



EUROPEAN COURT OF HUMAN RIGHTS
COUR EUROPÉENNE DES DROITS DE L'HOMME

FIFTH SECTION

CASE OF KARIČKOVÁ v. THE CZECH REPUBLIC

(Application no. 7411/24)

JUDGMENT

*This version was rectified on 19 August 2026
under Rule 81 of the Rules of Court.*

Art 3 (procedural) • Ineffective investigation into an attack on the Roma applicant by a private individual • Identification of her attacker effectively hindered by the authorities' approach • Failure to ensure adequate participation of the applicant as a victim

Art 14 (+ Art 3) • Discrimination • Positive obligations • Failure to investigate possible racist motives behind the attack despite clear indicators to that effect • Failure to ensure that the investigation itself was not influenced by discriminatory stereotypes • Stereotypical reasoning and racially offensive language on the part of the authorities

Prepared by the Registry. Does not bind the Court.

STRASBOURG

16 July 2026

Request for referral to the Grand Chamber pending

This judgment will become final in the circumstances set out in Article 44 § 2 of the Convention. It may be subject to editorial revision.

In the case of Karičková v. the Czech Republic,

The European Court of Human Rights (Fifth Section), sitting as a Chamber composed of:

María Elósegui, *President*,
Kateřina Šimáčková,
Gilberto Felici,
Andreas Zünd,
Diana Sârcu,
Mykola Gnatovskyy,
Sébastien Biancheri, *judges*,

and Victor Soloveytchik, *Section Registrar*,

Having regard to:

the application (no. 7411/24) against the Czech Republic lodged with the Court under Article 34 of the Convention for the Protection of Human Rights and Fundamental Freedoms (“the Convention”) by a Czech national, Ms Renata Karičková (“the applicant”), on 7 March 2024;

the decision to give notice of the application to the Czech Government (“the Government”);

the parties’ observations;

Having deliberated in private on 16 June 2026,

Delivers the following judgment, which was adopted on that date:

INTRODUCTION

1. The case concerns the attack on the applicant by private individuals for allegedly racist reasons. The applicant complained under Articles 3 and 14 that the ensuing investigation had been ineffective and influenced by racist stereotypes, and that it had failed to uncover the racist motive behind the attack on her.

THE FACTS

2. The applicant was born in 1972 and lives in Sokolov. She was represented by Ms P. Naskosová and Ms B. Davidová, lawyers practising in Prague, and by Ms K. Kalibová, a lawyer practising in Prague and Director of In IUSTITIA, o.p.s.¹

3. The Government were represented by their Agent, Mr P. Konůpka, of the Ministry of Justice.

4. The facts of the case may be summarised as follows.

¹ Rectified on 19 August 2026: the original text was the following: “2. The applicant was born in 1972 and lives in Sokolov. She was represented by Ms P. Naskosová, a lawyer practising in Prague.”

I. INCIDENT OF 23 JULY 2021

5. On 23 July 2021 in the late afternoon there was an altercation between a group of local Roma residents and a group of 15 people visiting Sokolov on a boating holiday (“the visiting group”). Some members of that group were later identified as football ultras. Some of them, including O.Š., J.S., V.F., R.F. and L.B., had previously been found guilty of the offence of disorderly conduct for attacking another person during a football match. M.V., another member of the group, had previously been found guilty of performing the Nazi salute in front of persons of Indian and Pakistani origin, and subsequently attacking their friend who had been recording his behaviour with his mobile phone camera, causing him severe injuries. Another member of the group had previously been convicted of expressing sympathies for a movement aimed at suppressing human rights and freedoms.

6. The applicant and the Government do not agree on the description of the incident. The following description is based on the documents from the police case file and notably the conclusions drawn by the police from several video-recordings of the incident captured by public surveillance cameras and a witness’s mobile phone camera.

7. On 23 July 2021 at around 7.30 p.m. the visiting group were approached by a local Roma resident, J.P., in front of a grocery shop.

8. J.P. asked the group for cigarettes, following which a verbal argument escalated. J.P. started to back up and run towards a residential building inhabited by Roma residents, shouting back at the group: “come on, come on”. O.Š. initially ran after him, then returned to his group who then followed him towards the residential building. At least one member of the visiting group stayed in the car park near the grocery shop where the remaining members of that group had left their rucksacks.

