

**Czech University of Life Sciences Prague**

**Faculty of Economics and Management**

**Department of Humanities**



## **Bachelor Thesis**

**Experiences of Labour Market and Workplace  
Discrimination by Russian Nationals in the Czech  
Republic**

**Alexey Ignatyev**

# **BACHELOR THESIS ASSIGNMENT**

Alexey Ignatyev

Economics and Management

Thesis title

**Experiences of Labour Market and Workplace Discrimination by Russian Nationals in the Czech Republic**

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## **Objectives of thesis**

The thesis will examine experiences of and attitudes towards workplace and labour market discrimination by Russian nationals in the Czech Republic. The concept of discrimination forms an important part of a wide range of legislation related to business conduct, employment law and public administration. Laws against discrimination are widespread, but there are debates about how discrimination should be measured, conceptualised and prevented. The thesis will investigate existing laws and debates around discrimination in the Czech Republic and the European Union, as well as public understandings and experiences of discrimination by Russian citizens living in the Czech Republic. This will be done through comparative analysis of publicly available documents and qualitative interviews.

## **Methodology**

The thesis will develop a literature review covering ethical, legal and policy debates about the concept of discrimination. It will present and analyze the existing laws, policies and regulations concerning discrimination in the Czech Republic and the European Union through critical comparative analysis of publicly available documents. It will investigate experiences and understandings of discrimination through exploratory, qualitative interviews with Russian citizens living in the Czech Republic.

## The proposed extent of the thesis

40-50 pages

## Keywords

Discrimination, Workplace, Labour Market, Czech Republic, Nationality

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## Recommended information sources

ALTMAN, Andrew. (2020). 'Discrimination.' The Stanford Encyclopedia of Philosophy (Winter 2020 Edition). Edward N. Zalta (ed.). URL = <https://plato.stanford.edu/archives/win2020/entries/discrimination/>.

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LIPPERT-RASMUSSEN, Kasper (Ed.). (2017). The Routledge Handbook of the Ethics of Discrimination. London: Routledge.

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## The Bachelor Thesis Supervisor

Daniel Rosenhaft Swain, Ph.D., MA

## Supervising department

Department of Humanities

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**prof. PhDr. Michal Lošťák, Ph.D.**

Head of department

Electronic approval: 27. 10. 2022

**doc. Ing. Tomáš Šubrt, Ph.D.**

Dean

Prague on 12. 03. 2023

### **Declaration**

I declare that I have worked on my bachelor thesis titled "Experiences of Labour Market and Workplace Discrimination by Russian Nationals in the Czech Republic" by myself and I have used only the sources mentioned at the end of the thesis. As the author of the bachelor thesis, I declare that the thesis does not break any copyrights.

In Prague on 15.03.2023

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**Alexey Ignatyev**



## **Acknowledgement**

I would like to thank to Daniel Rosenhaft Swain, Ph.D., MA and all other persons, for their advice and support during my work on this thesis.

# **Experiences of Labour Market and Workplace Discrimination by Russian Nationals in the Czech Republic**

## **Abstract**

This bachelor thesis examines studies and examples of discrimination of Russians in the labour market and workplace in the European Union and the Czech Republic.

The theoretical part examines the concepts and studies of discrimination as a social phenomenon. Its types, influence on a person and society are given. This part also examines studies, documents and facts that record the existence of discrimination against Russians in Europe and the Czech Republic.

The practical part examines the personal experience of Russians facing discrimination in the labour market or workplace. For this purpose, in-depth interview is used, which, thanks to deep open-ended questions, helps to dive into the experience of each respondent in detail.

**Keywords:** Discrimination, Workplace, Labour Market, Czech Republic, Nationality.

# **Zkušenosti s diskriminací ruských státních příslušníků na trhu práce a na pracovišti v České republice**

## **Abstrakt**

Tato bakalářská práce zkoumá studie a příklady diskriminace ruských občanů na trhu práce a na pracovišti v Evropské unii a České republice.

Teoretická část zkoumá koncepty a studie diskriminace jako sociálního jevu. Jsou dány její typy, vliv na člověka a společnost. Tato část také zkoumá studie, dokumenty a fakta, které zaznamenávají existenci diskriminace ruských státních příslušníků v Evropě a České republice.

Praktická část zkoumá osobní zkušenosti ruských respondentů čelících diskriminaci na trhu práce nebo na pracovišti. K tomuto účelu byl použit kvalitativní výzkum, který díky hloubkovým rozhovorům pomáhá se detailně ponořit do zkušeností každého respondenta.

**Klíčová slova:** Diskriminace, Pracoviště, Trh práce, Česká republika, Národnost.

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# 1 Introduction

Modern society in Europe, among other characteristics, can be called both legal and possessing information freedom. All EU countries call themselves democratic and proclaim human rights and freedoms as fundamental to the state. Discrimination in this context is something that States, and international organizations should consider as a threat to a free and legal society. But as we know very well, the problem of infringement of rights has not been solved so far. There can be a large number of reasons for this. As different ways of defining discrimination, its causes, and types. How is it expressed? Is discrimination always wrong? The author of this work will try to answer these and many other questions.

This work will deal with the topic of discrimination of Russians in Europe and the Czech Republic in the labour market and workplaces. This topic, in addition to being narrowly focused, is characterized by a huge lack of research and work that involves the events and situations of the past year. It is also controversial and ambiguous mainly due to ethical and political issues. However, this work will be based on an analysis of the theoretical basis of the phenomenon of discrimination and existing laws that counteract it, as well as examples of infringement of rights against Russians. The thesis will also include interviews with people to confirm or refute the judgment about the existence of discrimination in the society of modern Europe.

The main purpose of this thesis is to begin investigation on this important topic. As mentioned earlier, at the present time there is a critically small amount of research on this topic, which is a total omission due to the serious change in the situation caused by recent political events.

## **2 Objectives and Methodology**

### **2.1 Objectives of thesis**

The thesis will examine experiences of and attitudes towards workplace and labour market discrimination by Russian nationals in the Czech Republic. The concept of discrimination forms an important part of a wide range of legislation related to business conduct, employment law and public administration. Laws against discrimination are widespread, but there are debates about how discrimination should be measured, conceptualised and prevented. The thesis will investigate existing laws and debates around discrimination in the Czech Republic and the European Union, as well as public understandings and experiences of discrimination by Russian citizens living in the Czech Republic. This will be done through comparative analysis of publicly available documents and qualitative interviews.

### **2.2 Methodology**

The thesis will develop a literature review covering ethical, legal and policy debates about the concept of discrimination. It will present and analyse the existing laws, policies and regulations concerning discrimination in the Czech Republic and the European Union through critical comparative analysis of publicly available documents. It will investigate experiences and understandings of discrimination through exploratory, qualitative interviews with Russian citizens living in the Czech Republic.

## **3 Literature Review**

### **3.1 Society of 21st century**

21st century 2023. This is a period in the history of mankind that consolidated the flagship of the post-industrial or information society. It is this type of society that is considered advanced, which will form the vector of further development of all mankind.

Technological breakthrough, development in the humanitarian, economic and social spheres. All these factors have created a man of the new age. The time when scientists and inventors discuss the first steps in colonizing other planets. The time when the majority of the world's population has access to education and medicine is close to finding a way to identify and treat a severe form of cancer.

According to the Democracy Index, in almost 65% of all countries of the world, the democratic regime is either already recognized as the basis of the state system or represents the goal towards which the country is developing. Which implies the rule of law and the protection of human rights and freedoms. Human rights are protected not only at the national level, but also at the level of international organizations and laws (e.g., The Universal Declaration of Human Rights, 1948). A person of the 21st century is in the safest stage of development of society for him in comparison with his predecessors.

However, not being the final stage of human development, the society of the 21st century has not got rid of aspects that have been inherent in it throughout its history. Wars, famine, violence, lawlessness, discrimination, etc. In my work, I would like to analyse the aspect of discrimination. A social phenomenon that appeared simultaneously with the formation of the first society.

### **3.2 What is discrimination?**

Relying on the Cambridge Dictionary, the term “discrimination” means treating a person or group of people differently, especially in a worse way from the way in which you treat other people, because of their race, gender, sexuality, etc. (Cambridge Dictionary, 2009). This definition characterizes discrimination in more general terms. However, in order to understand this topic, it is necessary to look into the depth of the problem. Because today,



even in Europe, you can find countries whose leaders use discrimination in their rhetoric to approve a certain part of the country's population.

Poland is a striking example of this. Discrimination against the LGBTQ+ community in Poland has been a persistent issue, despite the country's constitution guaranteeing equal treatment under the law and prohibiting discrimination based on any reason. While a law was enacted in 2011 that prohibits discrimination in employment based on sexual orientation, the LGBTQ+ community still experiences widespread discrimination in various aspects of their lives, including healthcare, education, and social security.

In 2015, Amnesty International reported that the legal system in Poland fails to adequately protect the LGBTQ+ community from hate crimes, and this has been a major cause of concern for human rights organizations. In recent years, there have been numerous incidents of violence and discrimination against the LGBTQ+ community, often carried out by authorities and with little to no action taken by the government to bring the perpetrators to justice.

