/reklama-na-dezinfo/ (accessed: 14th June 2017) and Michal Zlatkovský a Petr Kočí, "Žebříček Českých Neověřených Článků: Dezinformační Texty Mají Nad Pravdivými Navrch," https://interaktivni.rozhlas.cz/dezinformace/. (accessed: 14th June 2017)

43   "Romská Rada Jednala O Kauze Žatec: Zástupci Romů Vyjádřili Rostoucí Pocit Ohrožení Své Bezpečnosti - Romea.cz", http://www.romea.cz/cz/zpravodajstvi/domaci/romska-rada-jednala-o-kauze-zatec-zastupci-romu-romu-vyjadrili-rostouci-pocit-ohrozeni-sve-bezpecnosti. (accessed: 14th June 2017)

44   "ECRI Report on the Czech on the Republic" (European Commission against Racism and Intolerance, 2015), http://www.coe.int/t/dghl/monitoring/ecri/Country-by-country/Czech_Republic/CZE-CbC-V-2015-035-ENG.pdf. (accessed: 14th June 2017)

45   "Audit národní bezpečnosti" (Ministerstvo vnitra České republiky, 2016), 38. http://www.mvcr.cz/cthh/clanek/audit-narodni-bezpecnosti.aspx.

events that enable personal encounters of majority public with minorities. Such an approach proves to be one of the most efficient strategies to defuse hate, fear and stereotypes. By allowing them to more closely cooperate with state authorities, NGOs could also complement state efforts at data collection and strategic communication. More efficient data collection on attacks and victims based on such cooperation can better contribute to addressing low sensitivity and low awareness of the impact of such incidents on victims and communities. Last but not least, NGOs could also help state authorities launch and facilitate communication towards vulnerable groups that is generally missing.

III. PERSPECTIVES: SOCIAL ACTORS

The failure of politicians to counter extremism narratives is compensated to some extent, by the activities of several social actors who do not traditionally speak out against extremism and hatred. For instance, movements such as 'Scouts' and 'Sokol'; who did publicly circulate appeals for nonviolence and restraint in the context of anti-Roma protests and the refugee crisis. Scientists have established 'Scientists against Fear and Hatred' that called for similar appeals. Universities joined anti-extremist activities via the recently founded Student Movement for Solidarity. Nevertheless, these initiatives became also targets of criticism and mockery.[46]

Sensationalist reporting in the media can exacerbate social tensions. The media sometimes presents non-violent efforts to oppose hatred as themselves being 'extreme'. In sensitive situations, such as the recent migrant crisis, the media often seeks contributors who strengthen this narrative, and by pass 'experts'. For example, during the migrant crisis, a platform was primarily given to politicians and members of the security forces. Air time given to 'experts' on the topics of migration and integration was very low, around 1 percent.[47] Respondents from regulatory agencies reported that the Czech media regulatory body received an unprecedented number of complaints during this crisis. Interestingly, these were mainly complaints that the media reporting was disproportionality favouring the multiculturalist view point. Partly due to these factors, trust in traditional media is decreasing, while the popularity of the so-called alternative news sites is on the rise, this trend further lowers journalistic standards.[48]

Dissemination of fake news and hatred have become to a significant extent a business model as clicks and advertising can generate a significant amount of revenue. Nevertheless, several companies have already decided to not permit the display of their advertisements on sites that present hate or disinformation which results in limited advertising revenue for the site owners.[49]

There is a general agreement among respondents that although exposed groups are traditionally considered as victims, they are also important agents in change, who can play a greater role in preventing and countering extremism i.e. through better advocating for equal access to justice through united efforts by all vulnerable groups. In that context, collaboration among young people in Jewish and Muslim communities – as well as with Evangelical Christian groups – works well, members of the Roma community are often excluded from such cooperation.

Even though it has a huge potential, education plays a limited role in countering extremism for the time being. Although relevant topics, such as the Holocaust are incorporated in the curricula, this is only to a limited extent and their effective application in raising awareness and deconstructing extremist narratives remains a task for the future.

46 Josef Kopecký, "Ať si každý signatář výzvy proti strachu vezme domů uprchlíka, řekl Zeman," *iDNES.cz*, August 31, 2015, http://zpravy.idnes.cz/at-si-kazdy-signatar-vyzvy-proti-strachu-vezme-domu-uprchlika-rekl-zeman-1lo-/domaci.aspx?c=A150831_123953_domaci_kop. (accessed: 14th June 2017)
47 Michal Tkaczyk, Pavel Pospěch, and Jakub Macek, "Analýza Mediálního Pokrytí Uprchlické Krize (Výzkumná Zpráva)," 2015, https://www.muni.cz/vyzkum/publikace/1320771. (accessed: 14th June 2017)
48 "Dopady dezinformačních operací v České republice" (Evropské hodnoty z.s., September 12, 2016), http://www.evropskehodnoty.cz/wp-content/uploads/2016/09/Dopady-dezinforma%C4%8Dn%C3%ADch-operac%C3%AD-v-%C4%8Cesk%C3%A9-republice.pdf. (accessed: 14th June 2017)
49 "ČS, T-Mobile a Nestlé Blokují Dezinformační Weby | MediaGuru," December 14, 2016, https://www.mediaguru.cz/2016/12/ceska-sporitelna-stahuje-reklamu-z-dezinformacnich-webu/. (accessed: 14th June 2017)

CAPABILITIES TO PREVENT EXTREMISM IN THE CZECH REPUBLIC

2. CAPABILITIES TO PREVENT EXTREMISM IN HUNGARY

I. INSTITUTIONAL FRAMEWORK

International and EU context

The regulations contained in the Hungarian national law are in line with the universal and regional legal instruments of which Hungary is a signatory. **Based on OECD data, the most common victims of hate crime in Hungary are the Roma and religious minorities (e.g. Jewish people), sexual and gender minorities (lesbian, gay, bisexual and transgender people), foreigners, and asylum seekers.**[50] According to the European Union Fundamental Rights Agency (FRA), between January 2014 and September 2016, there was an increase in incitement against minority groups, both in the Hungarian media and political discourse. The FRA, along with local NGOs, has further carried out a detailed analysis of anti-Semitic activities in Hungary covering the period 2005-2015. Within this timeframe, a decline in anti-Semitic activities was observed to have occurred since 2013.[51]

EU legislation, including Framework Decision EU 2008/913 on combating certain forms and expressions of racism and xenophobia, aimed at harmonizing Member States' policies on xenophobia, hate speech and hate crime, the Audiovisual Media Services Directive (AVMSD), and the Victim Rights Directive (VRD) have been fully implemented in Hungary.[52]

The AVMSD, concerned with aspects of media regulation, is currently open for review, considering proposals to broaden the scope of the legislation to include video-sharing internet platforms, specifically in relation to hate speech and dissemination of harmful content to minors.[53]

The VRD was implemented in Hungary in 2015. It enhances protection of victims, ensuring that the justice process becomes more "victim-centered". The VRD replaces Council Framework Decision 2001/220/JHA, and considerably strengthens the rights of victims and their family members to information and support, while also guaranteeing victims' procedural rights in criminal proceedings. Furthermore, it requires that the Member States ensure appropriate training on victims' needs for officials who are likely to come into contact with victims and encourages cooperation between Member States and coordination of national policies on victims' rights. With regard to specific groups of victims, EU legislation further establishes protection and support for victims of human trafficking and child victims of sexual exploitation and child pornography.[54]

Constitutional protections

The Fundamental Law of Hungary provides the basic legal framework for protection of freedom of expression and non-discrimination.[55] Paragraph (5), Article IX limits freedom of speech where this infringes individual or communal dignity. Within this context, claims against violations of human dignity are addressed by ordinary courts in the first instance; however, the Constitutional Court provides oversight through the process of constitutional complaint in cases where the ordinary court decision fails to protect human dignity.[56] The Constitutional Courts of the Visegrad Group countries closely observe each other's jurisprudence, further strengthening the normative framework.

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50 Data provided by Hungary on hate crimes committed to the OSCE (up until 2015) http://hatecrime.osce.org/hungary
51 European Union Agency for Fundamental Rights, "Antisemitism - Overview of Data Available in the European Union 2005–2015," November 2015. p. 53-54
52 Directive 2010/13/EU of the European Parliament and of the Council of 10 March 2010 on the coordination of certain provisions laid down by law, regulation or administrative action in Member States concerning the provision of audiovisual media services (Audiovisual Media Services Directive) (Text with EEA relevance) and Directive 2012/29/EU establishing minimum standards on the rights, support and protection of victims of crime, and replacing Council Framework Decision 2001/220/JHA
53 European Commission, "Revision of the Audiovisual Media Services Directive (AVMSD)," 2016, https://ec.europa.eu/digital-single-market/en/revision-audiovisual-media-services-directive-avmsd#Article. (accessed: 17th May 2017)
54 Directive 2011/92/EU of the European Parliament and of the Council of 13 December 2011 on combating the sexual abuse and sexual exploitation of children and child pornography, and replacing Council Framework Decision 2004/68/JHA
55 "The Fundamental Law of Hungary (25 April 2011)," http://www.kormany.hu/download/e/02/00000/The%20New%20Fundamental%20Law%20of%20Hungary.pdf.
56 "Act CLI of 2011 on the Constitutional Court," http://hunconcourt.hu/rules/act-on-the-cc. (accessed: 17th May 2017)

Criminal law protection

Act C of 2012 on the Hungarian Criminal Code (HCC) severely sanctions hate crime. If a bias motivation is found in certain crimes, then it can be classified as a crime of "violence against a member of a community". Specific victim-centered provisions include the incorporation of homeless persons as a protected group.

Since its adoption, the HCC has been further augmented and refined. Act CIII of 2016 clarified certain elements of the crime of incitement against a community (Article 332, HCC) whereby the definition of incitement to hatred was expanded to also include incitement to violence. This amendment also clarified that such bias motivation can be established in case the crime is committed against a specific person in the interest of creating hostility against his/her group, as the original criminal provision did not expressis verbis mention specific members of the community as possible victims.

Both Act CIV of 2010 on the freedom of the press and the fundamental rules on media content (Press Freedom Act) and Act CLXXXV of 2010 on media services and mass communication (Media Act) apply specific procedural rules for media service providers who operate within the Hungarian market but are based in a different EU State.[57]

A further protective mechanism is Act CXXV of 1995 on national security services. This contains some provisions on the information-gathering tasks and intelligence duties of the Constitution Protection Office and of the Military National Security Service in terms of radicalization, hate speech and racism.

Law enforcement

While the legal framework outlined above appears adequate, most respondents familiar with conditions on the ground stated that there are significant problems with regard to enforcement of legal and constitutional provisions. A very high percentage of hate crimes go unreported. Respondents familiar with the situation perceive that a far higher number of crimes are committed than the 30 to 40 cases reported annually – unless this lack of reporting of crimes can be addressed, then the authorities will not be convinced that the issue is something that should be taken more seriously.

There are several reasons why a large number of hate crimes go unreported, as argued by respondents in the NGO sector, and victims themselves are often unaware that the crime against them was in fact a hate crime. In case they are aware, different fears tend to obstruct the reporting process, such as being afraid of reprisal attacks, or, when their membership in a certain community is unknown to the public, victims are also often afraid that their identity might be revealed during the investigation.