9. On the way to the residential building, O.Š. approached three young Roma individuals (later identified as M.B., O.J. and A.O.) and hit the 13-year-old M.B. in the face with his fist, knocking him to the ground. While giving their witness statements to the police M.B. and O.J. reported that before hitting M.B., O.Š. had said “you Gypsy motherfucker” (*cikánská mrdko*; see paragraphs 18 and 23 below). After picking himself up, M.B. started walking away from the scene towards the residential building and O.Š. followed him. At the same time, a physical altercation escalated nearby between D.W., a member of the visiting group, and R.B, a Roma resident. As R.B. left the scene and headed towards the residential building, D.W. followed him there.

10. When O.Š. approached the residential building, a group of Roma residents initially ran away from him. O.Š. then turned around and slowly walked away, followed by several residents. O.Š. subsequently returned, accompanied by more than ten people from the visiting group. On their way, one of them removed a metal cover from a manhole in the road and threw it

towards the group of Roma residents. The situation then escalated into a physical altercation, with both groups throwing various objects in each other's direction and several people getting into fist fights. One member of the visiting group kicked E.G., a deaf and mute Roma resident, leaving her with a broken arm. The applicant's son T.K., her husband E.K., and other residents were also hit and injured during the incident: E.K. suffered a knife wound. The visiting group then gradually left the area surrounding the residential building and returned to the area around the grocery shop. The police arrived at the scene shortly afterwards.

11. In the beginning, the applicant was standing near the grocery shop where the initial altercation between the group and J.P. arose, then she walked towards the area surrounding the residential building and remained there during the escalation of the altercation. At some point during the altercation, the applicant was struck with a brick which caused bruises and swelling on her leg, later certified by a medical doctor to amount to an injury preventing her from going to work for 15 days. Shortly after the incident, the applicant made a video-recording capturing her talking to the police, identifying her attacker as "the tall man standing over there" and stating that she would like to lodge a criminal complaint against that person. The police did not respond to her.

12. On 25 July 2021 members of the local Roma community organised a demonstration protesting against racism in the country and alleging that the police in the present case had protected the attackers.

II. CRIMINAL INVESTIGATIONS

A. Main investigation

13. On 23 July 2021 the Sokolov District Police initiated a criminal investigation into the alleged offences of disorderly conduct under Article 358 § 1 and bodily harm under Article 146 § 1 of the Criminal Code.

14. On the same day E.G. was interviewed as an aggrieved party. On account of her inability to communicate orally or in sign language, she was assisted by her partner, who described her attacker as approximately 180-190 cm tall, of slim build, with a short beard, wearing a striped T-shirt, dark shorts and boots.

15. On 24 July 2021 the applicant was interviewed as an aggrieved party, without legal representation. She was not asked to describe the attacker and did not do so spontaneously.

16. On 4 August 2021 a legal representative chosen by the applicant submitted her written authority and asked to be notified of all investigative steps in the case.

17. On 6 August 2021 the police interviewed O.Š., a member of the visiting group.

18. Between 23 and 30 July 2021 the police interviewed 18 local Roma residents. Among other things, A.O. reported having seen the attack on E.G., who had been lying on the ground when one of the visitors had intentionally stomped on her left arm. J.P. reported that a member of the visiting group had threatened him with a knife after he had approached them in front of the grocery shop and described that person. E.K., the applicant's husband, reported that he had been hit in the face by a fist and cut by a knife on his leg. E.G. reported that he had been hit in the face by a fist resulting in a black eye and a split lip. In addition to O.J.'s report of racist slurs used by O.Š. (see paragraph 9 above), several other Roma witnesses (including M.S., E.K., J.Sl., J.P. and M.B.) reported having heard racist slurs from the visiting group such as "black bastards", "black scum" and "black swine".

19. Between 30 July and 20 August 2021, the police interviewed 15 members of the visiting group. The records of their interviews did not indicate that they had been asked about the alleged racist slurs shouted at the Roma residents. O.Š. admitted to hitting M.B. It transpires from the records that both the people interviewed and the police referred to the Roma residents as "Gypsies" (*cikáni*).

20. On 26 August 2021 O.Š. was charged with the criminal offence of disorderly conduct under Article 358 § 1 of the Criminal Code on account of the violence he had committed against M.B. and the subsequent fights in which he had taken part.