One of the most recent examples of discrimination by the authorities in Poland was the ban on pride parades in the city of Bialystok in 2019. The ban was imposed by the local government, citing security concerns, despite no evidence of any threats or violent incidents during previous pride parades. The ban sparked outrage among the LGBTQ+ community and their allies, who saw it as a clear act of discrimination and an attempt to silence their voices and rights. Another example of discrimination by the authorities in Poland is the rhetoric used by politicians and officials. In recent years, some high-ranking officials have made inflammatory statements about the LGBTQ+ community, calling them "an offense to Polish identity" and claiming that they are a threat to traditional values and the family unit. This kind of rhetoric has contributed to a hostile environment for the LGBTQ+ community in Poland and has made it more difficult for them to fight against discrimination and hate crimes.

### **3.2.1 The roots of discrimination**

Discrimination can originate from various sources, including but not limited to prejudice.

**Prejudice:** Refers to preconceived notions or attitudes that individuals hold about a particular group of people. These attitudes are often based on stereotypes and misinformation and can contribute to discriminatory behaviour (Council of Europe, 2005). For example, a person who holds prejudice against individuals from a certain racial or ethnic group may treat them differently or unfairly in various situations, such as in the workplace or in housing.

**Socialization:** The way we are raised and the environments we grow up in can influence our attitudes and beliefs about other people. Children who are exposed to biased or discriminatory views may internalize these beliefs and behave in a discriminatory manner.

**Power imbalances:** Discrimination can also be fuelled by power imbalances, such as those based on race, gender, or socioeconomic status. Those who hold positions of power may discriminate against those who do not have the same level of power. Deborah Hellman uses example of an employer that holds a higher level of power over an employee and could demean them. But, if the roles were reversed, the employee would not be able to demean the employer. (Hellman, 2018).

**Cultural and historical factors:** Discrimination can also be the result of cultural and historical factors, such as past discrimination and segregation that has perpetuated societal divides and imbalances.

**Individual experiences:** Individual past experiences can also contribute to the development of prejudiced views. If a person has had negative interactions with a specific group, they may be more inclined to hold discriminatory attitudes towards them (Eidelson, 2015).

Discrimination can be based on multiple factors such as race, citizenship, nationality, religion, gender, sexual orientation, disability, and other personal characteristics. But for this research, we need to analyse certain types of discrimination.

### **3.2.2 Direct and indirect discrimination**

According to the description proposed by the Council of Europe direct discrimination refers to instances where an individual or group is treated differently or unfairly on the basis of a protected characteristic, such as race, gender, religion, sexual orientation, or any other personal attribute. This type of discrimination is deliberate and intentional and is

often characterized by overt acts that single out certain individuals or groups for unfavourable treatment (Council of Europe, 2022). For example, denying someone a job opportunity because of their race would be considered direct discrimination.

Indirect discrimination, on the other hand, is a more subtle form of discrimination that arises when seemingly neutral policies, procedures, or practices have an adverse impact on a particular group of individuals. This type of discrimination often occurs unintentionally and results from provisions or practices that appear to be impartial but have a discriminatory effect on members of a specific group (Council of Europe, 2022). For instance, a company policy that requires employees to work weekends may indirectly discriminate against individuals who observe religious holidays on weekends.

### **3.2.3 National Origin Discrimination**

Discrimination based on nationality or national origin is known as national discrimination, which can manifest in various ways such as in employment, education, housing, and access to services. This type of discrimination can arise from stereotypes, biases, and societal norms that attribute certain negative traits or actions to certain nationalities. Additionally, political, and economic factors such as international conflicts or economic rivalry can also play a role in national discrimination. The effects of national discrimination can be severe, including hindering opportunities, diminishing well-being, and exacerbating societal divisions and tensions.

According to U.S. Equal Employment Opportunity Commission, national discrimination can take various forms, such as

**Employment discrimination:** When individuals are unfairly treated in the labour market due to their nationality or national origin. This can include discrimination in hiring, pay, promotion, training, and other employment-related matters.

**Education discrimination:** When individuals are unfairly denied access to education or face unequal treatment in education due to their nationality or national origin. This can include discrimination in admissions, financial aid, and other aspects of education.

**Housing discrimination:** When individuals are unfairly denied access to housing or face unequal treatment in housing due to their nationality or national origin. This can include discrimination in renting, buying, or financing a home.

**Access to services discrimination:** When individuals are unfairly denied access to services such as healthcare, transportation, or financial services due to their nationality or national origin.

**Hate crimes:** When individuals are targeted for violence, harassment, or other crimes due to their nationality or national origin.

However, despite the clear definition of the forms of this type of discrimination, there are still examples that are debatable to this day. Executive Order 13769, known as "Protecting the Nation from Foreign Terrorist Entry into the United States," was enacted to reduce the number of refugees permitted to enter the United States in 2017. The order also imposed a 120-day halt on the U.S. Refugee Admissions Program and barred Syrian refugees indefinitely. The entry of individuals from certain countries was temporarily restricted, including Iran, Libya, Somalia, Sudan, Syria, and Yemen, as determined by the Department of Homeland Security, due to the fact that these countries did not meet U.S. immigration standards. The result of the order was the detention of over 700 travellers and the temporary revocation of up to 60,000 visas.

In this example, we see restrictions on the rights of a group of people based on nationality. This can also be interpreted as indirect discrimination because the refusal to stay in the country may be due to "non-compliance with US new immigration standards". However, this law was conditioned as "protection of the country's security". Is discrimination acceptable under these conditions? If so, does it mean that discrimination is justified in some cases?

### **3.2.4 Citizenship discrimination**

Citizenship discrimination refers to the unequal treatment of individuals based on their citizenship status. This can occur in many different settings, including employment, housing, education, and access to government services. For example, an employer may not hire a person because they are not a citizen, even if they are qualified for the job.

Landlords may refuse to rent to non-citizens, and schools may not allow non-citizen students to enrol. These actions are illegal in many countries, and it is important to challenge them and seek legal remedies if they occur. However, there may be some situations in which non-citizens are not eligible for certain benefits or privileges due to their citizenship status. The legality and justification of laws that prohibit non-citizens of a country from voting and receiving certain benefits, such as insurance, can be a subject of debate and can vary depending on the specific circumstances and context.

In general, many countries have laws and policies that restrict certain rights and benefits to citizens only, based on the idea that these rights and benefits are tied to citizenship and the obligations and responsibilities that come with it (Ellermann,2019). However, such restrictions can also be seen as discriminatory and violative of the principle of equality, particularly if they have a disproportionate impact on certain groups of people, such as non-citizens who have lived and worked in a country for a long period of time.

When determining whether restrictions on certain rights and benefits to citizens only are legitimate, it is important to consider a few factors. First, the restriction must serve a legitimate aim. For example, a restriction on the right to vote for non-citizens may be considered legitimate if it is aimed at protecting the integrity of the electoral process or promoting social cohesion. Second, the restriction must be proportionate to the aim it seeks to achieve. This means that the restriction should not be overly broad or have a disproportionate impact on certain groups of people. For example, a restriction on the right to work for non-citizens may be considered disproportionate if it prevents them from earning a livelihood and leads to their exclusion from society. Third, the restriction must not discriminate on the basis of nationality or other characteristics. Any differentiation between citizens and non-citizens must be based on objective and reasonable criteria that are proportionate to the legitimate aim being pursued. For example, a restriction on the right to own property for non-citizens may be considered discriminatory if it is not based on a legitimate aim or if it is overly broad. Fourth, the restriction must be compatible with international human rights treaties and national constitutional and legal frameworks. This means that the restriction should not violate any human rights standards or constitutional protections against discrimination. It is important to note that each case must be evaluated on its own merits, taking into account the specific circumstances and context in which the restriction is being applied.

Ultimately, the legitimacy and justification of these laws would depend on their compatibility with the relevant international human rights treaties and national constitutional and legal frameworks, as well as their impact on the affected individuals and communities (Ellermann, 2019). In any case, it is important to carefully consider the potential consequences of such restrictions and ensure that they are in line with the principles of equality and non-discrimination.

### **3.2.5 Labour Market and Workplace Discrimination**

Based on the Declaration on Fundamental Principles and Rights at Work, it is possible to give the following definitions of these types of discrimination:

Labour market discrimination refers to discrimination that takes place in the process of buying and selling labour, including discrimination in hiring, wages, promotions, and other employment-related decisions. This can include discrimination based on factors such as race, gender, age, sexual orientation, and disability.

Discrimination that takes place within the workplace is referred to as workplace discrimination. This can include harassment, unequal treatment, and retaliation for complaints of discrimination. This type of discrimination can take various forms, such as denying an employee a promotion due to their race or subjecting an employee to harassment because of their sexual orientation.