Respondents from the NGO sector also found that antipathy against the police is also a key factor in the under-reporting of hate crimes. Victims are sometimes afraid that the police are not able or willing to conduct a proper investigation, mostly due to lack of capacities and resources. Even if they do report that a crime has been committed, authorities often disregard the bias motivation of the offense and classify the incident as a less severe crime, or terminate the investigation claiming that – in fact – no crime has been committed. This concern of the victims and the fear of becoming subjected to secondary victimization limits the efficiency of the fight against hate crimes.

As argued by respondents working in the NGO sector, more often than not, the problem lies not in the attitude of the police, rather in the lack of expertise: they might not recognize that the crime in question was indeed a hate crime due to inadequate training and experience.

The Working Group Against Hate Crime has developed a list of indicators[58] that could be used to aid police investigations. Some of these include the appearance and the views of the perpetrator and the victim, the presence of prejudice, and details of the place and time of the crime. These help indicate whether there was bias motivation. The indicator list needs to be properly implemented during the practice of police in order to see a change in the results.

The above issues, i.e. the low level of trust in public authorities and their lack of expertise in this field result in perpetrators of hate crimes being held accountable only in a small number of cases, and even so they

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57 "Act CLXXXV of 2010 on Media Services and Mass Communication," http://hunmedialaw.org/dokumentum/153/Mttv_110803_EN_final.pdf. (accessed: 14th June 2017)

58 Gyűlölet-bűncselekmények Elleni Munkacsoport, "Előítélet-Indikátorok," 2016, http://gyuloletellen.hu/sites/default/files/gyem_indikatorlista_ketoszlopos_vegleges.pdf. (accessed: 14th June 2017)

are punished with a less severe sanction than would be appropriate according to the legal standards. This kind of systemic error can indirectly operate as an incentive for perpetrators and further increase hatred. Although the topic of hate crimes has not been in the Hungarian public discourse for long, there is a positive trend in that authorities increasingly recognize the importance of correct classification.

Recognizing the lack of expertise, the National Police Headquarters has increased the number of training programmes, and according to independent respondents familiar with the situation, it also has a positive attitude towards cooperation with NGOs in several fields. These trends resulted in the establishment of a Police Hate Crimes Network in 2012; a designated officer from each County Police is given a proper training on hate crimes, and is made responsible for putting into practice national knowledge and skills on a regional level.

Although the idea and the initiative are highly welcomed, the Network faces a few difficulties. The main problem is that due to the under-classification of hate crimes at the local level, a lot of cases will not be brought to the County Police where the members of the Network could deal with it in a professional manner. Furthermore, no extra benefits or time is provided for the efforts of the Network members, and the fluctuation among the police officers involved in this work is large. These conditions make it difficult to build a long-lasting network of increased size, a situation which will limit the impact of this initiative in providing more robust responses to hate crime.

The Hungarian National Human Rights Institution, i.e. the ombudsman or Commissioner for Fundamental Rights offers a range of protections with a broad mandate to investigate human rights violations, but has only limited power to act against these.

Already at its establishment in 1995, the then 'minority ombudsman' had the primary task of protecting the Roma minority. Since 2011, the newly restructured Office of the Commissioner for Fundamental Rights has been mandated with further tasks beyond this traditional scope of operation, although it faces difficulties due to the lack of resources to execute them. These new tasks have been assigned to the Deputy Commissioner for Fundamental Rights, Ombudsman for the Rights of National Minorities within the Office of the Commissioner for Fundamental Rights.

Among the responsibilities of the Commissioner is the operation of the "National Preventive Mechanism" under the Optional Protocol Against the Convention Against Torture (OPCAT), under which each minority group is protected. They also participate in the Equinet (European Network of Equality Bodies), hold conferences, various training programmes, and carry out other projects related to hate speech and its reduction, or other relevant topics, such as eliminating educational segregation, examining the role of the church in the protection of minority rights, or exploiting the potentials of social media with the purpose of human rights protection.

The role of media authorities in law enforcement for preventing and countering extremism is crucial. Although long-lasting progress can only be achieved if there is a cultural change within the society, legal tools offer a more short-term, though ultimately less effective solution. Since it is hard to determine the scope and extent as well as the boundaries of freedom of expression (i.e. what should be protected or punished) in Hungary, the Media Council of the National Media and Infocommunications Authority (Media Council) only has a limited opportunity to act. Besides relying on the legislative framework, the Media Council applies its powers according to the relevant judicial practice and the jurisprudence of the Constitutional Court. The social perception of hate speech significantly differs from what actually can be regarded as hate speech under the applicable media regulation in Hungary. Therefore, it is relatively rare to establish infringement for the dissemination of hatred, incitement or instigation.

Co-regulation is also carried out through an institutionalized cooperation between the Media Council and the self-regulatory bodies of the content providers. In this system, the latter may receive complaints, and forward them to the Media Council. However, not every provider of media content is a party to these voluntary self-regulatory bodies, and there is a general lack of expertise on implementing co-regulation in the Hungarian context. The Internet Hotline, operating in Hungary since 2005, offers another channel to manage potentially illegal content online. Users and groups can report hateful content, and the Hotline can request that the material be withdrawn by the content provider, who could comply on a voluntary basis.

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According to our respondents, cooperation between the V4 countries seems to be intensive and efficient in the field of anti-terrorism. Counter-terrorism measures and security strategies, including early warning mechanisms, are harmonized between partner agencies and reviewed during frequent discussions and meetings. This cooperation has been enhanced since the migration and refugee crisis and the recent Europe-wide terror attacks. A particular forum for cooperation exists between the V4 Ombudsman bodies. Although their operation is efficient and there is a regular exchange of information among them, there is still room for improvement in terms of establishing further channels for cooperation.

II. PERSPECTIVES: EXPOSED COMMUNITIES

Hungary has seen an increase in radicalization in the last couple of years. Based on the information available, extremism – although not affiliated with Muslim extremists – in Central Europe has generally strengthened.[59] The situation in Hungary therefore reflects wider regional trends.

According to the respondents, radical extremist organizations operating in Hungary are primarily characterized by right wing, nationalist affiliations, for instance football hooligan groups. Significant radical left-wing organizations are not known.

Militant radicalism reached its peak during the 2008-2009, with the murder of six members of the Roma community by a group of serial-killers that was followed by the right-wing marches of extremist groups in Roma-inhabited territories in 2011 in the name of law enforcement. Although the dissolution of the Hungarian Guard Movement (Magyar Gárda) was a promising sign for the Roma community who lived in fear during these times, ex lex organizations (successor groups) still exist. It was also argued by respondents working in the NGO sector that the decrease of militant radical groups can be partially explained by the efforts of the most radical party in the Hungarian Parliament (Movement for a Better Hungary - Jobbik Magyarországért Mozgalom) to move towards the political mainstream.

The notion of radicalization is viewed differently pending on the vulnerable group concerned. Based on the interviews with experts, after 2008, hatred against members of the LGBT community has risen; participants during or after community events have occasionally been attacked. The most visible targets have been the Pride festival or affiliated events, as well as entertainment facilities, such as bars with a core clientele composed of LGBT.

According to some observers, the increasingly combative manner of the public discourse in Hungary contributes to the extremist tendencies in some parts of society, even though public attention has shifted from "traditional" exposed communities towards migrants.

The increased flow of migrants and refugees experienced since 2015 is a relatively new phenomenon in Hungary, and much radicalization has been attributed to this. The Central European region in general does not have recent experience of comparable migration and refugee influxes. Therefore, both society and political decision-makers were unprepared for this eventuality. There is no dedicated authority mandated to protect the rights of migrants and refugees. The Office of the Commissioner for Fundamental Rights, however, applies a broader perspective and stresses that human rights, especially the right to dignity should always be respected. Some NGOs also stepped up their activities to protect vulnerable groups during the migration and refugee flow.

Views on the impact of the migration and refugee crisis on extremism or radicalization differ among respondents. According to some, migration has increased the number of expressions of prejudice in the citizens and created a social space for the activities of radical groups; others stated that although illegal migration posed a serious threat to the Hungarian – as well as the European – society, the government succeeded to effectively address social tensions. Most respondents were of the opinion that the migration crisis had an impact on current attitudes towards the Roma population in Hungary. Altogether, there is consensus that the migration crisis removed the public's attention from the problems Roma communities are facing. Some officials, however, stated that the increase of refugee crisis might in the long run jeopardize efforts to improve the living standards of Roma population, access to public services and the protection of their individual and collective rights.

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59 European Union Agency for Fundamental Rights, "Fundamental Rights Report 2016," http://fra.europa.eu/en/publication/2016/fundamental-rights-report-2016. (accessed: 20th May 2017)

In terms of the Roma community, there have been recent positive changes in legislation which impacts them specifically; including the above mentioned modifications of the HCC, while the introduction of indicator-based investigation or the establishment of the Police Hate Crimes Network also mark a relevant positive trend in law enforcement.

Antisemitism is not extinct in Hungary, but those who support the idea usually feel hatred or repugnance towards all exposed groups. The Jewish community acknowledges that despite the trends of radicalization in the country, they are not exposed to it on a daily basis. Online hate speech has become more common, and aside from the assets of the Media Authority, there are no means in place to stop it. Nevertheless, the community does not live in fear, indeed, the relationship between them and the government is flourishing. The Hungarian government funds and contributes to numerous projects aimed at improving the life of the Jewish community, e.g. the establishment of schools, renovation of synagogues or the operation of their security systems. The Prime Minister's Office has institutionalized its cooperation with the Jewish Community in the form of a roundtable.

The Jewish community is willing to share the responsibility to work on its positive perception. They are actively engaged in charity work, such as food drives, and organize several community events, e.g. the Jewish Cultural Festival the explicit goal of which is to strengthen tolerance between different cultures. Moreover, in 2019, Hungary will host the 15th European Maccabi Games, the biggest Europe-wide competition for Jewish athletes.

Regardless of the advancement of the legal framework and the best practices identified, representatives of exposed communities have raised concerns regarding constitutional protection. Besides the core text of the Fundamental Law, its Fourth Amendment[60] contains some provisions that have in the past been exposed to heavy criticism on the international level.[61] Sexual minorities are affected e.g. by the provision that solidifies the notion of marriage as a union that shall be between a man and a woman, and family being defined only to refer to marriage and parent-child relationships. Even though sexual minorities can enter into registered partnership, they are entitled to fewer benefits than spouses, e.g. in terms of adoption[62]. Issues also arise in implementing existing legislation, such as on inheritance tax; however, the Office of the Commissioner for Fundamental Rights compiled a report to unify the law in that matter,[63] which was accepted by the Ministry of Justice and the National Tax and Customs Administration of Hungary.

III. PERSPECTIVES: SOCIAL ACTORS

Education

Hungarian elementary schools employ several tools to facilitate human rights education. Learning the rights and obligations of students is part of the school curriculum, while the topics of tolerance and acceptance also come up during activities outside the classroom. Organizing different events, such as tolerance days that aim at bringing students and disabled people together, and conflict management training for both teachers and students, among others, have become quite popular across the country's schools.[64] High schools talk about more specific topics, such as minority rights and hate speech or hate crimes within the framework of history classes or social studies.

In Hungarian universities, Faculties of Law and Political Sciences or those of Social Sciences are usually the ones capable of having a direct impact on the attitude of their students regarding social matters. Encouraging students outside of the humanities and social sciences to take courses on social matters, by explaining the benefits in terms of social awareness, would increase the range of students reached by such programmes.