21. On 30 August and 10 September 2021 O.Š. was questioned as an accused. He reported that his group had been drinking on the train on their way to Sokolov and had arrived tipsy. After being provoked by J.P., he had become very angry and had not perceived the situation clearly. He stated that M.B. had not done anything to provoke his attack and that he had attacked him because he thought that the Roma had been there "together". He further stated that he was ready to apologise to M.B. and pay financial compensation.

22. On 21 September 2021 the applicant requested a status report on the investigation. On 27 September 2021 the police responded that no perpetrator had yet been identified, that the matter remained under investigation and that she would be notified of any further investigative measures in her case.

23. On 1 and 6 October 2021 the police interviewed A.O. and M.B. respectively. M.B. repeated that O.Š. had said "you Gypsy motherfucker" before attacking him.

24. On 12 October 2021 the police closed the criminal proceedings concerning the alleged acts committed against the applicant and E.G., considering that it had not been possible to identify the perpetrators. The police held that E.G. had been unable to describe her attacker and the applicant had reported during her interview that she would be unable to identify him. The decision relied on the following pieces of evidence: examination of the place of the incident; examination and photos of the injuries sustained by the applicant and E.G.; medical reports concerning the

injuries; video-recordings from the incident; statements from E.G. and the applicant as aggrieved parties; and witness statements from 14 members of the Roma community (see paragraph 18 above) and from all 15 members of the visiting group (see paragraph 19 above).

25. On 15 October 2021 the applicant lodged a request for review of that decision with the Sokolov District Prosecutor. She complained that the police had misinterpreted her and E.G.'s statements as well as the statements of other members of the Roma community. As opposed to what was asserted in the police decision, she had never stated that she could not identify the person who had attacked her, notably because the police had not asked her. She reaffirmed in her complaint that she would be able to identify her attacker, and that she had already done so in front of the police on the day of the incident. She provided evidence in the form of a video-recording made of that statement (see paragraph 11 above).

The applicant further noted that although E.G., with the assistance of her partner, had described the person who had broken E.G.'s arm, the police decision stated that E.G. could not identify her attacker, either. The applicant also pointed out other misinterpretations of the witness statements in the police decision concerning the ability of the Roma witnesses to recognise the attackers. She asked the supervising prosecutor to order the police to obtain further evidence with a view to identifying the perpetrators; to interview her again and to conduct an identity parade during which she could identify her attacker either in person or from a photo; and to compare the descriptions of the perpetrators given by the Roma witnesses with the photos and videos of the incident. She also requested the inclusion of photos of the members of the visiting group in the case file.

26. On 28 October 2021 an officer from the regional police department specialised in extremism and spectator violence confirmed, on the applicant's lawyer's request, that the department had contacted the district police and offered their assistance in the case.

27. On 2 December 2021 the district prosecutor lodged an indictment against O.Š. with the Sokolov District Court for the offence of disorderly conduct under Article 358 § 1 of the Criminal Code. M.B and another Roma individual were identified as the aggrieved parties in relation to those acts. The applicant was not identified as such.

28. On 23 December 2021 the district prosecutor granted the applicant's request (see paragraph 25 above) and ordered the police to continue the investigation in the case. He instructed the police to obtain descriptions of the alleged perpetrators from the aggrieved parties and to perform an identity parade should the applicant and E.G. confirm that they would be able to identify the perpetrators.

29. On 5 January 2022 the Sokolov District Court found O.Š. guilty of the offence of disorderly conduct for the following act:

“... on 23 July 2021, between 7.20 p.m. and 7.45 p.m. outside the car park in Nádražní Street, Sokolov, following a verbal confrontation provoked by [J.P.], who challenged the accused with the words ‘come on, then’ and stepped off the pavement onto the road, repeatedly saying ‘come on, then’. The accused ran towards him down Nádražní Street, house number 185, then stopped in the road at the point where the aggrieved [M.B.] was approaching from the car park ... The accused attacked [M.B.] without provocation, striking him once with a punch to the face. This injured the victim, causing a split upper lip and a reddened cheek. The verbal spat provoked by [J.P.] then continued across the road into Nádražní Street, towards the house ... culminating in a mutual verbal and then physical altercation between the group of tourists and a group of local residents, during which they hurled various objects at each other – stones, sticks and a metal grate from a basement window. At the house ... in Nádražní Street, the accused assaulted the aggrieved ... first with a punch to the face and then with several blows to the body ... He thus committed the act of disorderly conduct in a public place by assaulting another person. He committed this act repeatedly ...”