Discrimination in the workplace can take many forms, such as biased selection during job application and unequal pay between races and genders. While the latter form of discrimination may be attributed to the Human Capital Theory, which suggests that companies' base employment decisions on an individual's ability to make productive contributions, or their "human capital". However, this theory is difficult to prove, as discrimination in the workplace often takes the form of indirect discrimination, where seemingly neutral policies or practices disadvantage a particular group (Goff, 2018). For example, elderly people may be perceived as having lower human capital, due to the

expectation of taking interruptions from work due to health problems or retirement, however, it is illegal for employers to discriminate against them directly.

In addition to being discriminatory, the Human Capital Theory is not justified from the point of view of work. While this theory suggests that companies should base employment decisions on an individual's ability to make productive contributions, it fails to take into account the fact that individuals may face barriers to building their human capital, such as discrimination and unequal access to education and training (Vallas, 2016). This can result in a situation where the most talented and capable individuals are not given the opportunity to fully develop and utilize their skills, while less qualified individuals are given preferential treatment based on their social status, race, or gender.

Furthermore, the Human Capital Theory is based on the assumption that individuals are solely responsible for their own success in the workplace and ignores the role of external factors such as systemic discrimination, bias, and unequal access to resources (Vallas, 2016). This not only perpetuates discrimination and inequality in the workplace, but it also undermines the potential for a company to fully benefit from the skills and talents of its employees.

Both labour market and workplace discrimination can have severe consequences for individuals, including lower wages and reduced career opportunities, as well as negative impacts on mental and physical health. Discrimination also has broader societal effects, such as perpetuating inequality and limiting economic growth. More details about the impact of discrimination on society and the economy will be further in the thesis.

### **3.3 Problem of Discrimination**

Discrimination is considered wrong as it goes against the notion of equality and justice. In general view discrimination as always unjust, as it prevents people from being evaluated based on their merits and capabilities, instead of generalizations about traits they have no control over (Alexander, 1992). Discriminating behaviour can infringe on someone's rights, such as by denying them opportunities or treating them unfairly due to characteristics such as race, gender, or religion. Additionally, discrimination contributes to

the perpetuation of unjust power structures. Treating people with dignity and respect, regardless of their background, is essential and discrimination goes against this fundamental principle.

### **3.3.1 The impact of discrimination on society**

Discrimination can have a wide range of negative influences on different aspects of society, including economies, and countries. As Hellman emphasized in her works, discrimination creates divides and reinforces existing power imbalances in society, leading to a sense of injustice and perpetuating inequality. It also limits access to essential services for certain groups such as education, healthcare, and can contribute to poverty, poor health outcomes, and reduced opportunities for personal and societal growth. Discrimination can also lead to a hostile and unsafe environment, creating social issues like racism, sexism, and other forms of prejudice (United Nations, 1948). It erodes the social norms of equal opportunities, mutual respect, and trust which are necessary for a harmonious society, limits diversity and representation and reduces the diversity of ideas, perspectives, and experiences leading to a lack of understanding and responsiveness to the needs of different groups.

According to Joseph Losavio's article, discrimination results in decreased productivity and efficiency by limiting access to job opportunities, training, and education, causing high turnover rates, low morale, and limiting the full economic potential of individuals and society (Losavio, 2020). The study by the National Bureau of Economic Research found that wage discrimination based on race and gender cost the US economy billions of dollars in lost potential earnings each year.

Discrimination can also limit diversity and innovation, essential components of sustainable economic growth. According to a report by the National Centre for Women & Information Technology, women and underrepresented minorities are underrepresented in STEM fields, limiting the potential for new ideas and perspectives in these industries. This lack of diversity and innovation can hold back a country's economic growth and competitiveness. Moreover, discrimination contributes to socioeconomic inequality and political instability, which can have significant and long-lasting impacts on a country. For example, the United



Nations Development Programme found that discrimination against certain groups can reinforce existing power imbalances and create cycles of poverty, reducing opportunities and exacerbating economic and political inequalities. This can lead to political instability and decreased civic and political participation for certain groups, undermining democratic processes and leading to a lack of representation in political institutions.

Discrimination can also damage a country's reputation, causing international sanctions and other negative consequences for a country's economy. Eliminating discrimination is crucial for creating a more just and equitable society, promoting economic growth, and improving the overall well-being of a country. and damage a country's reputation, limiting its ability to attract foreign investment and engage in international trade.

To promote economic growth, reduce socioeconomic inequality, and improve the well-being of individuals and the country, it is crucial to eliminate discrimination and create a more inclusive and diverse society.

### **3.3.2 Difficulties in identifying discrimination**

Discrimination, as a concept, encompasses a wide range of practices and policies that differentiate between individuals based on certain characteristics, such as race, gender, religion, or disability. However, Deborah Hellman in her work “Discrimination and social meaning” gives examples that prove that not all discrimination is considered wrong. There is a complex relationship between what constitutes discrimination and what makes it wrong. For instance, a policy that mandates the use of restrooms based on biological sex may be seen as discriminatory by some but not considered as inherently wrong (Hellman, 2008).

Hellman points out that discrimination can encompass types of policies that are always wrong, and types that may be wrong in some cases but not always. In addition, discrimination can take the form of direct discrimination, where policies differentiate between individuals based on a characteristic, or indirect discrimination, where policies are neutral but still have a disproportionate impact on certain groups.

The challenge lies in identifying when acts or policies that treat people differently based on their characteristics fail to regard them as moral equals. So, discrimination should be evaluated not just based on whether it appears to be discriminatory, but also on the reasoning behind the decision. For instance, if an individual is not hired due to their level of degree while another person is hired for reason, such as having a higher degree, this would be considered acceptable. However, if the individual was not hired due to their race and another person was hired for the same reason, this would be considered discriminatory.

These examples show us that discrimination is a complex issue and identifying instances of discrimination can be difficult. However, it is important to understand the circumstances and primary reasons behind discrimination. And every situation where, in your opinion, discrimination takes place, it is necessary not only to classify, but also to understand the circumstances and the primary reasons. However, despite all the complexity and confusion in identifying discrimination, there are red lines that allow you to identify wrong discrimination.

One of the simplest examples is the "Black Codes" in the United States, which were in effect before the end of the Civil War. They specify the regulatory rules restricting the freedom of the black population of the United States. The prohibition of free movement in public places, ownership of property, visits to establishments, etc. These examples are just the tip of racism and apartheid, which ruled at that time. But it is precisely this well-known historical fact that allows us to formulate one of the most important points of wrong discrimination.

After all, the basic reason for the infringement of the rights of blacks is the perception of them by certain individuals and institutions as people of the "lower caste". This is a feature and unites all forms of discrimination. Having the idea that one group of people is more important than another, demeaning people. Such approaches can manifest themselves in both direct and indirect discrimination.

To summarize the above, I would like to resort to the help of Professor of Law and Philosophy Jeremy Waldron, who formulated the thesis that the reason that differentiating among individuals is a source of moral concern because it contravenes the principle that

every person should be treated with equal regard. When expressions or actions that diminish the status of an individual or group are made or taken, they are considered to be morally wrong (Waldron, 2012).

### **3.4 European and Czech laws against discrimination**

The European Union has established several laws to combat discrimination on various grounds. These include the Equality Framework Directive (2000/78/EC), which prohibits discrimination on the grounds of age, disability, religion or belief, sexual orientation, and gender, in the areas of employment and occupation, as well as access to goods and services. The Race Equality Directive (2000/43/EC) prohibits discrimination on the grounds of race and ethnic origin in similar fields. The Directive on the protection of the principle of equal pay for men and women (2006/54/EC) bans discrimination in pay on the grounds of sex and the Directive on equal treatment in social security (2010/41/EU) prohibits discrimination on grounds of nationality and ensure equal access to social security for all EU citizens (FRA, 2018).

#### **3.4.1 National Origin Discrimination**

The European Union has also implemented a variety of legal measures to combat discrimination based on national origin. These include the Directive on the Right of Citizens of the Union and their Family Members to Move and Reside Freely within the Territory of the Member States (2004/38/EC), which prohibits discrimination in relation to freedom of movement and residence within the EU. The Directive on the Right to Family Reunification (2003/86/EC) and the Directive on the Right of Workers to Remain in the Territory of a Member State after Having Been Employed in that State (2004/38/EC) both bans discrimination in relation to family reunification and the right to remain in a Member State after employment, respectively.

In addition, the Directive on the Status of Third-Country Nationals Who are Long-Term Residents (2003/109/EC) and the Directive on the Rights of Third-Country Nationals Who are Victims of Trafficking in Human Beings or Who are Vulnerable to Being Trafficked (2011/36/EU) are set in place to safeguard individuals from discrimination based on their nationality in terms of long-term residency status and rights of victims of human

trafficking. Together with the EU Treaties that ban discrimination on grounds of nationality, these laws create a comprehensive framework for all EU member states to protect individuals from discrimination within the EU (FRA, 2018).

### **3.4.2 Labour Market and Workplace Discrimination**

To eliminate discrimination in the labour market, the European Union has put in place several legal measures. A prominent piece of legislation is the Equality Directive (2000/78/EC) which bans discrimination based on age, disability, gender, nationality, religion, sexual orientation in relation to employment and occupation etc. This directive is further reinforced by the Recast Equality Directive (2006/54/EC) which extends protection against discrimination based on religion or belief, disability, age, and sexual orientation in relation to employment and occupation.