60 "Fourth Amendment to the Fundamental Law of Hungary," 2013, http://2010-2014.kormany.hu/download/3/90/d0000/20130312%20 Fourth%20Amendment%20to%20the%20Fundamental%20Law.pdf. (accessed: 14th June 2017)

61 See e.g. European Commission For Democracy Through Law and (Venice Commission), "Opinion on the Fourth Amendment to the Fundamental Law of Hungary," 2013, http://www.venice.coe.int/webforms/documents/default.aspx?pdffile=cdl-ad(2013)012-e. (accessed: 12th June 2017)

62 See Act XXIX of 2009 for details

63 Alapvető Jogok Biztosának Hivatala, "Az Ombudsman alkotmánybírósági indítványa az új Polgári Törvénykönyv 'hozzátartozó' fogalmából kihagyott 'bejegyzett élettársak' miatt," 2013, https://www.ajbh.hu/-/az-ombudsman-alkotmanybirosagi-inditvanya-az-uj-polgari-torvenykonyv-hozzatartozo-fogalmabol-kihagyott-bejegyzett-elettarsak-miatt. (accessed: 12th June 2017)

64 Márta Rózsa Kiss, "Tavaszi Tolerancia Nap a Kossuth Lajos Általános Iskolában," 2016, http://www.kossuth-szeged.sulinet.hu/hirek/1516/tolerancianap2.html. (accessed: 12th June 2017)

Media

Besides having a common ethics policy that includes the protection of dignity with a special focus on vulnerable groups,[65] the editors-in-chief and content providers of the most influential Hungarian media platforms have also developed a system for receiving complaints upon which they make decisions. Their resolutions are available on their official website.[66]

At present, other V4 countries do not have an equivalent forum for Editors-in-chief to come together and share best practices, it being the first of its kind in the region with its establishment in 2012. Nevertheless, the organization aims at finding potential partners in the V4 countries with the aim of building a regional cooperation with a focus on matters of corruption, conflict of interest, protection of sensitive data, and this regional initiative would also include multilateral discussions on radicalization and extremism.

Social media represents one of the most challenging arenas for fighting extremism. Controlling the content of closed social media (i.e. Facebook) groups is beyond the reach of Hungarian authorities, even getting to know what happens here requires a lengthy process and negotiations with Facebook's European headquarters. More traditional fora, like the comments sections of online newspapers, blogs and websites are better regulated. The current Hungarian media law makes the publisher responsible for hate-loaded user comments, therefore moderation from the owners is contributing to the fight against extremism. The elimination of extremist voices in a more comprehensive manner, however, requires a transnational approach and cooperation. Self-regulation of content providers could be a useful step in the right direction as legislation is usually not fast enough to follow technological changes in the online sector.

Non-Governmental Organizations

Aside from the Working Group Against Hate Crimes mentioned above, there are several Hungarian NGOs who collaborate and focus on topics pertaining to hate crimes and extremism. Most of these NGOs are doing reactive work (e.g. representing exposed groups at courts, providing assistance in police investigations, making people aware of their rights), the preventive capacities of these organizations could be strengthened to make them more effective in preventively fighting hate crimes.

Many NGOs have begun operating training programmes for both public and private-sector actors. Although respondents found education to be largely effective, there are certain topics in Hungary that are still considered as taboos – transgender or intersex rights being some of them.

Most of the respondents working in the NGO sector claimed that the relationship between NGOs and the press is highly dependent on the media platform. Some view NGOs as partners, but the number of platforms they actually have access to is very few, usually excluding the public media entirely.

Most recently, concerns have been raised about the Hungarian government's proposed regulation of foreign funded NGOs, as many of these organizations are also active in the protection of exposed groups and in the fight against hate crimes. Even though at the time of this writing the law is still not passed, some observers raised questions whether the law will affect public trust in NGOs operating in Hungary, albeit the operation of these organizations is not going to be threatened by the law. It remains to be seen what the exact outcomes of this initiative will be, and how the prestige and public standing of NGOs will be affected.

Churches are also important stakeholders. Although registered churches receive significant financial support from the government, they have been criticized for not being active in times of need, such as during the peak of the migration crisis. Many small churches who are actively involved in providing human rights protections were deprived of their official status. Cases brought to the European Court of Human Rights resulted in serious fiscal compensation, nevertheless, no substantial change is anticipated in their status and ability to play a better social role.[67]

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65   "Etikai kódex – Önszabályozó etikai irányelvek,"http://korrektor.hu/etikai-kodex/(accessed: 14th June 2017)

66   The official website is available at: http://korrektor.hu/hatarozat/ (accessed: 14th June 2017)

67   Case of Magyar Keresztény Mennonita Egyház and Others v. Hungary," Application numbers: 70945/11, 23611/12, 26998/12, 41150/12, 41155/12, 41463/12, 41553/12, 54977/12 and 56581/12 http://hudoc.echr.coe.int/eng#{"appno":["70945/11"],"itemid":["001-142196"]} (accessed: 14th June 2017)

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A mechanism for all - Universal Periodic Review

For many NGOs in Hungary, one of the main and most visible platforms where they can raise their voices is the Universal Periodic Review (UPR) carried out by the UN. NGOs are able to directly contribute to this auditing process. In 2016, Hungary received 221 recommendations. The UPR provides a platform for real cooperation between NGOs and both the public sector and academia. However, an inadequate time frame is provided by its operational conditions for it to be efficient and effective. Two or three days are not enough to give suggestions and to fully share their opinions. The mechanism therefore often results in superficial or irrelevant recommendations, while another concern is that although "naming and shaming" might work in some ways, it does not really have a long-lasting and significant impact on the policies of member states.

Critiques regarding the operation of UPR in Hungary arose from its formality as well. According to the respondents, a lot of background studies and recommendations have been submitted by NGOs, yet the majority of them were disregarded (though a positive sign is that the recommendations regarding hate crimes have been accepted). The Human Rights Working Group was established in February 2012, as a platform where real cooperation could be achieved, yet it has been criticized for not aiming at complying with the UPR recommendations. Some NGOs even left the Working Group, complaining about not providing meaningful content. In order for Hungary to use the opportunity the UPR mechanism offers, major changes in the system should be made.

3. CAPABILITIES TO PREVENT EXTREMISM IN POLAND

I. INSTITUTIONAL FRAMEWORK

Legal environment

As stipulated in the Constitution of the Republic of Poland adopted on 2 April 1997, Poland is a democratic state ruled by law (Article 2), and it upholds human rights and freedoms and ensures the security of its citizens (Article 5).[68] Chapter II of the Constitution guarantees civil, political, economic, social, and cultural rights and freedoms. Key principles of human rights protection include equality before the law and the right to be treated equally by the public authorities. Freedom is legally protected. No one can be discriminated against in political, social, or economic life for any reason whatsoever. Any limitation upon the exercise of constitutional freedoms and rights may be imposed only by statute, and only when necessary in a democratic state for the protection of its security or public order, or to protect the natural environment, health, public morals, or the freedoms and rights of other persons.

Furthermore, the Constitution guarantees that Polish citizens who are members of national and ethnic minorities have the freedom to preserve and develop their own language, to maintain customs and traditions, and to develop their own culture. National and ethnic minorities have the right to establish educational and cultural institutions and institutions designed to protect religious identity, as well as to participate in the resolution of matters connected with their cultural identity. Specific regulations concerning the legal status of national and ethnic minorities are contained in the act of 6 January 2005 on national and ethnic minorities and regional language.[69]

The Constitution also prohibits political parties and other organizations whose programmes invoke totalitarian methods and the modes of operation of Nazism, fascism and communism, as well as those whose programmes or activities assume or allow racial or national hatred, the application of violence for the purpose of obtaining power or influencing state policy, or provide for the secrecy of their own structure or membership.

The Polish Criminal Code provides a basis for prosecuting crimes that violate fundamental freedoms and human rights.[70] The following crimes are punishable under the Code, inter alia: genocide, homicide, rape, torture, using violence or threats against a person or a group of persons on the grounds of their national or ethnic, racial, religious, political affiliation or due to them not being a member of any religion. Other punishable acts include fascist or other totalitarian propaganda and inciting hatred on the grounds of national, ethnic, racial, religious affiliation or due to someone not being a member of any religion (Polish Criminal Code, Article 256), as well as public insult or violating the right to the personal inviolability of a person or a group of persons on these same grounds. The obligation to respect human rights is encoded in a number of laws, e.g. those governing the activity of the police and the Border Guard, and also in the Polish Code of Criminal Enforcement.[71]

The regulations contained in Polish national law correspond to the universal and regional legal instruments of which Poland is a signatory. Primarily, these include the instruments of the UN system, i.e. the International Covenant on Civil and Political Rights (1966) with its two Optional Protocols (1966 and 1991), the International Covenant on Economic, Social and Cultural Rights (1966), the Convention on the Elimination of All Forms of Discrimination against Women (1979) with its Optional Protocol (2000), the

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68 "The Constitution of the Republic of Poland", (1997), http://www.sejm.gov.pl/prawo/konst/angielski/kon1.htm, (accessed: 10th June 2017).

69 "Act of 6 January 2005 on national and ethnic minorities and on the regional languages", *Journal of Laws*, 2005, No. 17), http://ksng.gugik.gov.pl/english/files/act_on_national_minorities.pdf (accessed: 9th June 2017).

70 "Act of 6 June 1997 on the Criminal Cod", Journal of Laws, 1997, No. 88, item 553, as amended, http://isap.sejm.gov.pl/DetailsServlet?id=WDU19970880553 (accessed: 9th June 2017).

71 "Ustawa z dnia 6 kwietnia" 1990 r. o Policji, Dz.U. 1990 nr 30 poz. 179. http://isap.sejm.gov.pl/DetailsServlet?id=WDU19900300179, (accessed: 6th June 2017); "Ustawa z dnia 12 października" 1990 r. o Straży Granicznej, Dz.U. 1990 nr 78 poz. 462. http://isap.sejm.gov.pl/DetailsServlet?id=WDU19900780462 (accessed: 5th June 2017) and "Ustawa z dnia 6 czerwca" 1997 r. - Kodeks karny wykonawczy, Dz.U. 1997 nr 90 poz. 557.http://isap.sejm.gov.pl/DetailsServlet?id=WDU19970900557 (accessed: 11th June 2017).

International Convention on the Elimination of All Forms of Racial Discrimination (1969), the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (1987) with its Optional Protocol (2006), the Convention on the Rights of the Child (1990) with its two Optional Protocols (2002), and the Convention on the Rights of Persons with Disabilities (2008). As for the Council of Europe's system, Poland is party to, inter alia, the European Convention for the Protection of Human Rights and Fundamental Freedoms (1950), the European Social Charter (1961), the European Charter for Regional or Minority Languages (1992), and the Framework Convention on National Minorities (1996).

As a member of the European Union (EU) and a participating state in the Organisation for Security and Cooperation in Europe (OSCE), Poland is obliged to respect the human rights standards set out by both these international bodies.

As a member of various international human rights organizations, Poland is subject to numerous control mechanisms. It submits reports (regularly and in an overall timely manner) on the implementation of conventions, it allows complaints to the relevant UN treaty bodies (the Human Rights Committee, the Committee Against Torture, the Committee on the Elimination of Racial Discrimination, and the Committee on the Elimination of Discrimination Against Women), and it also allows applications to the European Court of Human Rights.

