

## **Abstract**

This thesis deals with issues related to decision-making practice of Czech courts in cases where the plaintiff sought protection against racial discrimination in civil proceedings. Specifically, the thesis endeavours – through the analysis of selected decisions of higher courts and the practice of lower courts – to answer the question of whether the judicial practice together with the applicable laws provide sufficiently effective judicial protection of the right to equal treatment.

The first part defines the concept of race as discriminatory ground, as this term is used in legislation in a very broad way and contrary to some scientific concepts of race.

The second part contains a brief summary of the legal regulation of non-discrimination in international, European and Czech law. This section focuses on the legal framework applied by Czech courts in the decisions discussed and provides a basis for the following analytical part.

The third part, which is the key part of the thesis, deals with decision-making practice of the courts with focus on the problematic aspects of protection against racial discrimination in legislation regulating the protection of personal rights. The shortcomings of judicial practice ascertained are then compared with the new rules contained in the Anti-Discrimination Act. In the first chapter of this section, the most important factors limiting judicial practice based on actions for the protection of personality are described. In the following part, these factors are analysed in relation to the Anti-Discrimination Act, which in spite of entering in force more than three years ago, is still used to a very limited extent.

In the conclusion, the results of the analysis show that although a number of factors limiting the previous legislation have been overcome by the adoption of the Anti-Discrimination Act, certain major obstacles associated mainly with financial and legal complexity and difficulties of evidence still impede efficiency and general access to the judicial protection against racial discrimination (required by the Race Directive).