Additionally, the Directive on Workplace Harassment and Violence (2019/1148/EU) proscribes harassment and violence in the workplace and aims to safeguard employees from such behaviour. The Directive on the Protection of Workers from Exposure to Carcinogens or Mutagens at Work (2004/37/EC) prohibits discrimination based on the physical status of workers and aims to protect their health and safety in the workplace (FRA, 2018).

### **3.4.3 Citizenship discrimination**

In order to eliminate discrimination based on citizenship, the European Union has put in place a number of legal measures. One of the key pieces of legislation is the Citizenship Directive (2004/38/EC) which guarantees the right of EU citizens and their family members to move and reside freely within the territory of the EU member states and prohibits discrimination on the grounds of citizenship in relation to this right. Additionally, the Directive on long-term residents (2003/109/EC) grants long-term resident status to third-country nationals who have legally resided in a EU member state for a certain period of time, and prohibits discrimination on the grounds of citizenship in relation to this status (FRA, 2018).

Along with this the EU Treaty of Lisbon prohibits discrimination on the grounds of citizenship in relation to access to employment, social security, and social advantages. These laws, among others, provide a comprehensive framework for the EU member states to ensure the protection of individuals from discrimination on the grounds of citizenship, and to promote the protection of their rights within the EU.

European non-discrimination law applies to all individuals within the European Union, including citizens, migrants, and long-term residents. This law prohibits discrimination on the grounds of race, ethnicity, religion or belief, age, disability, sexual orientation, and gender identity (Council of European Union, 2013). It applies to various areas such as employment, education, social protection, and access to goods and services. Additionally, the EU Charter of Fundamental Rights and the EU Treaties prohibit discrimination on the grounds of nationality and immigration status.

Moreover, in addition to direct EU anti-discrimination laws, there are also intergovernmental organizations that are also responsible for combating discrimination in Europe.

#### **3.4.4 Council of Europe**

The Council of Europe, established after World War II, is a regional intergovernmental organization focused on advancing democracy, human rights, the rule of law, and socio-economic development. The principle of non-discrimination is a central component of several of its treaties, including the Convention for the Protection of Human Rights and Fundamental Freedoms, established in 1950. This convention, with the assistance of the European Court of Human Rights, strives to ensure that all individuals residing in member states have access to a comprehensive range of human rights. The prohibition of discrimination is outlined in Article 14 and ensures equal treatment in the enjoyment of all rights protected by the convention. Another significant treaty of the Council of Europe is the revised European Social Charter, which includes an explicit provision prohibiting discrimination outlined in Article E. This provision guards against discrimination based on a wide range of personal characteristics, including race, sex, language, religion, political views, national extraction, social origin, health, birth, and any other status. The principle of

non-discrimination is also a key principle in several other Council of Europe instruments, including the European Commission against Racism and Intolerance (ECRI), which monitors instances of racism, xenophobia, antisemitism, intolerance, and racial discrimination (Council of Europe, 2022).

### **3.4.5 The European Court of Human Rights**

The European Court of Human Rights (ECtHR) serves as a judicial entity tasked with interpreting and implementing the European Convention on Human Rights. The Convention, established in 1950, is a legally binding human rights accord applicable to the 47 member nations of the Council of Europe (Anagnostou, 2013). The Court, located in Strasbourg, France, primarily handles cases submitted by individuals, non-profit organizations, and other entities alleging violation of their rights outlined in the Convention. The Court comprises a panel of judges, one appointed from each member state of the Council of Europe.

The Court is considered as an important international human rights protection mechanism as it provides individuals and NGOs with an effective means of challenging human rights violations by state parties to the Convention. The Court has the authority to find a state in violation of the Convention, and the state is obliged to comply with the Court's judgment (Anagnostou, 2013).

In addition to EU laws and the supervision of intergovernmental organizations, each EU country also has an internal regulation on combating discrimination. Let's look at the Czech Republic in this context.

### **3.4.6 Czech Republic**

The Czech Republic, like other EU countries, has internal anti-discrimination laws that protect individuals from bias based on their race, ethnicity, nationality, gender, disability, and religion or belief. The Anti-Discrimination Act of 2009 is one such legislation, which outlaws discrimination in areas such as employment, education, and access to goods and services. The Charter of Fundamental Rights and Freedoms, instituted in 1991, further

prohibits discrimination on a wide range of grounds including sex, race, language, religion, and national or social origin. The Criminal Code of 1961 makes hate speech and incitement to hatred on the grounds of race, national or ethnic origin, religion, belief, or sexual orientation a crime. The Act on the Residence of Foreigners also prohibits discrimination based on national origin in the issuance of residence permits. These laws, among others, provide a comprehensive framework for the Czech Republic to uphold the rights and dignity of all individuals and combat discrimination in all forms.

The Czech Republic has a legal system in place to ensure discrimination in the workplace is not accepted. The Labour Code of 1965 prohibits discrimination in relation to employment and occupation, offering protection for employees from discrimination on grounds of gender, age, race, religion, or political opinion. The Charter of Fundamental Rights and Freedoms, which is an integral part of the Czech Constitution, prohibits discrimination on a wide range of grounds such as sex, race, language, religion, and national or social origin. The Act on the Residence of Foreigners prohibits discrimination on the basis of national origin in the issuance of work permits. The Employment Act of 2004 regulates the employment and rights of employees, including the protection of employees from discrimination and the right to equal pay for equal work. These laws are enforced by various government agencies and violators can face fines, imprisonment, and other penalties. It should be noted that these laws are not limited to labour discrimination only, they cover discrimination in other areas as well (Civic Nation, 2009).

Thus, summing up the above facts, it is safe to say that any form of discrimination in the Czech Republic and the EU is prohibited against any person. This is fixed by the laws of the EU, the Czech Republic, and intergovernmental bodies. However, despite this, discrimination still exists in Europe. There is also a prioritization of some forms of discrimination over others for different institutions, laws, and policies. For example, now there is a prioritization by the EU of gender discrimination and infringement of the rights of representatives of the LGBTI community. This is also evident in the EU's Gender Equality Strategy 2020-2025 and the EU's LGBTI Equality Strategy.

### **3.5 Discrimination of Russians in Europe and Czech Republic**

We are getting closer to the main point of this study, but for this it is necessary to understand exactly whether there is discrimination against Russians and Russian-speaking citizens in Europe and in the Czech Republic, respectively. To begin with, I would like to note that the reasons for the negative attitude towards this ethnic group can be found both in history and in various studies.

In most sources, the reasons are similar, so I would like to give an example of the key factors that political scientist and philosopher Anna-Sophie Maass cited in her book "EU-Russia relations, 1999-2015: From Courtship to Confrontation".

**Geopolitical tensions:** Throughout history, Russia has often been seen as a rival to European powers, leading to mistrust and suspicion. This has been particularly true in the centuries following the rise of the Russian Empire, as Russia expanded its territory and gained increasing influence in the region.

**Ethnic and cultural differences:** Russians have traditionally been seen as being different from the dominant European cultures, leading to stereotypes and prejudices. These stereotypes have often portrayed Russians as being backward or uncivilized and have been used to justify discrimination against them.

**Political ideology:** During the Cold War, many Western European countries saw the Soviet Union and its satellite states as a threat to their way of life, leading to a strong anti-communist sentiment which sometimes included anti-Russian sentiment.

It's worth noting that these causes are not mutually exclusive, and that different combinations of these factors have contributed to discrimination against Russians in different historical periods and in different parts of Europe. Additionally, the level of discrimination may vary depending on the time, region, and the specific group of people (Maass, 2016). Separately, I would like to mention another reason that Geoffrey Hosking mentioned in his book "Russia's People of Empire: Life Stories from Eurasia, 1500 to the Present" by Geoffrey Hosking, which, among other reasons for the increase in intolerance



and hatred towards Russia and its citizens, names the historical memory of some European nations who themselves were discriminated and marginalized during the Russian Empire, because of the imperial expansion and the policy of building an imperial state.

Today, there are various forms of discrimination against Russians in different European countries. The "Russian-speaking minorities in Estonia and Latvia: problems of integration at the threshold of the European Union" report, published by European Centre for Minority Issues (ECMI), delves into the situation of Russian-speaking minorities in Estonia and Latvia. The report examines the discrimination and bias experienced by these minorities in areas such as education, employment, housing, and access to justice, as well as the occurrences of hate speech and hate crimes directed against them. The report emphasizes that despite some improvements, Russian-speaking minorities in Estonia and Latvia continue to face discrimination and marginalization across various aspects of life. Additionally, the ongoing conflict in Ukraine has led to an escalation of anti-Russian sentiment in the region, further exacerbating the situation for Russian-speaking minorities. To combat discrimination and bias against Russian-speaking minorities and promote their integration into society, the report recommends several measures for the Estonian and Latvian authorities to undertake.