The District Court issued O.Š. with a penalty order in the form of a fine of approximately 1,000 euros. The penalty order became enforceable on 25 January 2022.

30. On 6 January 2022 the applicant’s representative lodged a complaint with the Karlovy Vary Regional Police Directorate against Officer S.K., who had conducted the investigation and prepared the decision to discontinue the proceedings (see paragraph 24 above). The applicant alleged that Officer S.K. had deliberately misinterpreted the statements made by E.G. and herself, as well as those of other Roma witnesses, in particular regarding their ability to identify the perpetrators, thereby demonstrating a lack of impartiality. She further argued that the failure to identify the perpetrator had resulted from the police’s refusal to conduct an identity parade and to consider the video-recording she had made immediately after the incident. Lastly, she complained that Officer S.K. had failed to notify her of the interviews with O.Š. and with witnesses A.O., R.J. and M.B., despite her explicit request to be informed (see paragraph 16 above).

B. Investigation of the applicant’s case after its separation from the main case

31. On 14 January 2022 Officer S.K. of the district police decided to sever the part of the case concerning the applicant and E.G. as aggrieved parties from the rest of the investigation which had led to the charges against O.Š. The decision stated that the case had been severed for “other important reasons” which were not specified.

32. On 20 January 2022 E.G. was interviewed in the presence of a sign language interpreter who stated that he could not interpret E.G.’s manner of communication because she did not use sign language (see paragraph 14 above). Her partner again described the attacker (ibid.) but stated that he could not identify him, and that E.G. could likely not identify him either.

33. On 21 January 2022 the head of the district police, K.S., responded to the applicant's complaint of 6 January 2022 which had been transmitted to him (see paragraph 30 above). He did not find that Officer S.K. had misinterpreted the applicant's and E.G.'s statements and considered that the video-recording provided by the applicant was irrelevant for the identification of the perpetrator. He further considered that the failure to notify the applicant of the investigative steps taken had been lawful because no criminal prosecution against an identified person had been initiated in her case. Lastly, the head of the district police criticised the applicant's legal representative for referring to some members of the visiting group as "Nazis", stating that such wording may indicate racism against that group on the representative's part.

34. On 3 February 2022 the applicant, noting the severing of her case from the main branch of the investigation (see paragraph 31 above), asked to be notified of the investigative steps taken in both parts of the investigation.

35. On 11 February 2022 the applicant was again interviewed, this time by Officer S.K., in the presence of her legal representative. Officer S.K. did not allow her trusted person to be present during the interview because she had failed to produce a written authority. The applicant's complaint lodged in that regard on 22 March 2022 was considered ill-founded.

In the interview, the applicant described the attacks against herself, her husband and other Roma residents. She identified the person who had thrown the brick at her as the member of the visiting group who had initiated and led the whole altercation. She described him as "about two heads taller than her, around 190 cm tall, the tallest of the visiting group". She reported that he had darker hair, short on the sides and longer on the top, with a short beard, striped T-shirt and jean shorts. She further reiterated that she could identify him either in a photo or in person. She also repeated that the attacker had been captured on the video-recording she had made.

Noting that a long time had elapsed between the interview and the attack, the applicant also stated she could not remember whether there had been people standing next to the perpetrator when he had thrown the brick. When asked whether the attacker had been provoked by someone to throw the brick, she responded in the negative. She reported that in her view, it had been an organised attack against the Roma community.

36. On 22 April 2022 the police interviewed E.K. and T.K., the applicant's husband and son respectively, who recounted the attacks on them and described their attackers.

37. On 2 May 2022 the district police again decided to close the criminal proceedings in the applicant's and E.G.'s cases, concluding that it had been impossible to identify the perpetrator because the applicant appeared to have confused two different individuals from the visiting group, and that her description of the attack did not correspond to those given by T.K. and E.K. or to the public surveillance camera recordings. Furthermore, based on a medical expert assessment commissioned by the police, the applicant's injury

had not reached the criminal-law threshold of severity required to be classified as bodily injury. In relation to the attack on E.G., the police merely stated that they had been unable to identify the attacker.

III. REVIEW OF THE POLICE DECISION

38. On 16 May 2022 the applicant lodged a request for review of that decision with the district prosecutor. She reiterated that she had described her attacker clearly and repeatedly, explaining that she remembered him well because he had been the tallest member of his group.