Law enforcement

Respect for human rights is guaranteed primarily by the operation of an independent system of justice administration. The matter is governed by Chapter VIII of the Constitution.[72] Everybody has the following rights: to petition the courts if their rights are violated; to appeal courts' decisions; and to receive compensation for any harm done to them by any action of public authority that was in contravention of the law. Despite these extensive provisions, the operation of the justice system is not fully satisfactory.[73] For example, the excessive lengthiness of proceedings poses a serious problem. And, in 2016, the functions of Prosecutor General and Minister of Justice were merged, in a move which enabled political interference in the work of the prosecution services.[74]

Another safeguard of Polish rights and freedoms is the Constitutional Tribunal that investigates the conformity of statues and other laws with the Constitution.[75] However, a crisis of the Tribunal which begun in 2015 – triggered by political interventions in the composition of the Court and the selective publication of its decisions – has yet to be resolved. Any compromise of the Courts independence weakens the foundations of Poland's national human rights protection system.[76] The Commissioner for Human Rights (Ombudsman) is an independent body provided by the Constitution, tasked with safeguarding the freedoms and rights of persons and citizens.[77] Everybody can request the assistance of the Ombudsman. Moreover, the Ombudsman may initiate actions itself. The Ombudsman is authorized to point out irregularities, present opinions, send petitions to institutions, submit motions to the Constitutional Tribunal, work together with NGOs, etc. It is also the responsibility of the Ombudsman to take action in cases regarding individual violations of human rights, and to identify and raise awareness of disturbing trends regarding both the law as such and its application. Thus the Ombudsman plays an important role in applying soft initiatives to pre-empt trends which could

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72 *The Constitution of the Republic of Poland... op. cit.*

73 "European judicial systems. Efficiency and quality of justice", *CEPEJ Studies*, No. 23, Edition 2016 (2014 data): https://www.coe.int/t/dghl/cooperation/cepej/evaluation/2016/publication/CEPEJ%20Study%2023%20report%20EN%20web.pdf, (accessed, 10th June 2017); Amnesty International, *Poland Submission to the United Nations Human Rights Committee* 118th Session, 17 Oct - 04 Nov 2016, p. 23-25. *Final opinion on draft amendments to the act on the National Council of the judiciary and certain other acts of Poland*, ODIHR OSCE, 5 May 2017: http://www.osce.org/odihr/315946?download=true, (accessed, 8th June 2017).

74 " Ustawa z dnia 28 stycznia 2016 r. Prawo o prokuraturze, Dz.U. 2016 poz. 177.", http://isap.sejm.gov.pl/DetailsServlet?id=WDU20160000177 (accessed, 11th June 2017).

75 See official website of the Constitutional Tribunal. http://trybunal.gov.pl/en (accessed, 9th June 2017).

76 Opinion on amendments to the Act of 25 June 2015 on the Constitutional Tribunal of Poland, adopted by the Venice Commission at its 106th Plenary Session, 11-12 March 2016: http://www.venice.coe.int/webforms/documents/?pdf=CDL-AD(2016)001-e (accessed, 11th June 2017); European Commission, College Orientation Debate on recent developments in Poland and the Rule of Law Framework: Questions & Answers: http://europa.eu/rapid/press-release_MEMO-16-62_en.htm; (accessed, 12th June 2017); European Commission Recommendation regarding the Rule of Law in Poland: Questions & Answers, 27 July 2016: http://citizensobservatory.pl/wp-content/uploads/2016/07/MEMO-16-2644_EN.pdf, (accessed, 10th June 2017): Rule of Law: European Commission discusses latest developments and issues complementary. Recommendation to Poland, 21 December 2016: http://europa.eu/rapid/press-release_IP-16-4476_en.htm, (accessed, 13th June 2017); Małgorzata Szuleka, Marcin Wolny, Marcin Szwed, The Constitutional Crises in Poland, 2015-2016, Legislation in force as of 11 August 2016, Helsinki Foundation of Human Rights: http://www.hfhr.pl/wp-content/uploads/2016/09/HFPC-Kryzys-konstytucyjny-w-Polsce-2015-2016.pdf (dostęp: 6 lutego 2017). See also: MFA statement on decision of the European Commission, 27 July 2016: http://www.msz.gov.pl/en/p/msz_en/news/mfa_statement_on_decision_of_the_european_commission_1, (accessed, 10th June 2017); MFA statement on Poland's response to European Commission's complementary Recommendation of 21 December 2017 http://www.msz.gov.pl/en/c/MOBILE/news/mfa_statement_on_poland_s_response_to_european_commission_s_complementary_recommendation_of_21_december_2016_, (accessed, 13th June 2017).

77 See official website of the Ombudsman: https://www.rpo.gov.pl/en (accessed, 14th June 2017).

potentially culminate in grave violations of human rights. In 2008 the scope of responsibility of the Civil Rights Ombudsman was extended to incorporate the tasks of the national preventive mechanism established under the Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment. Finally, the Ombudsman is authorized to verify on an ongoing regular basis how detainees are treated in detention facilities, which helps prevent torture.

The Ombudsman for Children's Rights serves a similar function in respect of children.[78] It is the duty of this Ombudsman to take action to protect children from violence, cruelty, exploitation, and other forms of wrongdoing. It has equivalent authority and scope to act as the more general Human Rights Ombudsman.

Under the act of 3 December 2010, implementing several European Union regulations on equal treatment, the Government Plenipotentiary for Equal Treatment has an important role to play in terms of actively combating discrimination.[79] The remit of the Plenipotentiary is to coordinate the work of government departments as regards equal treatment, to prevent and combat discrimination, and responsibility for the implementation of the principle of equal treatment on the grounds of sex, race national and ethnic origin, religion, denomination, beliefs, disability, age, and sexual orientation. There are also regional field offices of plenipotentiaries for equality issues. The Plenipotentiary is appointed by the Prime Minister, but has no independent budget and is not allowed to propose new legislation to the Parliament. The role of the Plenipotentiary is strictly delimited to the implementation of government policies.

Since 2004, another structure has been operational that is unique to Poland. It is a network of Human Rights Plenipotentiaries of the local police commanders.[80] The plenipotentiaries are attached to police headquarters at the level of province (voivodship) and in the capital city of Warsaw, and are also present in police training facilities. In 2007, the Human Rights Plenipotentiary of the Chief Police Commander was appointed.[81] The responsibilities of this Plenipotentiary include raising awareness of human rights in the police force and ensuring that standards of human right protection be upheld in police practice. The following issues are of particular importance to the human rights plenipotentiaries: combating human trafficking, discrimination, racism, xenophobia, and the concomitant intolerance. The plenipotentiaries offer consultation and advisory services, and organise training opportunities within the police force on respecting human rights. On a regular basis, action plans for the plenipotentiaries are developed and adopted.

The remains of all national institutions of human rights protection extends to both national and ethnic minorities, of which the relevant statute lists the following ones: national minorities – Belarussian, Czech, Lithuanian, German, Armenian, Russian, Slovakian, Ukrainian and Jewish; ethnic minorities – Karaims (Karaites), Lemkos, Tatars, and the Roma. The Kashubian (Cassubian) language is also granted special protection as a regional language.[82]

In the parliament, the Committee for National and Ethnic Minorities has been in operation since 1989.[83] The Committee exerts certain influence on the law-making process, but its primary focus is on consultations and regular contact with members of minority communities.

The Ministry of Internal Affairs and Administration is in charge of policies regarding national and ethnic minorities.[84] There is a Department of Religious Denominations and Ethnic and National Minorities, as well as a separate Ethnic and National Minorities Unit, a Racism and Xenophobia Monitoring Workgroup, and an Ethnic and National Minorities' Cultures Workgroup. Furthermore, responsibilities regarding the preservation and development of the cultural identity of national and ethnic minorities, the rights of these minorities, and the preservation and development of the regional language fall within the remit of the Ministry of Digital Affairs. Specifically, the Department of Religious Denominations and Ethnic and National Minorities is in charge, and within that Department, the Ethnic and National Minorities Unit, the Roma Minority Unit, and the Ethnic and National Minorities' Cultures Workgroup.

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78   See official website of the The Ombudsman for Children's Rights. https://brpd.gov.pl (accessed, 1th June 2017).
79   Ustawa z dnia 3 grudnia 2010 r. o wdrożeniu niektórych przepisów Unii Europejskiej w zakresie równego traktowania, Dz.U. 2010 nr 254 poz. 1700.
80   See official website of the Government Plenipotentiary for Equal Treatment. http://isp.policja.pl/isp/prawa-czlowieka-w-poli/siec-pelnomocnikow (accessed, 11th June 2017).
81   See official website of the Human Rights Plenipotentiary of the Chief Police Commander http://isp.policja.pl/isp/prawa-czlowieka-w-poli/siec-pelnomocnikow/147,Pelnomocnik-KGP.html(accessed, 8th June 2017).
82   Act of 6 January 2005 on national and ethnic minorities…", *op. cit.*
83   See official website of The Ministry of Internal Affairs and Administration. http://www.sejm.gov.pl/Sejm7.nsf/agent.xsp?symbol=KOMISJAST&NrKadencji=7&KodKom=MNE (accessed, 7th June 2017).
84   See official website of the Joint Committee of the Government and the Ethnic and National Minorities. https://mswia.gov.pl/en (accessed, 11th June 2017).

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Since 2005, there has also been established a Joint Committee of the Government and the Ethnic and National Minorities.[85] It is an advisory and consulting body. It consists of members of the stakeholder ministries, i.e. the ministries of education, finance, labour, justice, as well as other institutions; the President of the Central Statistical Office; The Council for the Protection of Struggle and Martyrdom Sites; the Prime Minister's Chief of Staff; and representatives of the national and ethnic minorities, including members of the regional language (Kashubian) community. It is the principal forum for developing, implementing and monitoring minority policies, and for regular dialogue between the government and national and ethnic minorities.

Under the act of 6 January 2005 on National and Ethnic Minorities and Regional Language, all authorities are obliged to take active steps (within their area of responsibility) to promote national and ethnic minorities.[86] Education falls within the remit of the Department of General and Specialized Education within the Ministry of National Education.

At a local level, prevention of discrimination and of violations of the rights of minorities fall within the authority of voivodes (heads of voivodeships), who are also tasked with providing their opinions on programmes carried out by local government units and international organizations. Several voivodeships have their own plenipotentiaries for national and ethnic minorities.[87]

Intragovernmental cooperation

Poland has no direct intragovernmental mechanism to prevent extremism. Ministries and institutions make their own decisions in this regard within their scope of responsibility: internal affairs, national defence, education, culture, etc. Information is exchanged inter alia on proposed draft bills and on reports on the implementation of international human rights instruments. Consultations are held on an as-needed basis, with the above-mentioned Joint Committee of the Government and the Ethnic and National Minorities providing an important forum.

Poland's 2014 security strategy lists the following components of the country's protection potential as important in terms of the responsibility to protect the population: secret services; agencies (services, forces, guards and inspections) with a specialized focus on protecting public order; emergency rescue and response services; crisis management instruments; the Border Guard; private entities (security firms); NGOs (in particular those with a community emergency response focus).[88] Other important actors are those in charge of cybersecurity and prevention of terrorism and extremism. Moreover, the Ministry of Foreign Affairs operates a dedicated Responsibility to Protect focal point, which participates in RtoP-related international cooperation but has no independent power to engage in new measures in terms of intergovernmental cooperation.

Cooperation within V4 and neighbourhood

Poland and the other members of the Visegrad Group are members of the UN, the Council of Europe, the European Union, and the Organization for Security and Co-operation in Europe. Meeting the responsibilities that Poland took up as a member of these organizations, in particular with regard to human rights, is crucial in the prevention of mass atrocities. Poland is also a party to the key Council of Europe conventions (although it is not a party to Protocol No. 12 to the European Convention for the Protection of Human Rights and Fundamental Freedoms regarding the prohibition of discrimination). By ratifying the Treaty on European Union and the Charter of Fundamental Rights of the European Union, Poland has also taken up the responsibilities regarding human rights protection and democratic standards contained in those documents.