### **3.5.1 Discrimination of Russians in Czech Republic**

The origins of discrimination against Russians in the Czech Republic can be traced back to the era following World War II, during which Eastern Europe was under Soviet domination. The Czech Republic, then known as Czechoslovakia, was under Soviet control, and many Czech citizens held resentment towards the presence of Soviet troops and the Soviet Union's influence on their country. Additionally, discrimination against Russians in the Czech Republic can also be attributed to the actions of the Soviet-backed government in the former Czechoslovakia, which instigated discrimination and repression towards ethnic Germans, Hungarians, and Romanians.

According to Oskar Krejčí, Czech political scientist, professor at Matej Bel University in Banská Bystrica (Slovakia), the main reason for the negative attitude towards Russia in the Czech Republic is the fact that the modern political and cultural elite of the country

belongs to the generation whose political ideas were formed under the influence of the suppression of the "Prague Spring" of 1968. The entry of troops of the USSR and other Warsaw Pact countries into Czechoslovakia in 1968 (Operation Danube) caused a significant decrease in the number of left-wing supporters and a sharp drop in sympathy for the USSR among Czechs and Slovaks (Krejčí, 2017). For most people of this generation, the current Russia, despite the changes that have occurred since the collapse of the USSR, is still perceived with apprehension and distrust.

Ethnic Russians living in the Czech Republic have historically experienced discrimination, particularly in the areas of employment and housing. During the 1990s, a substantial number of ethnic Russian residents were laid off from their jobs and subsequently faced challenges in finding new employment due to discrimination. Additionally, discrimination against Russians has also been documented, particularly in the realms of education and language. They have commonly been denied access to Czech language classes and have been excluded from Czech-language schools, making integration into Czech society difficult (Klvanova, 2018).

Historical references and research examples are necessary in order to point out that the attitude of various peoples of Europe formed towards the citizens of Russia is not only the consequences of state policy or the behaviour of the citizens themselves in the 21st century, but on the contrary has a long cumulative history, which at the present time has given a new round.

### **3.5.2 The Russo-Ukrainian War (2014-2022)**

The ongoing conflict in Ukraine has had a significant impact on the lives of Russian citizens residing in Europe. As a result of the annexation of Crimea and the ongoing violence in Ukraine, many Europeans have developed negative perceptions of Russia and its citizens. This has led to an increase in anti-Russian sentiment and discrimination against Russian citizens living in Europe. Russian citizens residing in Europe have reported incidents of verbal and physical abuse, as well as discrimination in the workplace and housing (McDermott, 2015). Additionally, they have faced difficulties in obtaining visas and renewing residence permits. Furthermore, Russian citizens living in Europe have been

subject to increased scrutiny by security and intelligence agencies due to concerns about Russian interference in European politics. Russian diplomats and suspected intelligence operatives have been expelled from European countries, and Russian-funded organizations and media outlets have been shut down.

The described events took place until February 24, 2022, when Russia launched a full-scale invasion of Ukraine, which led to an immediate reaction of European states and organizations against not only state structures, but also Russian citizens. However, in addition to the laws, directives and restrictions issued against Russian citizens, this was also followed by the reaction of the entire European Community. We will talk about this further.

### **3.5.3 EU Sanctions against Russia before 2022**

In light of Russia's annexation of Crimea and participation in the separatist movement in Eastern Ukraine, the European Union has taken action by enacting a number of laws and regulations. These include:

- Economic sanctions against Russia, including limitations on certain types of financial dealings, as a means of addressing the actions of the Russian government. (Council of Europe, 2014)
- Restrictions on travel and freezing of assets for specific Russian individuals and organizations in response to their actions in Ukraine. (Council of Europe, 2014)
- Restrictions on the export of certain dual-use goods to Russia to prevent the transfer of sensitive technologies that could be used in Russia's military activities. (Council of Europe, 2014)
- Measures to reduce dependence on Russian energy imports and protect EU citizens and institutions from disinformation and other forms of malign influence from Russia. (Council of Europe, 2016)
- Measures to protect EU democracy and electoral process from foreign interference, including from Russia, through funding for civil society organizations and media outlets. (Council of Europe, 2016)

Basically, sanctions and restrictions until 2022 can be characterized as more targeted and mainly affecting either Russia as a state, or persons who are connected with the state, related to persons involved in the conflict in Ukraine, or persons directly related to events in Ukraine. Restrictions for Russian citizens were either insignificant in nature or were an initiative of individual EU countries.

#### **3.5.4 EU visa restrictions after 24<sup>th</sup> February 2022**

New sanctions and restrictions against not only Russia as a state, but also its citizens are still appearing. However, fundamental to the EU countries' policy towards Russia and its citizens is the meeting of the European Commission on September 9, 2022, in Brussels. It was at this meeting that the EU's main restrictions on Russian citizens were put forward at the moment and directives were announced to EU member states in the visa policy for Russian citizens.

The Commission issued guidelines to help EU Member States' consulates process short-term visa applications from Russian citizens with increased scrutiny, due to security risks posed by Russia's actions in Ukraine. The guidelines call for a uniform approach to evaluating security risks and may result in visa denial or revocation for Russian applicants traveling for non-essential reasons, who will have to undergo a longer and more thorough application process. The EU will still allow visa applicants traveling for essential purposes, such as family members of EU citizens, journalists, dissidents, and representatives of civil society. The guidelines follow a political agreement by Foreign Affairs Ministers and the Council's decision to suspend the EU's Visa Facilitation Agreement with Russia, allowing Member States to exercise more discretion and scrutiny in processing short-term visa applications. The consulates should implement stricter procedures, assign less priority to tourists, allow for more time to review applications, and require additional supporting documents if there is a potential threat to public policy, internal security, or international relations. The consulates should also revoke existing visas if conditions are no longer met and consult with each other before issuing visas to Russian nationals, limiting them to the territory of the issuing Member State if issued and not grant access to the entire Schengen area (European Commission, 2022).

Vice-President for Promoting our European Way of Life, Margaritis Schinas, said: "In the current context, EU consulates in Russia need to ensure a much higher degree of scrutiny on applications for short-stay visas. Thanks to today's guidelines, we will do this based on a clear, transparent and common approach. The EU will continue acting united in face of Russia's military aggression against an EU candidate country" (European Commission, 2022).

### **3.5.5 Visa restrictions of the Czech Republic for Russian citizens**

After the directives of the European Commission appeared, the Ministry of Foreign Affairs of the Czech Republic published the following resolution on its official website: "Due to the military aggression by Russia and Belarus on the territory of Ukraine, the Czech Republic has decided to temporarily stop issuing visas and residence permits to citizens of Russia and Belarus as per Government Resolution No. 529 and Law No. 175/2022 Coll. of 1 July 2022."

The Czech Republic has put in place several measures in response to the armed conflict in Ukraine, caused by the invasion of Russian troops supported by Belarus. These measures include restrictions on visa services for citizens of Russia and Belarus. These restrictions are effective as of July 1, 2022 and are governed by Government Regulation No. 200, or its amendment under Government Regulation No. 309, and Act No. 175/2022 Coll. This legislation follows the resolution of the Czech government No. 254, on the adoption of crisis measures, and the resolution of the government of the Czech Republic No. 130 and No. 152 adopted immediately after the attack on Ukraine by the Russian Federation. Act No. 175/2022 Coll. gives the government the authority to establish by decree, if necessary for the protection of foreign political interests in connection with the armed conflict on the territory of Ukraine caused by the invasion of the Russian Federation troops, the inadmissibility of certain visa and residence applications submitted to embassies. It also allows the government to determine by regulation which applications and groups of third-country nationals are not covered by the regulation" (Ministry of Foreign Affairs of the Czech Republic, 2022).

As you can see, after February 24, the main emphasis in the sanctions and restrictions of the EU and the Czech Republic against Russia is on a partial or complete ban on entry or

stay of citizens of the Russian Federation. So, the only factor that is for restricting movement or entry into the territory of the EU and the Czech Republic, respectively, a factor that justifies the refusal to obtain a short or long-term stay, as well as the cancellation of the existing permit to stay in the territory of the EU country is the presence of Russian citizenship. This policy, if it does not contradict the previously mentioned legislative acts of the EU and the Czech Republic regarding discrimination based on citizenship and nationality, then it definitely dissonates with them.

Sarah Ganty, a postdoctoral fellow at the Human Rights Center of Ghent University, is of the belief that a blanket ban on granting Schengen visas to Russian citizens would be illegal. Such a ban would not only go against the 2007 Facilitation Agreement, which has only been partially suspended and still allows some Russian groups such as journalists and students to obtain visas, but also goes against the basic principles of the Schengen visa system. Unlike the Schengen borders, which can be temporarily closed under exceptional circumstances, the Schengen acquis does not allow for a blanket ban on citizens of any country, no matter the situation.