The applicant further disagreed with how the police had assessed the seriousness of her injury, reiterating that a doctor had certified that she had been unable to work for 15 days. Furthermore, the conduct could in any event constitute the offence of disorderly conduct.

Lastly, the applicant argued that the attack against her had been motivated by racism against the Roma community. She herself had not in any way incited the conflict and had been attacked only because she had been a Roma individual present in the vicinity of the residential building. She further pointed to the various racist slurs against the Roma community uttered by O.Š. and other members of the visiting group during the attack. She also observed that some members of the visiting group were football ultras and submitted screenshots of their public social media profiles with racist or extremist content.

She asked the prosecutor to order the police to carry out further investigations and to conduct an identity parade which would allow her to identify her attacker.

39. On 17 June 2022 the district prosecutor dismissed the applicant's request as unfounded. He considered that the police had collected all evidence that could have led to the identification of the perpetrator and correctly concluded that in any event the seriousness of the applicant's injury had not reached the required level of severity to be classified as bodily harm. The applicant's assertion that she could identify the perpetrator was considered untrustworthy as she appeared to have confused two people from the visiting group.

40. On 11 August 2022 the applicant lodged a request for supervision with the Plzeň Regional Prosecutor ("the regional prosecutor"), reiterating her previous arguments and insisting that an identity parade be performed.

41. On 27 September 2022 the regional prosecutor informed the applicant that it had fully approved the conclusions of the district prosecutor. The regional prosecutor agreed that she could not be considered trustworthy because of inconsistencies between her statements of 24 July 2021 and 11 February 2022 (see paragraphs 15 and 35 above). The regional prosecutor further expressed doubts about the events as described by the applicant in the following manner:

“The assessment must be carried out carefully, because not all the facts stated by the interviewed persons can be considered completely objective and corresponding to reality. Certain exaggerations and even contradictions in the statements of the Roma residents can be found. An example can be shown in the statement of the aggrieved M.B., who stated that E.K. ... had lied on television when he had said that M.B. had had to be carried home after being beaten by O.Š. M.B. stated that that was not true, that he had left the scene on his own. That is also evident from the CCTV footage.

In this context, it cannot be overlooked that R.D. testified that E.K. had gone around to everyone to get them to sign a piece of paper, saying that the more people who signed it, the more truth would be on their side. Moreover, E.K.’s statement reveals a biased attitude, as he only talked about what he considered appropriate and repeatedly refused to comment on certain facts. However, regarding the attack on his wife, [the applicant], he stated that there had not been only one person throwing things, and he could not identify the one who had thrown the brick at his wife.”

Furthermore, the prosecutor stated that even if the police had taken the applicant’s repeated description of her attacker seriously, the description clearly corresponded to O.Š., making the performance of the identity parade requested by the applicant futile. O.Š. had already been found guilty of disorderly conduct in the case (see paragraph 29 above) and his repeated prosecution was thus barred by the *ne bis in idem* principle.

The regional prosecutor also considered that there was no need to further investigate the potential racist motive of the attack, or to collaborate with the specialised police department in that regard (see paragraph 26 above). In his view, the video-recordings demonstrated that the altercation had been provoked by J.P., and then escalated by the confrontational behaviour of both groups, with racist slurs being shouted by both sides. He considered that it had not been proven that the altercation would have occurred even if J.P. had not provoked it, because the visiting group had gone to Sokolov on a boating holiday, not to attack the local Roma residents. Furthermore, both groups have shouted racist slurs at the other. He considered that in view of the foregoing, the allegations that members of the visiting group were football hooligans or had expressed racist or extremist views on their social media were immaterial.

42. On 5 December 2022 the applicant lodged a constitutional appeal complaining of a lack of an effective investigation into the attack against her, including its racist motive, and the violation of her right to a fair trial. She argued that the investigation had not been thorough or adequate and had not ensured her effective participation because she had not been informed of the investigative steps taken, including the witness interviews of M.B. and A.O. (see paragraph 23 above), the questioning of O.Š., his indictment or even the penalty order after his being found guilty of the offence supposedly also covering the alleged acts against her (see paragraphs 17, 20-21 and 29 above).