Poland has participated in international projects to promote human dignity and human rights, to combat hate crimes, and to protect various social groups, notably the Roma. International cooperation forms an important aspect of the work of the Civil Rights Ombudsman. Summits of Ombudsmen of the Visegrad Group have been

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85 See official website of the Joint Committee of the Government and the Ethnic and National Minorities http://mniejszosci.narodowe.mswia.gov.pl/mne/komisja-wspolna (accessed, 9th June 2017).
86 "Act of 6 January 2005 on national and ethnic minorities…", *op. cit.*
87 The list of plenipotentiaries for national and ethnic minorities. http://mniejszosci.narodowe.mswia.gov.pl/mne/mniejszosci/podmioty-odpowiedzialn/pelnomocnicy-wojewodow/6488,Osoby-odpowiedzialne-za-sprawy-mniejszosci-narodowych-i-etnicznych-w-wojewodztwa.html (accessed, 11th June 2017).
88 *National Security Strategy of the Republic of Poland 2014*, Warsaw 2014: https://www.bbn.gov.pl/ftp/dok/NSS_RP.pdf, (accessed, 13th June 2017).

held since 2004. Recent topics include the protection of national minorities (2014) and the protection of rights of members of social groups facing a particularly great risk of human rights violations (2016). [89]

The Visegrad Group provides a forum for cooperation in the area of policy, economy, and security.[90] It is not involved in cooperation regarding human rights protection. While not impossible in the future, cooperation in this respect would overlap with the responsibilities derived from membership in the above-listed international organizations.

Human resources

The pool of experts on countering hate speech, extremism, and radicalization in Poland is small. Internationally, this is also a fairly new area. The University of Warsaw is engaged in pioneering efforts in this respect. Since 2015, it has been offering a course on international crimes and their prevention, yet the course is only offered to a limited number of students. There is a modicum of prevention inherent in education on the history of totalitarian regimes and atrocities throughout history, and this education forms a part of school and university curricula. There is also a role for education on human rights, as well as for the classes on religion and ethics. Both the scope and quality of education in these areas require revision and improvement.

The prevention angle is prominent in the training of the police force. The agenda on combating hate crimes for public order officials (in operation since 2006) has had a particularly strong impact in terms of preventing large scale human rights violations.[91] The objective was to ensure the safety and security of persons who could potentially fall victim to hate crimes. Approximately 70 000 persons took part in various forms of training.[92] Since 2011, workshops for the higher echelons of the police force have been offered (Human rights in police management), where issues of social minorities, including national and ethnic minorities, are discussed.[93] In 2013, all police units in Poland received a manual entitled: The person comes first. Anti-discrimination in police units.[94] In 2014, a new structure was established under the name 'Police Platform Against Hatred' (attached to the National Police Headquarters), with the objective to 'bring together all the efforts across the police force and in the civic society to combat xenophobia, racism, and other forms of intolerance'.[95]

There is certainly a need for education in this respect. However, before the actual training effort is launched, it is imperative that the concept of prevention is adequately fleshed out, and that the tasks and responsibilities of the institutions, services and social groups are clearly articulated. It would be useful to offer training opportunities to the relevant units of the armed forces, Border Guard, public administration authorities, judges, public prosecutors, journalists, and members of other groups that have the capacity to engage for the benefit of the Responsibility to Protect.

There are insufficient state mechanisms regarding the response to hate speech in social media. The reasons include the anonymity of these instances of hate speech.

II. PERSPECTIVES: EXPOSED COMMUNITIES

Perception of trends towards radicalization

According to OECD data for January 2016, Poland is one of the safest countries in Europe; having one of the lowest homicide levels (number of homicides per 100 000 residents), it ranks first in Europe and second globally, just after Japan.[96] It is classified a category 0 (no impact of terrorism) in the Global Terrorism Index 2016 developed by the Institute of Economics & Peace.[97]

89 *Meeting of the Visegrad Group Ombudsmen (V4),* 13 June 2014: https://www.rpo.gov.pl/en/content/meeting-visegrad-group-ombudsmen-v4, (accessed, 11th June 2017).
90 "People first", Visegrad Group's Ombudsmen, 30 Sept-2 Oct 2015, Hungary: https://www.rpo.gov.pl/sites/default/files/Joint_statement_of_V4_Ombudsmen_ENG.pdf (accessed, 6th June 2017).
91 *M. Skiba, „Dziesięciolecie działalności struktury pełnomocników komendantów Policji ds. ochrony praw człowieka (2004-2014)", in: Piotr Bogdalski, Mariusz Nepelski,* Nauki społeczne na rzecz bezpieczeństwa wewnętrznego*, 2014.*
92 On campaign against racism: http://isp.policja.pl/isp/aktualnosci/5015,Kampania-MSW-przeciw-rasizmowi.html, (accessed, 11th June 2017).
93 Data from the Polish Information Service: http://isp.policja.pl/isp/aktualnosci/9501,Dzialalnosc-Policji-w-obszarze-przestepczosci-motywowanej-nienawiscia.html?search=87322, (accessed, 13th June 2017).
94 Krzysztof Łaszkiewicz (red.) *Po pierwsze człowiek. Działania antydyskryminacyjne w jednostkach policji*, Warszawa 2013.
95 See more: *Policyjna platforma przeciw nienawiści*, 2 October 2014, http://www.policja.pl/pol/aktualnosci/104010,Policyjna-Platforma-Przeciw-Nienawisci.html, (accessed, 9th June 2017).
96 OECD Better life index, http://www.oecdbetterlifeindex.org/topics/safety/ (accessed, 11th June 2017).
97 *Global Terrorism Index 2016*, Institute of Economics & Peace, s. 11.

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The last two years have witnessed a certain radicalization of speech.[98] This was a result of the security situation in Europe. The terrorist attacks and the influx of refugees and migrants played an important role in the electoral campaigns of 2015. The authorities were radically opposed to the idea of allowing refugees to enter the country. There were instances of speech directed against Muslims, refugees, and migrants. There were also instances of hate speech and strongly negative, exclusionary speech both in traditional media and social media. After the Orlando attack, there was a spike in hate speech against the LGBT community, in particular in social media.[99]

The trends are reflected in the newest data collected by the Police regarding the period 1 January - 31 August 2016. In this period, 493 investigations were launched regarding related crimes. This is an increase of 41 compared to 2015.[100]

The matters investigated in this period included an increased number of direct attacks involving direct personal insults, violations of the right to personal inviolability, and the use of violence. On the other hand, the number of verbal attacks, property destruction cases (regarding the property of members of vulnerable groups), and instances of slogans/symbols that insult or incite hatred decreased. Of course, not all incidents are reported to the police. There was a large increase in incidents against Muslims (50 proceedings instituted by the police between I-VIII 2015; 116 between I-VIII 2016) and Arabs (14 proceedings between I-VIII 2015; 18 between I-VIII 2016). Yet there was also decrease in incidents against Jews (108 proceedings between I-VIII 2015; 63 between I-VIII 2016)and the Roma (119 proceedings between I-VIII 2015; 26 between I-VIII 2016).[101]

Notably, there were also incidents that resulted from provocations targeted at national minorities as regards historical events (disruption of the march in Przemyśl, organization of a march in Hajnówka, devastation of tombstones).[102]

Perception of protection by the State

Poland respects human rights and has independent courts that generally ensure the protection of its population. However, members of minority groups point to the absence of direct and strong political reactions to serious incidents, which could increase trust towards the authorities among the groups that are particularly vulnerable to human rights violations. This trust is also eroded by the frequent absence of a response to incidents by radicals, nationalist groups, and football hooligans.

In areas traditionally populated by national and ethnic minorities, relations between groups are mostly good. Some issues and fears for the future were voiced mainly by the Roma minority. Some institutions have interpreted decreased state grants to fund their operation (in the area of culture and cultivating the memory of historical events) as a worrying signal of changing state attitudes towards minorities.[103]

NGOs that have reported hate speech incidents suggest that too often, the public prosecutor's office refuse to investigate, and that the courts fail to act promptly in these matters.

III. PERSPECTIVES: SOCIAL ACTORS

The media play an important role in shaping the attitudes of Poles towards various social groups. Recently, they have contributed to a negative image of Muslims, in a situation where a great majority of Poles have never met a Muslim or a person of Arab descent.[104] This is a result of frequent dehumanizing portrayals of the refugee-migration issue as a security threat, with adjectives like 'invasion' or 'wave' often employed. The audiences began to identify refugees and Muslims with terrorists.[105]

98 Mikołaj Winiewski, Karolina Hansem and others, *Mowa nienawiści, mowa pogardy. Raport z badania przemocy werbalnej wobec grup mniejszościowych*, Fundacja im. Stefana Batorego, Warszawa 2017; Dorota Hall, Agnieszka Mikulska-Jolles, „Uprzedzenia, strach, czy niewiedza? Młodzi Polacy o powodach niechęci do przyjmowania uchodźców". *Analizy, Raporty, Ekspertyzy*, Stowarzyszenie Interwencji Prawnej, 2016, No. 1,

99 Ibidem, p. 5, 8, 13 and others.

100 Official statistics of the General Command of the Police on hate–motivated incidents 2015-2016 (*Przestępczość motywowana nienawiścią w latach 2015 – 2016*).

101 *Ibidem.*

102 Polish Ambassador Pieklo: Incident With Anti-Ukrainian Slogans At Polish Nationalist March In Przemysl Not Affecting Ukraine-Poland Relations, Ukrainian News Agency, 13 December 2016 and Polish Press Agency News, 23 February 2017 and 27 February 2017.

103 *Newsweek*, 23 March 2017: http://www.newsweek.pl/polska/polityka/mniejszosci-narodowe-bez-grosza-winna-biurokracja-czy-niechec-wladz-,artykuly,407511,1.html (accessed, 8th June 2017).

104 CBOS data on attitudes towards Islam and Muslims, Warsaw March 2015: http://cbos.pl/SPISKOM.POL/2015/K_037_15.PDF (accessed, 13th June 2017).

105 Negatywny obraz muzułmanów w polskiej prasie", *Raport Obserwatorium Debaty Publicznej „Kultury Liberalnej"*, Warsaw, January 2017.

Opponents of inviting refugees to Poland were given a TV and radio platform much more often than experts who could discuss potential reasons for helping the refugees. While the media coverage steered clear of negative portrayals of Muslims in Poland, the image it nonetheless created led to an increase in negative attitudes towards Muslims, and also towards foreigners in general.[106] Some media, especially those critical of the government's decision to disallow refugees from Poland, eventually evolved towards a more positive message, showcasing explanations for the problems of refugees and migrants in Europe.[107]

The media have enormous potential in terms of countering hate and dangerous speech, extremism, and radicalization. Social media presents a challenge; eradicating hate speech in this area requires the cooperation of multiple actors.[108] Yet this platform should also be used to the greatest possible extent to promote positive attitudes.

NGOs are working hard to use their potential in responding to hate speech incidents. They report them to the authorities, offer individual assistance to the victims, organize humanitarian aid, and disseminate information about alarming trends and events. There have been instances of criticism against such operations, labelling them as 'anti-Polish'.[109] This is particularly the case with interventions that pertain to ethnic and religious minorities as well as the LGBT community.