The regulations surrounding Schengen visas and long-stay visas, which fall under EU immigration law Directives, are clear. Each visa application must be considered individually, and any refusal must be accompanied by clearly stated reasons (Article 32(1) of Visa Code). Applicants have the right to appeal decisions (Article 32(3)) (Ganty, 2022). The adoption of a blanket ban, or automatically refusing visas to citizens of any one country, is not allowed. The European Court of Justice has emphasized that visa decisions must take into account the individual circumstances of each applicant and that Member States have an obligation to provide a means for appealing visa refusals. Even in cases where a Member State may want to refuse a visa based on public policy, internal security, or public health concerns, the decision must still be made on a case-by-case basis. Announcing a policy of not issuing visas to citizens of a specific country would be a violation of EU law .

However, if the issue of visa restrictions is debatable and may not fit the definition of discrimination, then the following examples of restrictions on Russian citizens violate the fundamental points of anti-discrimination laws.

### 3.5.6 Restrictions in education

Due to EU sanctions against Russia, hundreds of Russian students studying technical subjects in Czech universities may be forced to halt their education or switch to another degree program. The Deputy Education Minister of the Czech Republic, Radka Wildova, has informed all universities through an official statement that EU sanctions prohibit offering technical assistance to Russian entities or individuals. Providing higher education or conducting applied research could be seen as a violation of the sanctions and it may lead to the termination of international accreditation.

This resolution led to the fact that rectors and deans of faculties of such state universities as CULS, HSE, CTU, Charles University, UCT have prepared orders that prohibit the provision of any technical assistance to citizens from Russia and Belarus. As an example, I would like to cite several points that are set out by the order of the rector of the CTU. Basic provisions:

- CTU shall prevent the provision of direct and indirect technical assistance under which in this the meaning also includes the transmission of instructions, advice, training, consultation, or knowledge transfer in all forms (including oral) in the following areas, both in the teaching, so in Applied Research. Based on the recommendations of the interdepartmental coordination group for the implementation of international sanctions in the Czech Republic of 23.3.2022, it is necessary ensure that such technical assistance is not provided to natural or legal persons, bodies or entities from Russia or Belarus.
- Components will consider each individual case of admission of applicants from Russia and Belarus to study at CTU. It is always necessary to assess whether, in the case of a particular person, with Russian or Belarusian citizenship has the avoidance of technical assistance in the form of non-admission to apply the study.
- The Prohibition of the direct or indirect provision of technical assistance does not affect the fundamental research, the results of which will be openly published. However, in this research results with patent protection or results obtained commercially must not be obtained.

As we can see, the main reason for the restrictions on the part of universities is to follow the EU directive on the suspension of "technical assistance". This allows the university not only not to accept students from Russia and Belarus to the faculties of "strategically important areas", but also to expel citizens of these countries if they are already studying in these areas. Such a position can also be interpreted as violations of EU and Czech laws prohibiting discrimination in people's free access to education, regardless of their nationality, citizenship and other factors.

A human rights lawyer, who would like to remain anonymous, said that naturally the conclusion about whether laws or human rights are violated in this situation remains with the court. However, a person who has been affected by these university orders may initiate legal proceedings against the university on the basis of violation of the following points.

„Expulsion from university or non-admission of a student to the university in the Czech Republic solely based on their citizenship would be a violation of EU and Czech anti-discrimination laws, as well as the right to education. This act would contravene Article 21 of the EU Charter of Fundamental Rights, Article 18 of the Treaty on the Functioning of the European Union (TFEU), Article 14 of the Charter of Fundamental Rights, and Article 2 of Protocol No. 1 to the European Convention on Human Rights, which prohibit discrimination on the grounds of nationality and guarantee the right to education. Additionally, the expulsion would also breach the Anti-Discrimination Act in the Czech Republic, which prohibits discrimination on various grounds, including nationality. The act may also violate the Czech Higher Education Act, which sets out conditions for admission and study at higher education institutions. The Czech Republic has also ratified the International Covenant on Civil and Political Rights (ICCPR), which prohibits discrimination, including discrimination based on nationality, under Article 26. The Charter of Fundamental Rights and Freedoms, which is a part of the Czech Republic's constitutional order, also protects the right to education and prohibits discrimination in exercising this right. Furthermore, the European Convention on Human Rights, which the Czech Republic is a party to, contains provisions that prohibit discrimination and guarantee the right to education.



It is absolutely clear that the decisions of universities are based on the EU directive on "technical assistance", however, not all European ministries of education interpreted EU regulation this way. For example, in Germany, they simply stopped the work and sponsorship of scientific projects of Russians with foundations and universities. However, this does not affect the admission process at universities in any way. Therefore, we can state the ambiguity of the action of the Czech Ministry of Education in this situation. The restrictions imposed on the relations of Russian citizens are completely new and some of their aspects are a gray area and contradict other EU law. However, in this case, at least a person who has fallen under the influence of such decisions of Czech universities has strong grounds for going to court.“

Analyzing the situation with universities, the question arises whether this corresponds to the standard of treating people as morally equal. This situation is similar to the example previously given in the thesis about not being hired because of education or because of nationality. In one case it is justified, in the other it is a manifestation of discrimination. In this case, there is a difficulty in clearly identifying whether this is discrimination. On the one hand, the measures and restrictions taken by the EU regarding technical assistance to Russians are justified to protect the interests of European countries and in a general sense can be regarded as corresponding to existing legislation and anti-discrimination norms. On the other hand, due to the fact that there are inconsistencies with some EU legal norms, different interpretations of EU directives regarding Russians by EU countries, as well as the application of sanctions against absolutely all Russians, these restrictions become controversial and need to be worked out or changed. It is possible that in the context of discrimination based on nationality or citizenship, the restrictions correspond to the norms, but the exclusion of absolutely all Russians seems inconsistent with moral equality.

### **3.5.7 Examples of appearance of discrimination in Czech society**

In addition to the above examples, there is also an aggravation of intolerance in society itself. The following are some examples of discrimination against Russian citizens in the Czech Republic.

Professor Martin Dlouhy of the Prague University of Economics and Business wrote on Facebook that he would not teach Russian students or lead their final theses. Russian students also reported verbal attacks from teachers. After a huge number of complaints and dissemination in the media. The following entry was published on the official website of the university:

„Statement of HSE on verbal excesses against Russian students.

Unfortunately, in the emotionally tense situation associated with the invasion of the Russian Federation into Ukraine, there have been isolated verbal excesses by members of the academic community towards Russian students in the past week. The management of HSE and the deans of individual faculties consider this behavior unacceptable.

We would like to inform you that there was a personal meeting of Supervisors with three teachers. An apology has been sent to Russian students who were discriminated against in two classes. Both groups will continue to be taught by other teachers. In one case, a public call was published with extremely inappropriate content on a private FB profile. It was prof. Dlouhý from the Faculty of Informatics and statistics. Prof. Dlouhý is fully aware of his mistake“.

The next example is the statement of Founder and head of the largest Czech residential builder „Central Group“ about the decision to refuse to sell apartments to citizens of Russia and Belarus. Here is his quote:

„Founder and head of Central Group Dušan Kunovský. In general, politics does not belong in business. But if the barbaric policies of the leadership of Russia and Belarus have caused War and suffering for millions of people, then business must respond within its capabilities. Therefore, the Central Group decided to take an unprecedented step, which is until further notice to stop the supply and sale of apartments in all its projects to citizens of Russia and Belarus. An exception can be made only by those who distance themselves in writing from the policy of their governments towards Ukraine“.

These are just a few examples of the reaction of Czech society towards Russian citizens. As you can see, it covers all levels of the organization of society from the state, institutions to the manifestation of intolerance from ordinary people.

The general positioning of the state and Czech society in relation to Russian citizens was summarized and described by Czech Russianist and expert on Eurasian affairs Vladislav Zamek. According to his opinion, the ongoing crisis in Ukraine has resulted in increased discrimination and attacks against Russian nationals in the Czech Republic. It can also be observed in other areas, such as universities, medical facilities, hotels, and restaurants. The majority of people support the official state policy, which is characterized by strong anti-Russian sentiments. He strongly believes that this can be attributed to the emotional connection between the current war and the 1968 invasion of Czechoslovakia by the Warsaw Treaty Organization. Furthermore, the recent Vrbětice affair has only exacerbated this situation, resulting in a sharp increase in discrimination against Russians over the past few years (Zemánek, 2022). The situation is directly related to the aggressive policies of the current Russian political regime, which have been officially declared as "terrorist" by the Czech and European Parliament.

The above facts and studies point to various hotbeds of discrimination against Russians both in Europe in general and in the Czech Republic in particular. And considering this situation over a period of several years, there is a sharp increase in the number of cases of discrimination by both the state and society.

### **3.5.8 Discrimination in the labour market and workplace**

Discrimination of Russians in the labour market and workplace is a pervasive issue in the Czech Republic and across the European Union. Despite efforts to combat discrimination through legislation and other measures, Russians continue to face unequal treatment in access to employment, wages, and other workplace conditions. This section will examine the extent of discrimination against Russians in the Czech Republic and the EU and provide evidence from official research to support the argument that discrimination is a serious problem that requires further action.

