

Prohibition of diskrimination, constitutional legal level of protection of the rights of ethnic minorities against discrimination

Abstract

The thesis deals with the concept of discrimination from a theoretical and practical point of view and focuses closely on the issue of ethnic minorities and racism. To clarify the whole issue, the work is presented by the theoretical inclusion of anti-discrimination law in the legal framework of human rights law in both the Czech Republic and the global framework in the form of international agreements. It deals with ideological sources, including the historical origin of law related to discrimination. It also contains a definition of basic concepts, which are necessary to clarify this complex phenomenon. It thematically defines both the legal regulation of individual protection of the individual and the collective concept of protection against discrimination and the rights of ethnic minorities as a whole.

The main part of this work refers about case law in the field of discrimination on the grounds of ethnicity or nationality and all other forms of protection against illegal exclusion or segregation. It emphasizes in law the exceptional instrument of reversing the burden of proof, which makes it easier to prove a potentially discriminated party to a dispute. The thesis provides a comprehensive view of ethnic minorities in our country and possible discriminatory reasons, but specifically focuses on discrimination against Roma on the grounds of ethnicity. It addresses this issue in depth and provides a reflection on why this group of the population is least accepted by the majority society and why there are long-standing problems with it, instead of their integration and involvement in society as a whole. In its scope, it also deals with the functioning of the Public Defender of Rights and its influence on the discriminatory conduct of legal and natural persons and the function performed by non-profit organizations in providing practical assistance to persons facing discriminatory ones. In conclusion, the work brings with regard to protective measures against discrimination and reflections on proposals *de lege ferenda*, which could improve this issue in the future.