NGOs play an immense role in raising public awareness of human rights. They engage in research to identify relevant trends, organize conferences and seminars, and thus provide an opportunity to debate the situation. They are also trying to influence the media and politicians, encouraging a more conscious use of language.

Churches and denominational organizations also have a potential in shaping attitudes. The Catholic Church in particular, given the relatively high level of religiosity in Poland, can be of impact. Church authorities have so far demonstrated a range of attitudes to the refugee issue, from promoting the idea of humanitarian corridors and humanitarian aid to expressing great fears of the rising influence of Islam in Europe.[110]

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106 *Ibidem*.

107 For example: "Gazeta Wyborcza", "Polityka".

108 "European Commission and IT Companies announce Code of Conduct on illegal online hate speech", *European Commission Press Release*, Brussels, 31 May 2016, http://europa.eu/rapid/press-release_IP-16-1937_en.htm (accessed: 13th June 2017).

109 HFHR issues statement about recent attack on Campaign Against Homophobia headquarters, Warsawa, 11th May 2017, http://www.hfhr.pl/en/hfhr-issues-statement-about-recent-attack-on-campaign-against-homophobia-headquarters/ (accessed: 12th June 2017).

110 *Przesłanie Kościołów w Polsce w sprawie uchodźców*, Warszawa, 30 czerwca 2017, http://episkopat.pl/przeslanie-kosciolow-w-polsce-w-sprawie-uchodzcow-2/, (accessed: 12th June 2017); List Konferencji Episkopatu Polski, Warsaw, 14 kwietnia 2017, http://episkopat.pl/byc-dobrym-jak-chleb-list-pasterski-episkopatu-polski-na-niedziele-milosierdzia/ (accessed: 11th June 2017). and For example check program: *Masoneria, islam, uchodźcy, presented at* Radio Maryja (*Polish version*), 7 stycznia 2016; statements of former priest: Jacek Międlar.

4. CAPABILITIES TO PREVENT EXTREMISM IN THE SLOVAK REPUBLIC

I. INSTITUTIONAL FRAMEWORK

Legal environment

The primary body of legislation which protects the dignity and integrity of the individual within the Slovak Republic is rich and extensive. In the Constitution of September 1992, under the section on Fundamental Rights and Freedom (Article 12) states that all people are free and equal in dignity and rights, their fundamental rights and freedoms are inalienable and irrevocable.[111] These are guaranteed to everyone regardless of sex, race, colour, language, belief and religion, political or another opinion, national or social origin, nationality or ethnic origin, property, birth or another status. No one may be discriminated against or disadvantaged on any of these grounds. According to Article 12, everyone has the right freely to choose his nationality, without any form of influence and constraint.[112]

In addition to these guaranteed fundamental rights and freedoms, the Constitution also protects the rights of national minorities and ethnic groups. Within the framework of Articles 33 and 34, minority groups, and their individual members, have an inalienable right to 'universal development', by which is encompassed the development of their own culture, mother tongue, freedom to found and maintain national minority associations, and cultural and educational institutions.[113] Various constitutional articles specifically protect national minority languages, including the right to use these as the language of primary and secondary education and in official communications.

These constitutional guarantees have been developed through the passing of more than 30 laws covering the protection of rights of national minorities.[114] The most important is Antidiscrimination Act 365/2004, the Act on Equal Treatment in Certain Areas and Protection against Discrimination.[115] This act underlines the legal protections available for minorities facing discriminatory treatment. Moreover, the Antidiscrimination Act creates a space for legal redress of socio-economic disadvantages, allows for the development of affirmative measures covering the socially or economically excluded. Thus, the Antidiscrimination Act enables the state administration, the local governmental level and employers to offer preferential treatment towards marginalized social and ethnic groups, such as the Roma community or economically deprived groups of people.[116]

In the context of the criminal law and criminal code, the most important pieces of legislation are Act No. 301/2005 and No. 300/2005.[117] Together, these constitute an extensive framework for the prosecution, inter alia, "of crimes motivated by hatred towards a national or ethnic group, or hatred based on race, sexual orientation, skin colour, defamation of a nation, language, ethnic group, or incitement to hatred against an individual or group of persons on the basis of their membership of a national or ethnic group, colour, origin, gender or religion."[118] The Criminal Law also sanctions the denial, questioning, expressions of approval or justifications of the Holocaust, the crimes of a regime based on fascist or Communist ideologies, dissemination of propaganda based on thoughts or theories of racial superiority, or the justification or encouragement of any form of racial hatred.

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111 "Ústava Slovenskej republiky," Pub. L. No. 460/1992, Zb.z. (1992).
112 "Ústava Slovenskej republiky," Pub. L. No. 460/1992, § 12, Zb.z. (1992).
113 "Ústava Slovenskej republiky," Pub. L. No. 460/1992, § 33, 34, Zb.z. (1992).
114 Act 245/2008 (education act), Act 564/2001 (ombudsman), Act 308/1993(Slovak National Center for Human Rights)
115 "Antidiskriminačný zákon," Pub. L. No. 365/2004, Zb.z. (2004).
116 "Verejný ochranca práv - Informačný Bulletin" (Kancelária verejného ochrancu práv, 2009), http://www.vop.gov.sk/files/File/4-2009. pdf. (accessed: 9th May 2017)
117 "Trestný poriadok," Pub. L. No. 301/2005, Z. z. (2005), "Trestný zákon," Pub. L. No. 300/2005, Z. z. (2005).
118 ""Trestný zákon," Pub. L. No. 300/2005, § 140, Z.z. (2005).

A very important and often overlooked legal framework in the field of extremism and radicalism is the "Conception on the fight against extremism for 2015-2019" prepared by the Government of the Slovak Republic.[119] The Conception document focuses on the current problems and issues faced by the Slovak Republic in combatting extremism, including prevention, raising societal awareness, effective education of members of the State security organs and international cooperation. Additionally, it provides a framework for cooperation among specific sectors dealing with extremism, including ministries and other governmental bodies.

As it is characterized in the Constitution, the comprehensive legislative framework of the Slovak Republic is based on the relevant international treaty commitments of the Slovak Republic. These include international treaties undertaken within both the United Nations and the Council for Europe. The most important instruments at the UN level include, 'the International Convention on Civil and Political Rights', 'the International Convention on the Elimination of All Forms of Racial Discrimination', 'the International Convention on the Elimination of All Forms of Discrimination against Women'. The 'Convention on the Protection of Human Rights and Fundamental Freedoms', including additional protocols, is a binding international treaty within the Council of Europe system, to which Slovakia has been a party since 1993. Slovakia is also party to the 'Framework Convention on Protection of National Minorities', 'the European Charter for Regional or Minority Languages', 'the European Social Charter' and others.

Slovakia, as a party to the above-mentioned international and regional conventions, is required to periodically undergo international evaluation of its implementation of these commitments. Slovakia is a member of 7 committees, all of which monitor various aspects of this implementation - the Human Rights Committee, the Committee on the Elimination of Racial Discrimination, the Committee Against Torture, the Committee on the Elimination of Discrimination against Women, the Committee on the Rights of Persons with Disabilities, the Committee on Economic, Social and Cultural Rights and the Committee on the Rights of the Child. In the Council of Europe, the European Court of Justice (ECJ) is of the central pillar monitoring application of rights and freedoms provided by European level treaties. ECJ decisions provide necessary interpretation and guidance for the appropriate implementation of conventions and charters.

The 'Universal Periodic Assessment' provides a tool to monitor the human rights situations in UN Member States, Slovakia included. This, in addition to reinforcing normative respect for human rights commitments, gives Member States the opportunity to express their views on how to improve the human rights situation within their jurisdiction every four years. Slovakia has completed this evaluation twice, most recently in 2014, when 146 recommendations were submitted for the consideration of the Slovak government (only 9 were not accepted, 4 were partially adopted). In particular, recommendations were made to improve the social position of the Roma communities, including fuller social integration and improvement of equal opportunities provisions (whether in the field of housing policy, health care, education or employment). The recommendations also draw attention to the need to provide additional human rights training for personnel working in the fields of justice, law enforcement, and inside prisons.[120]

Law enforcement

Activities related to the promotion and protection of human rights through the prevention and elimination of racism, xenophobia, and other manifestations of intolerance are on the agenda of a wide range of authorities and institutions.

An important role in this area is played by the National Council of the Slovak Republic, which has two committees - the 'Committee on Human Rights and National Minorities' and the 'Constitutional Committee'. Their main role is to prepare new legislation and to update the existing legislation, to monitor the correct implementation of the measures already taken, and also to control the activities of the competent authorities.

Since 1993, Government Plenipotentiaries[121] functioning in specific areas have been established.[122] Their role is to assist government policy in their specified areas, mainly through preparation and implementation of medium and long-term measures in the area of the preservation, development and promotion of human

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119 "Koncepcia boja proti extrémizmu na roky 2015 - 2019" (Ministerstvo vnútra Slovenskej republiky, 2015), http://www.minv.sk/?extremizmus-1. (accessed: 9th May 2017)

120 "Predchádzanie a eliminácia rasizmu, xenofóbie a ostatných foriem intolerancie" (Ministerstvo vnútra Slovenskej republiky), http://www.minv.sk/?VRAX. (accessed: 11th May 2017)

121 For more information see http://www.vlada.gov.sk/splnomocnenci-vlady-slovenskej-republiky/(accessed: 11th May 2017)

122 GP for Youth and Sport, GP for the Development of the Civil Society, GP for the Roma Communities

rights in cooperation with other central state administration and local self-government bodies, as well as NGOs. The most prominent in the field of human rights respect is the 'Plenipotentiary of the Government for the Roma Communities' which in cooperation with the relevant institutions and authorities (government, Ministry of Interior, state administration bodies, local government bodies) is tasked with the preparation and evaluation of programs aimed at improving the situation of Roma communities in society with an emphasis on: 1. Increasing the educational level, in particular, access to education and vocational training, 2. Improving living conditions in municipalities with Roma settlements. 3. Raising legal awareness, 4. Increasing the active participation of Roma in public life and governance. 5. The use of human and labor potential, 6. Scientific research activities of Roma communities, 7. Active participation in international projects aimed at improving the lives of Roma communities, 8. Implementing and coordinating the EU founded National projects, National projects and seminars, 9. Tasks arising from the Strategy of the Slovak Republic for Roma integration by 2020.

Another important department at the governmental level is the Council of the Government of the Slovak Republic for Human Rights, National Minorities and Gender Equality.[123] It was created in 2011 as an expert advisory body with permanent functionality. It is an institution that brings together representatives of a wide spectrum of society - including representatives' from government, academia, civil society institutions and non-governmental organizations. In order to cover all areas of human rights, national minorities and gender equality and to work more effectively, the Council has set up a number of permanent professional committees.[124] The role of Committees is to contribute to the effective fight against the denial of fundamental rights and freedoms on the basis of race, nationality, colour, sexual orientation, gender, faith and religion. In addition to the exchange of information between stakeholders in the field, the Committees have a role in proposing new activities and measures, whether it concerns educational mechanics, training for stakeholders, but also elaboration of studies and analyses.

The Ministry of Interior is involved in the field of extremism through the Department of Extremism and Audience Violence.[125] This department mainly provides a platform for the exchange of information, as well as the provision of methodological and practical assistance for the lower ranking bodies of Ministry. Regional Directorates of the Police Corps of the Slovak Republic directly take measures to combat extremism in the form of detection and investigation of criminal acts.