In the Czech Republic, research has shown that non-EU citizens, including Russians, face discrimination in the labour market. For instance, a study conducted by the Czech Statistical Office found that non-EU citizens have lower employment rates compared to

Czech citizens and citizens of other EU countries. The study also revealed that non-EU citizens, including Russians, are more likely to be overqualified for their jobs and receive lower salaries compared to their Czech and EU counterparts.

Similarly, in the EU, discrimination based on nationality and citizenship has been well documented. A study by the European Network Against Racism (ENAR) found that non-EU citizens, including Russians, face higher rates of unemployment, lower salaries, and are more likely to work in low-skilled and low-paid jobs. The study also showed that non-EU citizens face significant barriers in accessing decent work, and are often subject to discriminatory practices, such as being subjected to more demanding and strenuous work conditions and being paid less for the same work. According to the ENAR report for 2010-2011, Russians and Russian speakers were classified as vulnerable communities in some European countries due to the large number of cases of discrimination. Here is a quote from this report: „Several reports also highlight other vulnerable communities, including Russians and Russian speakers in Estonia, Lithuania, and Finland; Pomaks and Macedonians in Bulgaria; Christians and Kurds in Turkey; Turkish people in Germany, Austria, and Bulgaria; and people from former Yugoslavia in Germany and Austria. This reflects differences in the composition of ethnic and religious minorities in European countries “ (ENAR, 2012).

Thus, based on various studies, it can be argued that the problem of discrimination of Russians in the labour market and in the workplace is a complex and big problem that has been fixed by various international and interstate organizations for a long time. Regardless of the political situation in the world and the regime operating in Russia. In the next part of the thesis, the author will try to find out whether the selected group of Russians faced discrimination when looking for work and whether there were cases of discrimination in the workplace.

## **4 Practical part**

### **4.1 Research Methods**

The research in this thesis is based on a qualitative interview with the participants. The interview consists of several questions covering various aspects of the problem. The questions themselves are constructed in such a way that, when analysing the answers, it becomes possible to identify certain correlations between various factors. The list of questions can be divided into two parts. The first part of the questions focuses on general information about the interview participant, such as age, gender, place of work, etc.

The second part is more extensive and consists of more in-depth questions concerning the interviewer's direct encounter with discrimination in the workplace or the labour market. Have the participants encountered various forms of discrimination in the workplace? For example, aggression, abuse, stereotypes, or any other forms of direct and indirect discrimination. Did it come from colleagues or from management. Also, some questions will focus on the process of finding and applying for a job. Were there any manifestations of discrimination during these processes and in what form.

In my opinion, a qualitative interview in this context is more relevant. Of course, the number of participants is small, but open-ended questions and a more comprehensive analysis of each respondent's case help to better understand the problems and people's positions. This study will help to speak more specifically about the situation with discrimination of Russians in the labour market. By analysing individual cases, we will be able to get insights into the forms and nature of discrimination. It will also provide an opportunity to assess the effectiveness of measures and laws adopted by the EU and the Czech Republic in relation to discrimination.

### **4.2 Choice of participants**

9 respondents participated in the interview. The selection of candidates was based on the diversity of the participants by gender, age, number of years of residence in the Czech Republic, etc. All participants are Russians who have moved to the Czech Republic and have already either had work experience here, or were looking for a job, or are working or

looking for a job now. Each interview took from an hour to two. This is due to the number of questions asked to respondents, depending on the answers to open-ended questions ranged from 10 to 17. The interviews took place in Russian, so I would like to point out that the translation and processing of the interview, as well as the transcription of such a massive data, does not make it possible to specify them completely in the thesis or attach them as an addendum. However, the citations of parts of the interview and the full analysis of the study are indicated in the subsequent part.

### **4.3 Findings**

After analysing the interviews conducted, the picture of the situation with discrimination of Russians expanded and at the same time revealed moments that were not in the previous part of the thesis.

One of the main results of the interview is that 7 out of 9 participants believe that they were discriminated against on national grounds, either when looking for a job or at the workplace. This confirms the existence of discrimination in its various interpretations, as well as an increase in the number of its manifestations over the past year. And using a qualitative interview helped to reveal not only the problem of discrimination, but also to indicate possible reasons for the increase in cases of discrimination of Russians unrelated to the policy of the Russian regime.

One of the most surprising discoveries during the interview was that many participants are not aware of the forms of discrimination or do not associate with it the types of discrimination as stereotypes, jokes on national and civil grounds as discrimination. Moreover, most of the participants, when faced with discrimination, have never informed about them either their superiors or human rights organizations. Also, most respondents consider the anti-discrimination laws of the Czech Republic and the EU sufficient to protect human rights, but there are claims to their implementation and development in the Czech Republic. Also, another important addition to the study was the proposals of the interview participants to improve the situation with discrimination both at the state and at the company's level.

## 5 Results and Discussion

### 5.1 The situation on the labour market

Only 3 out of 9 respondents have personally experienced some form of discrimination in their opinion while looking for a job or getting a job in a company. The rest of the participants either only heard stories from friends or did not encounter these themselves. However, one of these participants also put forward her hypothesis about why it is quite rare to understand that you have become a victim of discrediting while looking for a job. This is a 28-year-old woman who has been working as a recruiter in the HR department in a hotel chain for 3 years. In her opinion, now that it is forbidden to indicate the gender of a candidate or request a photo, large companies strictly follow these regulations during job openings. But according to the participant, this does not mean that management cannot verbally set criteria that should also be considered when choosing a candidate. She gives an example of a situation when her supervisor asked her to find a receptionist in one of the hotels with the wording: "Only a girl." Naturally, she did not indicate this in the job offer, but she was guided by the supervisor's instructions when choosing an employee. Therefore, in her opinion, it can be the same with the Russians. After all, the quote: "Of course, almost no one ever writes the real reason for refusal to a candidate. The same wording is always used: Unfortunately, we have decided to proceed with other applications who more closely fit our needs at this time." When asked why she did not inform the higher management about the supervisor's request, because this is direct discrimination, she answered with a rather complex explanation. Firstly, she does not consider it discrimination, because it works in any company. "The girl will not be taken as a loader or where physical strength is needed, for example. It works the same way here." Secondly, she believes that the management is either aware, or simply adheres to the same standards as her supervisor. Thirdly, such instructions are always given orally, so there is no confirmation or evidence of this. "You'll just lose your job or ruin your relationship with your boss."

However, there are cases when infringing criteria appear in the job description. The next participant faced this.

The guy is 25 years old, 5 of them he lives in the Czech Republic. Now he is finishing his master's degree at one of the state universities and therefore was looking for a part-time job, since he does not have time for a full-time position. To search for part-time work, large job search sites are usually not used as jobs.cz or LinkedIn, because the main array of such vacancies is laid out either in public on social networks or on specialized sites. On one of these resources, he saw a vacancy for a waiter in one of the pubs in Prague. It absolutely suited him, but at the end of the description there was the following phrase: "Not for Russians". The participant said that he did not experience any emotions, because, according to him, it was certainly the first time he had encountered such open discrimination against nationality in the job offer, but for him it was not something supernatural. Here is his comment: "When you are looking for a part-time job on such sites, very often there are formulations only girls or only guys, up to 25 or no older than 40. Sometimes you can even find vacancies explicitly describing work in the field of prostitution. Therefore, against this background, "Not for Russians" looks nothing surprising, especially in connection with current events."

The next participants whose cases will be described faced a more ambiguous form of discrimination. One of them is a 27-year-old woman who was looking for a job that would provide her with a work visa, because other types of visas were not available to her. In one of the companies, she was refused, because the position is strategically important for the company and does not provide for remote work. And due to the restrictions on issuing visas to Russians, they cannot accept her for this position, because her visa may not be approved or cancelled in the process of expanding restrictions in the future. The company considered uncertainty about an employee in such a key position to be too much of a risk for itself.

The latest case in this area is also related to the previous example. A 35-year-old man who has a master's degree in cybersecurity was looking for a job in this field. He received a rejection from the IT company, even though he passed 3 stages of the interview out of 5. The refusal was because the company very often receives government orders, and the position for which he applied may be suitable for EU restrictions related to "technical assistance" in relation to Russians. Therefore, the top management of the company, to protect their company from falling under sanctions, decided to refuse him this position.



Analysing the described cases and the general results of this part of the interview, I would like to highlight several aspects.

1. The problem of discrimination of Russians is not an exceptional phenomenon, it is part of the general situation with discrimination in the Czech Republic on various criteria, such as gender, age or nationality. This suggests that greater efforts on the part of society and the state to combat any form of discrimination will have a positive impact on the situation with Russians. For example, improving state supervision of websites and public sites in social networks for the presence of discriminatory criteria.

2. Based on the answers of some respondents, it is possible to identify the problem of discrimination identification or the lack of important knowledge among Russians about this problem in general and why it should be combated.

3. Refusals related to the restriction of issuing visas to Russians or EU directives are more complex problems. Is the refusal in the case with the wording about "technical assistance" discrimination? In this case, it is possible to consider signs of indirect discrimination, but on the other hand, the company justifies its decision with EU directives. Solving such situations will require very large-scale research and proceedings on the legal status of new international laws, as well as in the situation with universities described in the previous part of the thesis.

