

## **Abstract**

The doctoral thesis deals with the issue of hate crime and hate speech in international law, specifically the protection of victims of acts falling under both categories within the framework of the European Convention on Human Rights. It describes the conceptual development of both phenomena and their regulation in international law, including both hard law, i.e. binding international law, and soft law, at both the universal and regional levels. Regarding hate speech, it highlights the crucial role of international freedom of expression protection and the different standards and requirements imposed on states based on the severity of the speech. It extensively analyzes the case law of the European Court of Human Rights in relation to both areas, introducing the category of verbal hate crime, which lies between hate crime and hate speech. It describes the parameters and limits of victim protection in relation to both types of behaviors and outlines possible future directions for the development of the Court's case law in the context of binding instruments at the universal level and the dynamic development of international soft law.

In the area of hate crime, it focuses on the reflection of the need for a comprehensive response to the phenomenon, going beyond the procedural obligation of effective investigation in the narrow sense of the concept, and extending to commitments for adequate legal framework or the adoption of preventive measures to protect the victims. Regarding hate speech, it particularly highlights the challenging procedural situation faced by victims seeking their rights at the national and international level. Until recently, the Court did not address their complaints at all. It was exclusively the complaints of authors of hateful expressions that formed the basis for a relatively robust case law of the European Court of Human Rights on hate speech. The latter clearly implies that under certain circumstances, states can resort to criminal sanctions without further requirements. In this context, the thesis draws attention to the Court's asymmetric approach to similar situations when the Court decides on applications submitted by hate speech victims. According to the author, the Court's approach is inconsistent and represents a legal gap providing room for future revision.

## **Key words**

Hate Crimes, crimes committed motivated by bias, hate speech, incitement, victims, European Convention on Human Rights, European Court of Human Rights.