The Ministry of Education, Science, Research and Sport focuses mainly on preventive activities in the field of extremism and radicalization. On a regular basis, it implements training programmes for teachers and conducts research on educational practices and institutions. It monitors expressions of xenophobia, racism or other forms of intolerance, and subsequently seeks, mostly through recommendations, to take steps to prevent and eliminate such manifestations (for example, it has established a list of Holocaust memorial sites that students are advised to visit, i.e. the Museum of the Slovak National Uprising in Banská Bystrica, the Museum of Jewish Culture, but also several Slovak towns and villages burned by the Nazis).[126] Nowadays, Slovakia is developing a new reformed education curriculum, partially as a result of increasing extremism and radicalization, which will be binding on all educational institutions and will help to eliminate various forms of human rights violations.[127]

In accordance with the provisions of the so called Paris principles, two important bodies in human rights protection were created- The Slovak National Center for Human Rights and the Ombudsman.[128] Both are independent institutions, which are subsidized by the government, but independent in their activities and their role is to bring government and civil society together.

123 "Štatút Splnomocnenca vlády Slovenskej republiky pre rómske komunity," Pub. L. No. 308 (2012), http://www.radavladylp.gov.sk/data/files/6260_statut-rvlp_konsolidovane-znenie_od_1_9_2015.pdf. (accessed: 18th May 2017)

124 Committee on National Minorities and Ethnic Groups, the Committee on the Prevention and Eradication of Racism, Xenophobia, Anti-Semitism and Other Forms of Intolerance (from 2012 under the Ministry of the Interior) or the Committee on the Rights of LGBTI

125 "Extrémizmus a divácke násilie" (Ministerstvo vnútra Slovenskej republiky), http://www.minv.sk/?extremizmus. The term „audience violence" refers to footbal hooliganism, the violence among group of fans at sport events. For such violence see: Belasá šľachta (Slovan Bratislava) vs. Ultras (Spartak Trnava) (accessed: 18th May 2017)

126 "K prevencii extrémizmu a radikalizmu" (Ministerstvo školstva, vedy, výskumu a športu, 2016), http://fb.joj.sk/files/k-prevencii-extremizmu-a-radikalizmu.pdf.

127 "Učiace sa Slovensko, Národný program rozvoja výchovy a vzdelávania" (Ministerstvo školstva, vedy, výskumu a športu Slovenskej republiky, 2017). Žaneta Janečková and Katarína Kováčová, "Rastúci extrémizmus donútil konať aj Plavčana. pripustil, že treba viac dejepisu," Pravda, January 17, 2017.

128 Paris princples, adopted under the UN Human Rights Commision during the Human rights Conference in 1993, are key elements under which national human rights institution to protect and promote human rights should be created. Prinicples define the status and functioning of such institutions.

The Slovak National Center for Human Rights, together with its regional offices (currently 3: located in Banská Bystrica, Košice, Žilina), was created in 1994 with competencies in the field of human rights, in particular with a view to ensuring compliance with the principle of equal treatment.[129] In the context of the fight against extremism and radicalism, the Center's role is to collect and, on request, provide information on racism, xenophobia and antisemitism in the Slovak Republic; monitor and evaluate compliance with the principle of equal treatment under the Anti-Discrimination Act; prepare educational activities; to develop and publish reports and recommendations on issues related to discrimination; to develop information campaigns to increase society's tolerance; and to fulfil the tasks resulting from the current Conception on the fight against extremism for 2015-2019.

The Office of the Ombudsman was created in 2002 and, as in other democratic states, its mandate is protecting the human rights and constitutionally guaranteed rights of citizens before public authorities. The Ombudsman has the ability to initiate actions against public authorities in cases of violations of human rights and freedoms. It can highlight irregularities, request remedy, and submit motions to the Constitutional Court.

Intragovernmental cooperation

In the case of cooperation, at the inter-ministerial level, two basic platforms can be identified which try to combat rise of extremism and radicalization - the Committee on the Elimination of Racism (VRAX), Antisemitism and Xenophobia and the Interdepartmental Expert Group. Committee VRAX is a strategic unit with an advisory function in relation to the Slovak government.[130] The Committee's position changed in 2012 (since then is has been placed under the competencies of the Ministry of the Interior), it is an authority that brings together representatives of several governmental departments, as well as representatives of civil society, academia and NGOs. The main aim of the Committee is to coordinate, and to suggest public policy initiatives in the field. It is a platform that, thanks to its varied composition, is a tool with the ability to provide very effective information exchange, which can lead to the adoption of quick, but practical solutions to a particular problem. In addition, VRAX has the opportunity to initiate its own activities not only through studies, analysis, but also through the development of training materials and the implementation of trainings for stakeholders in the field.[131]

The second, tactical, organ is the Interdepartmental Expert Group on the elimination of racially-motivated crime, extremism and football hooliganism. Unlike VRAX, it is focused upon activities in security and repression of violations. This means co-operation in dealing with serious criminal acts, setting up joint investigation teams, adopting proposals to improve the protection of citizens, cooperating in the coordination of preventive projects and activities. As in the former case, it represents a platform for the exchange of information, as well as for the distribution of publications, analyses and studies, but also the implementation of trainings for stakeholders. The group is chaired by the Director of the Department of Extremism and Audience Violence, other members are representatives of the Ministry of Interior, Ministry of Justice, Ministry of Defense, Ministry of Finance, Slovak Information Service and General Prosecutor's Office.

According to a renowned Slovak expert on extremism, although cooperation at the intragovernmental level is effective, at the various levels of the governmental agencies the greatest weakness is the low level of coordination and, above all, the lack of specific expertise of their personnel. These factors reduce the ability of the authorities to detect and correctly investigate manifestations of extremism and radicalism. Further, the expert suggests that another serious problem within the police corps is the sympathy of some police officers to groups they are supposed to be investigating.

Human resources

From the above mentioned it is clear that Slovakia has created a very wide range of platforms through which to address the threat from extremism and radicalisation. The success of these bodies and platforms depends to a large extent on human potential. In common with other V4 countries, Slovakia possesses a low level of institutionalised expertise in related fields, according to an expert on extremism. This is undoubtedly

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129 "Zákon o zriadení Slovenského národného strediska pre ľudské práva," Pub. L. No. 308/1993, Z. z. (1993).
130 "Štatút Výrobu pre predchádzanie a elimináciu rasizmu, xenofóbie, antisemitizmu a ostatných foriem intolerancie," 158 § (2011), http://www.minv.sk/?VRAX. (accessed: 20th May 2017)
131 Ibid

reflected in the low efficiency of activities (low level of clear up rate of criminal acts of extremism- in 2016 it was only 36,21%). With the increasing phenomenon of extremism and radicalization in Slovakia and as a result of elections to the National Council of Slovak Republic, when far right political party Kotleba-Ľudová strana gained more than 8% of votes in Slovakia, the professional debate on the need to improve the fight with extremism has deepened.[132] On 25 October 2016 the so called 'anti-extremist package' was approved by Parliament and thus the criminal code and criminal law was updated.[133] As renowned expert Irena Bihariová explains, regarding the criminal code, the main update lays in the fact that the crimes of extremism will come under the jurisdiction of specialized courts. This change is a window of opportunity that in the future the whole criminal procedure will be conducted by elite, specialized and trained teams (at the level of prosecutions and courts as well). This solution can contribute to the unification of procedures and the elimination of the most common problems with the interpretation and application of legislation in the field.[134]

For a more effective investigation of such crimes a new expert department was created in 2016 The so-called Department of Social and Human Sciences aims to assist law enforcement agencies, courts and authorities in the investigation of criminal acts of extremism and radicalism. The main task of the department will be to define characteristics of groups or movements which will lead to their official classification as extremist. The expert department, which is currently only in its preparatory phase, will be composed of selected experts from courts, who deal with the phenomena of extremism and radicalization, and have qualifications in the field as well. However, the Ministry of Justice is scheduled to regularly work on specializations of selected experts, through education trainings, as well as regular professional meetings with foreign colleagues.[135]

Recent changes have also taken place in the framework of the Police Corps. Since February, 2017 a new specialized unit called The National Unit for Combating Extremism and Terrorism has been operational.[136] It consists of 125 police officers with experience in the field of counter-terrorism and the fight against extremism and football hooliganism. In their work, they should be assisted mainly by police officers from district and regional criminal units who are the first to come into contact with the crime of extremism.

According to a Slovak expert on extremism, it is clearly evident that within the framework of extremism, the legislative and institutional framework is far above average in comparison with other V4 countries. The latest updating of the Criminal Code and Criminal Act, and the related activities removed almost all of the imperfections and weaknesses at these levels, but at the same time, they raised the greatest challenge in the context of the fight against extremism. It is a low level of education in the field of extremism both among officials in the criminal proceedings, but also among judges and prosecutors, and thus very problematic detection of crimes of extremism and their subsequent punishment by judges at the level of district and regional courts. Therefore, it is very important and necessary to work not only with judges, prosecutors and police officers at the level of specialized organs and units, but also at lower levels in the form of practical trainings which should not be restricted to the distribution of educational materials, which in most cases miss their goals.[137]

II. PERSPECTIVES: EXPOSED COMMUNITIES

As mentioned above, the Slovak Republic is a multiethnic, multinational and multi-confessional country that, given this high level of diversity,[138] is vulnerable to the emergence of tensions among the various constituent communities. Since 1993, when the Slovak Republic was established, discrimination, xenophobia, antisemitism, racism, homophobia and other forms of intolerance have been present.[139]

132 "Voľby do Národnej rady SR 2016- Súhrnné výsledky hlasovania" (Štatistický úrad Slovenskej republiky, June 3, 2016), http://www.volbysr.sk/sk/data01.html. (accessed: 18th May 2017)

133 "8 zásadných zmien v Trestnom zákone od 1. januára 2017," *Najprávo.sk*, October 30, 2016, http://www.najpravo.sk/clanky/8-zasadnych-zmien-v-trestnom-zakone-od-1-januara-2017.html. (accessed: 18th May 2017)

134 Irena Bihárioá, "Dag Daniš sa mýli. Protiextrémistická novela nás posúva vpred.," *Blog Denník N*, October 2016, https://dennikn.sk/blog/dag-danis-sa-myli-protiextremisticka-novela-nas-posuva-vpred/.

135 "Rezort spravodlivosti má záujem o znalcov v oblasti extrémizmu," *TASR*, January 23, 2017, http://www.teraz.sk/slovensko/ms-sr-prijima-ziadosti-zaujemci-extremi/239648-clanok.html. (accessed: 20th May 2017)

136 "Na Slovensku začína pôsobiť národná jednotka boja proti terorizmu a extrémizmu" (Vláda SR, 2017), http://www.vlada.gov.sk/na-slovensku-zacina-posobit-narodna-jednotka-boja-proti-terorizmu-a-extremizmu/. (accessed: 20th May 2017)

137 Personal interview with representative of Ministry of Interior

138 "Základné údaje- Slovenská republika" (Vláda SR), http://www.vlada.gov.sk/slovensko/.