## **5.2 Workplace**

6 out of 9 respondents encountered discrimination on national grounds in the workplace. In most cases, these were examples of stereotypes, prejudice, and negative comments. Only two respondents had cases of open insults and abuse. An interesting observation is that 4 of the interview participants work in international companies with national diversity in a team where the majority are foreigners. And 3 of them did not face infringement of rights in the workplace. One of the respondents who works in an international IT company where about 80% are foreigners expressed this hypothesis: "It seems to me that in companies with a large national diversity, cases of discrimination are much less common. Because most of

them are foreigners themselves, they know what it means to move to a foreign country. Also, everyone communicates with each other in English — this also plays a very important role, because for most it is not their native language. It kind of equalizes everyone on a psychological level. And of course, the approach of the company itself is different, they declare tolerance as one of their main priorities for the administration of employees. Meetings are held on this subject, where they explain to you where, how and in what cases you need to contact your superiors or the HR department. They talk and force you to study what is discrimination. To be honest, as an employee, being at such events is not interesting, but listening to precedents from friends at their work — you understand that it is really useful."

Out of 6 respondents, 5 experienced discriminations from colleagues. Only one of them had discrimination coming from his boss. These were stereotypical jokes or comments about his nationality. As an example, he cites a situation when the air conditioning system broke down in the office and it was autumn. When he expressed his indignation to his boss because it was cold in the office, according to the participant, he jokingly told him: "Don't be ashamed, you're from Russia."

One of the most surprising results of the interview was that only 1 participant filed a complaint of discrimination with the appropriate authority, namely the HR department, with a request to deal with the situation with a colleague who insulted her on national grounds. All other respondents either considered their cases insufficient for a complaint, or were afraid to spoil relations with colleagues, or simply did not know what to do. Also, 3 of the respondents named among one of the reasons what can be described in the words of one of the respondents as "collective guilt". This term characterizes the position of these 3 participants who met with negative comments and bullying in the workplace against the background of the invasion of Russian troops in Ukraine. In their opinion, they did not inform about these incidents because in the context of Russia's current policy, it would be incorrect, and that they understand what such a reaction from people relates to.

Summing up all the respondents' answers about this topic, it is also possible to identify several common points.

1. The national diversity of the company, its work with employees in the context of discrimination is the fundamental factors of non-discrimination in the workplace.

2. The situation with ignorance about the forms of discrimination, its negative impact on the person himself and the general situation of society, as well as in the issue of the labour market can be traced in this topic. One of the manifestations of this problem is not informing the relevant departments of the company or human rights bodies about cases of discrimination. Thus, not only without changing the overall situation, but also aggravating it by silencing and not declaring precedents of discrimination.

### **5.3 Attitude to the anti-discrimination policy of the EU and the Czech Republic**

To the question about the attitude to the Czech Republic and the EU policy on combating discrimination. 5 out of 9 respondents spoke positively and consider the measures taken by the State and the union to protect human rights in the workplace and in the labour market sufficient. Even though some of them have been discriminated against, they are confident that, in general, the existing laws and legal institutions are sufficient for a person to feel protected. But those who have been discriminated against also think that the problem of the existence of discrimination to this day in Europe and the Czech Republic, respectively, is insufficient control over the final implementation of anti-discrimination norms and sometimes negligent attitude to international norms on the part of the Czech state apparatus.

4 out of 9 participants, however, consider the policy of the EU and the Czech Republic regarding discrimination on national grounds insufficient. In their opinion, even before 2022, they and their friends were discriminated against in the workplace. If there is only a small proportion of migrants in the company, then work with employees to inform and protect rights does not happen at all. And cases of unjustified understatement of migrants' salaries in comparison with citizens are not dealt with at any level. Also, 3 of these four respondents believe that the current policy of the Czech Republic and the National Assembly towards Russians is definitely discrimination. Here is a comment from one of them: "Of course, I do not know all the subtleties of the definition of discrimination, but

when you are restricted in movement or education only on the basis of your citizenship, which is given to you upon birth, this is a criminally open form of infringement of rights."

## **5.4 Suggestions for improving the situation with the discrimination of Russians**

As a separate point, I would like to highlight suggestions from some interview participants on changing or improving the situation with discrimination against Russians in the Czech Republic.

1. Modernization of integration courses organized with the support of the Czech Ministry of Foreign Affairs. Since 2021, mandatory integration courses have been organized for foreigners with a certain type of visa, the purpose of which is to familiarize migrants with the culture, laws, and everyday life of the Czech Republic. One of the respondents visited them and believes that they either casually mention or do not tell how foreigners protect their rights. Where to contact if you are a victim of discrimination. And what to do if this discrimination comes from an institution. For example, the police or an employee of the Ministry of Internal Affairs. In his opinion, changes in this area would have a significant impact on combating discrimination against migrants.

2. Changes in the work of the Russian Embassy in relation to the Russian Diaspora in the Czech Republic. Now some improvements in this area are impossible, but the participant who has been living in the Czech Republic for more than 10 years has proposed improvements in the functioning of the embassy. According to him, the consulate, and Embassy of the Russian Federation work very poorly with their diaspora in the Czech Republic. The diplomatic mission needs to be much more involved in the integration of its citizens into a foreign country. Both culturally and legally. The Representative Office of the Russian Federation needs to establish more comprehensive relations with the Ministry of Foreign Affairs and the Ministry of Internal Affairs of the Czech Republic, in order to understand the existing problems with Russians and help in solving them.

3. Also, one of the proposals was the creation of a certain structure in the Council of Europe or the European Court of Human Rights, which would deal with the problem of

Russophobia and discrimination of Russians in Europe. According to several participants, the situation only worsened from year to year, and after Russia's invasion of Ukraine, it began to progress with even greater speed. The interview participants worry that given Russia's policy, if measures are not taken now, discrimination will take a critical scale in the future.

## 6 Conclusion

Based on all the above, there are several main conclusions that relate to both discrimination in general and against Russians.

Firstly, discrimination as a social phenomenon undoubtedly exists to this day in Europe. Despite a huge amount of research, tolerance policy and legal acts protecting people from discrimination on any ground, modern society has only come close to solving this problem but has not reached it. This is due to many factors. The main one is the problem of identification of discrimination, because of the large number of its forms and types, it is necessary to carefully study each case and improve the legislative framework for a more effective fight against discrimination. However, this struggle is complicated by many aspects such as lack of awareness of the population, inefficient work of state bodies, interference of politics and much more.

Secondly, the situation with discrimination of Russians in the EU countries, and in the Czech Republic, is a process that began several decades ago. The reasons for this in each country are mainly related to the policy of Russia as a state in relation to these countries, as well as in relation to Russians who, adhering to the agenda of the ruling regime of Russia, consider Western countries enemies and may discriminate against them. The presence and deterioration of the situation with infringement of the rights of Russians in Europe is recorded both in various studies and in the messages of the Council of Europe to some EU countries, such as Estonia or Lithuania. And after Russia's full-scale invasion of Ukraine, the situation began to affect not only the increase in cases of aggression against Russian citizens, but also changes in the policies of countries, interstate organizations and institutions towards greater restrictions and prohibitions. However, this point is controversial and debatable to determine whether the restrictions correspond to the definition of discrimination because the policy itself is justified by the EU. But its formulation in terms of application for absolutely everyone who is a citizen of the Russian Federation does not seem to correspond to the concept of equality. It is possible if the analysis of each case took place separately, and it was possible for Russians to be admitted to basic aspects like education or movement between countries, but with certain restrictions, sanctions would make them more consistent with the principles of moral

equality. However, in any case, there is a need to specify these laws in order to remove them from the gray zone, as well as their modernization to comply with anti-discrimination norms.

Thirdly, the situation on the labour market and in the workplace corresponds to the general situation with discrimination against Russians in the Czech Republic. If it is quite difficult to assess and identify cases of infringement when looking for work, then in the workplace they mostly manifest themselves in an open and sometimes aggressive form, which confirms the theory that discrimination affects all areas of public space.

Fourth, among the Russians participating in the study, there is ignorance about the topic of discrimination and its consequences. Which leads to serious consequences not only as ignoring the infringement of rights against oneself, but also accepting discrimination against other people. The consequence of this is inaction when discrimination occurs. The Russians themselves do not inform the relevant authorities, thereby not attracting the attention of the public and the state to the existing problem, which only leads to its aggravation.

Summing up the previous paragraphs, it can be concluded that the solution to the problem of incrimination of Russians in the Czech labour market is to take measures against discrimination of Russian citizens in the Czech Republic as a whole. This process is complex and should come not only from the EU or Czech authorities, but also from the Russians themselves, who should draw the attention of the public and human rights organizations to the existing problem. The Russian Federation, as a State, should also take steps to regulate and protect its citizens by cooperating with European countries and working with its diasporas abroad. However, with the current policy of the Russian regime and the isolation of Russia from the world community, such measures do not seem possible. Thus, it can be assumed that discrimination against Russians is moving not in the direction of its solution, but in the direction of its aggravation.

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