139 Martina Sekulová and Oľga Gyarfášová, "Diskriminácia a viacnásobná diskriminácia" (Inštitút pre verejné otázky, 2010), http://www.ivo.sk/buxus/docs//publikacie/subory/Diskriminacia_a_viacnasobna_diskriminacia.pdf (accessed: 20th May 2017)

CAPABILITIES TO PREVENT EXTREMISM IN THE SLOVAK REPUBLIC

The Roma has been a long-term subject of discrimination against whom the social distance meter measures up to 80%.[140] Most often, they encounter discrimination at educational institutions where Roma children are automatically placed in special schools and thus segregated. The situation is not ideal even in the case of a civil society, where we can still encounter racist and anti-Roma expressions in public debates, in the media, or even in the expressions of the political parties, predominantly in the pre-election period.[141]

In addition to the Roma population, other groups of people are exposed to discrimination and extremism in Slovakia. Today, one also faces discrimination on the grounds of sexual orientation. According to the latest report of "Iniciatíva Inakost'" up to 52% of LGBT community members were exposed to extremist and discriminatory expression.[142]

Another impetus for the rise of xenophobic tendencies has been given by the migration crisis and the proposals of European Commission and several EU countries on the redistribution of migrants from Libya and other African countries, as well as Syria, among EU countries. In society, a high degree of intolerance towards ethnic and religious minorities has increasingly been observed. In addition to the continued presence of traditional extremist and radical groups, hate speech against Jewish, Muslims, migrants and refugees began to appear to a large extent on social networks as well as in the discourse of leaders of traditional political parties and media. According to the Eurobarometer opinion poll, 'Slovakia for 2015' showed a high rate of rejection and intolerance towards ethnic and religious groups, when it comes to those persons whom respondents wished to interact with in their personal lives.[143]

In 2016, the number of extremist acts in Slovakia increased. While in 2015 police registered only 30 acts, last year it was 58 with clear up rate only to 36, 21%.[144] However, in this case, clarification does not mean action accrues, or the punishment of a criminal act, because often happens that the prosecution disapproves the police proposal or that the court does not adjudge the criminal act.

In the case of the Roma population, the problem is also their low awareness of the possibilities available to them when they become victims of discrimination or extremism.[145] The number of victims from the Roma community who have chosen a legal way to solve their problem is very low.[146] In this case, the state actors, even in the light of the recommendations of the report on the results of the monitoring of implementation of the Framework Convention for the Protection of National Minorities in the Slovak Republic, should focus more on raising awareness of the rights of victims and how they can demand their rights.

III. PERSPECTIVES: SOCIAL ACTORS

Media is a very important piece in the puzzle of extremism and radicalism. Traditional media, for example established newspapers or TV channels, provide verified information according to established codes of conduct.[147] However, we may also find alternative media, especially among newspapers and magazines which provide speculative content and position themselves in opposition to the 'establishment', such as *Zem a Vek, hlavnepsravy.sk or Extra Plus*. Their content many times provides space for implicit feelings of racial or religious hatred, especially when dealing with Roma minority or with the migration flow.

In recent months, traditional media have tried to serve as watchdogs when it comes to manifestations of radicalisation and extremism.[148] However, they are being targeted not only from 'alternative' media but also from the side of politicians, and this undermines their efforts in countering propaganda, hoaxes and

140 Social distance between the majority population and Roma population (Bogradus social distance scale)

141 "Rómovia čelia problémom a diskriminácii. dokument odporúča viac rómčiny a menej segregácie," *Aktualne.sk*, January 11, 2017, https://aktualne.atlas.sk/slovensko/spolocnost/segregacia-deti-diskriminacia-potlacanie-prav-takto-si-ziju-romovia-slovensku.html.

142 "Predchádzanie homofóbii prostredníctvom vzdelávania" (Iniciatíva Inakost', 2015), http://inakost.sk/index.php?page=clanok_detail&id=291.

143 "Výsledky prieskumu Eurobarometer o diskriminácii," *TNS Group*, November 13, 2015, http://www.tns-global.sk/informacie-pre-vas/tlacove-spravy/vysledky-prieskumu-eurobarometer-o-diskriminacii. (accessed: 20th May 2017).

144 "Trestná činnosť v Slovenskej republike" (Prezídium policajného zbrou, Úrad kriminálnej polície, February 2017), http://www.minv.sk/?tlacove-spravy&sprava=bezpecnostna-situacia-sa-na-slovensku-v-roku-2016-opat-zlepsila. (accessed: 20th May 2017)

145 "Second European Union Minorities and Discrimination Survey Roma – Selected Findings" (European Union Agency For Fundamental Rights, 2016).

146 "Rómovia čelia problémom a diskriminácii. dokument odporúča viac rómčiny a menej segregácie," *Aktualne.sk*, January 11, 2017, https://aktualne.atlas.sk/slovensko/spolocnost/segregacia-deti-diskriminacia-potlacanie-prav-takto-si-ziju-romovia-slovensku.html. (accessed: 20th May 2017)

147 E.g. the daily SME https://www.sme.sk/dok/20449554/eticky-kodex-dennika-sme-a-vydavatelstva-petit-press/#axzz4ilAhwmSm /.(accessed: 20th May 2017)

148 E. g. https://dennikn.sk/tema/hoaxy-a-propaganda/ /.(accessed: 20th May 2017)

extremism.[149] Where the media fail, in general, is in the fact that many times their priorities are based on business and financial considerations; this can encourage them to lead with sensationalist headlines and stories in order to attract more customers. The public in general perceives the role of media very sensitively. However, in popular eyes traditional media failed in certain cases, e.g. unbalance in reporting or false "predictions".[150]

Social media, Facebook in particular, serve as a primary platform for extremist and radicals. Individuals and groups with such ideas use social media for spreading hate-speech, hoaxes and propaganda materials. Hoaxes for example were used very often during the migration crisis when they triggered and intensified very strong anti-migration narratives, mixed with xenophobia and white supremacist ideas, which also contributed to the false perception of events that many users of Facebook were exposed to during the migration crisis, thus creating fear and anti-migration feelings across the society. Spread of third-country (mostly Russian) propaganda targeted against the establishment, ruling elites, EU and NATO is another sign of the work of "alternative" media.[151]

As mentioned above, NGOs played and still play an important in fighting extremism and radicalism. There are not only well established NGOs such as People against Racism (Ľudia proti rasizmu) but also new and local NGOs trying to work in smaller communities – including those of vulnerable people. In our opinion, activities of Slovak NGOs in the fight against extremism, radicalization and racism may provide a number of good practices for other countries in the region to emulate (for example summer school for young leaders in the field of extremism and radicalism, public debates with the victims of discrimination etc.).

Academia also plays a vital role. We can see a very good cooperation between civil society and academia, where academia, through disseminating the outcomes of NGO-led projects has a multiplier effect in the fight against radicalism and extremism. Working with University students is very useful, however, at this level, most of them are already formed members of society with own world views and beliefs. Hence, education on radicalism and extremism would definitely be a great instrument at primary and secondary levels. However, it is not enough to focus only on pupils. Providing the parents with better and deeper information about the official educational process might not only have positive impact on the intra-family relations, but it can also help parents to be more interested in the extracurricular activities of their children and in education in general.

On the other hand, we may also see some instances when Universities host speakers with radical and extremist views or those spreading propaganda – arguing mostly with freedom of speech.

The educational system is a key component in the field of preventing extremism. In this case it is needed to work not only with pupils but also with their parents and at all levels of the education system, encompassing universities, high schools and primary schools as well. Better and deeper information for parents about the official educational process might have positive impact not only on the intra-family relations, but it also can help parents to be more interested in extracurricular activities of their children and in education in general.

The role of churches also varies in Slovakia. There are several types of church – from very conservative to rather liberal. In some cases, the positions also vary within a particular church. However, in general, they all officially reject extremist and radical ideas, however, there are cases of radical expressions within churches as well. On the other hand, positive examples are also present – e.g. the Evangelical Church of Augsburg Confession provided a small apartment in centre of Bratislava and social assistance to a refugee mother and her two daughters.

149 "Fico novinárom: Ste špinavé protislovenské prostitútky," *Denník N*, November 23, 2016, https://www.tyzden.sk/politika/35716/fico-novinarom-ste-spinave-protislovenske-prostitutky/. (accessed: 20th May 2017)

150 Interview with Slovak media (newspaper) representative

151 "Ako pracujú tradičné a „alternatívne" médiá," *Antipropaganda*, March 5, 2017, http://www.antipropaganda.sk/ako-pracuju-tradicne-a-alternativne-media/.(accessed: 28th May 2017)

5. RECOMMENDATIONS

Political Movements

‣ Launch multi-partisan collaborations to prevent radicalization at national and regional levels

‣ Sensitize the responsibility and role of political parties and politicians in halting and preventing radicalization and spread of hate speech

‣ Contribute to development of cultivated and hate-free public discourse

‣ Explore possibilities for amending current regulations at V4 level with the view of applying zero tolerance to dangerous speech in cases of stigmatization and discrimination

‣ Offer alternative solutions to issues raised by extremists

Law enforcement

‣ Develop regional and national strategies for countering and preventing radicalization and hate crimes

‣ Establish intra-governmental platforms to prevent radicalism in a holistic and consistent manner

‣ Clarify the mandate of RtoP focal points in preventing radicalization

‣ Establish multi-agency platform between state administration, media, territorial self-Governments, social and non-governmental sector

‣ Interconnect the statistical data and improve information systems of the police, public prosecutors' offices and courts

‣ Appoint „Liaison Officers" in police departments to institutionalize connection with exposed communities and NGOs

‣ Develop guidelines and manuals for police officers on how to respond and prevent hate crimes and radicalization

‣ Develop capacities and skills of ombudsmen, policemen, prosecutors, judges and other civil servants in charge of fight against and prevention of radicalism and extremism

Exposed Communities

‣ Enhance the capacities of vulnerable groups to of grassroots initiatives

‣ Establish a platform of exposed communities to effectively present their interests and concerns

‣ Improve capacities of vulnerable groups in monitoring and reporting threats and risks

‣ Provide opportunities for vulnerable groups to present their identities in high schools

‣ Facilitate dialogue and interaction of exposed communities with authorities of law enforcement and NGOs to build trust

Education sector

‣ Regularly monitor and assess the state of awareness of youth in the context of extremism

‣ Develop on-line education aimed at prevention of radicalization and recruitment in high schools

‣ Establish common age-appropriate study materials for elementary and high schools regarding hate speech and hate crimes

‣ Include parents and social workers in education of youth

Media

▸ Launch dialogue at regional level with the management of social media on zero-tolerance of dangerous speech, particularly stigmatization and discrimination leading to RtoP-related crimes

▸ Make regional efforts for common regulation of social media

▸ Improve regional capacities and skills to counter radical narratives and fake news

Churches

▸ Encourage representatives of churches to increase assistance for vulnerable groups

▸ Request the support of church in education to prevent hatred, radicalization and recruitment

▸ Encourage churches to make efforts for dialogue between different identities

NGOs

▸ Launch cooperation between V4 Presidency and NGOs to enhance efforts for prevention of extremism in the region

▸ Support NGOs in building skills in prevention of radicalization and recruitment

External relations

▸ V4 countries are encouraged to look into possibilities for increasing their joint contribution to the EU risk assessment efforts and responses in the context of preventing extremism

▸ V4 countries are encouraged to share their experience and lessons learnt obtained during the activities of the V4 Task Force with other regions of the European Union

▸ V4 countries are invited to strengthen their cooperation in developing the capabilities in the Eastern Neighbourhood of the European Union to prevent extremism and enhance the resilience of the societies

Follow-up of the V4 Task Force initiative

▸ Submit the Report to the V4 Presidency to discuss the implementation of the recommendations

▸ Elaborate an Action Plan on the implementation of the recommendations

RECOMMENDATIONS

APPENDIX A

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