Furthermore, she alleged that the investigation had been biased, as it had treated the Roma victims as co-perpetrators, blaming the attack on the Roma residents on J.P.’s initial behaviour. She argued that the separation of her case

from the main case in which O.Š. had been charged had effectively deprived her of her rights as a victim, of her access to a court and of the possibility to obtain compensation. She alleged that the separation had been in retaliation for the complaint she had lodged against Officer S.K. (see paragraph 30 above).

She complained that despite the number of hate crime indicators present in the case, such as the allegations of racist slurs uttered by the members of the visiting group (see paragraphs 9, 18 and 23 above), the district police had not at any point investigated the alleged racist motive of the attack.

43. On 1 November 2023 the Constitutional Court dismissed the applicant's constitutional appeal as manifestly ill-founded (decision no. II. US 3314/22), restating the arguments from the regional prosecutor's decision (see paragraph 41 above).

RELEVANT LEGAL FRAMEWORK AND PRACTICE

I. DOMESTIC LAW AND CASE-LAW

A. Criminal Code (Law no. 40/2009)

44. Article 146 § 1 of the Criminal Code provides that whoever intentionally causes bodily harm to another will be punished by imprisonment for a term of six months to three years.

45. Article 146 § 2 (e) provides that a perpetrator will be punished by imprisonment for one to five years if the offence of bodily harm is committed against another person on grounds of that other person's actual or perceived race or ethnicity, among other things.

46. Article 352 § 2 provides that the offence of violence against a group of people or against an individual is committed by a person who uses violence against a group of people or against an individual or threatens them with death, bodily harm or large-scale damage on grounds of their actual or perceived race or ethnicity, among other things. The offence is punishable by six months to three years in prison. The same punishment applies to those who conspire or assemble to commit such an act.

47. Article 358 § 1 provides that any person who engages in gross indecency or disorderly conduct, in particular by assaulting another person, in public or in a place accessible to the public will be punished by imprisonment for up to two years. The provision does not provide for harsher punishment if the offence is committed on grounds of that other person's actual or perceived race, or ethnicity.

B. Code of Criminal Procedure (Law no. 141/1961)

48. Under Article 12 § 7 of the Code of Criminal Procedure, an aggrieved party is a party to the criminal proceedings.

49. Under Article 51 § 3 the police must inform the lawyer of the aggrieved person in due time about investigative measures taken if the lawyer informed the police that they wished to be present during investigative acts, unless the act cannot be postponed, and the lawyer cannot be informed in a timely manner.

50. Article 104b provides that an identity parade must be carried out if it is important for the proceedings to confirm the identity of a person or object. Prior to identification, the witness is questioned about how he or she became familiar with the person or object and which features he or she recalls. If identifying a person, the individual is presented alongside at least three others of similar appearance, in a random order. If a live identification is not possible, a photo array is used with at least three similar photographs. The witness may be re-questioned afterwards to clarify any inconsistencies.

C. Victims of Crime Act (Law no. 45/2013)

51. According to section 21 of the Victims of Crime Act, the victim has the right to be accompanied by a trusted person during the acts performed in criminal proceedings and while giving his or her statement.

D. Constitutional Court case-law

52. In its judgment no. III. ÚS 3439/17 of 2 April 2017 the Constitutional Court held that any person asserting that he or she had been aggrieved by an offence should be, in principle, permitted to participate in the proceedings against the perpetrator, until proven otherwise.

53. In its judgment no. II. ÚS 297/22 of 26 June 2023 the Constitutional Court held that unjustifiably requiring victims of an offence to seek compensation in civil proceedings, instead of ruling on their claims in the criminal proceedings, might contribute to secondary victimisation.

II. RELEVANT INTERNATIONAL MATERIAL

54. In 2009 the Office for Democratic Institutions and Human Rights of the Organization for Security and Co-operation in Europe published a resource guide entitled “Preventing and responding to hate crimes”, the relevant passages of which have been summarised in *Balázs v. Hungary* (no. 15529/12, § 21, 20 October 2015).

THE LAW

I. ALLEGED VIOLATION OF ARTICLE 3 TAKEN ALONE AND IN CONJUNCTION WITH ARTICLE 14

55. The applicant complained that the authorities had failed in their obligation to conduct an effective investigation into the attack against her, and in particular that they had not taken sufficient action to uncover a possible racist motive for the assault. She relied on Articles 3 and 14 of the Convention, which read as follows:

Article 3

“No one shall be subjected to torture or to inhuman or degrading treatment or punishment.”

Article 14

“The enjoyment of the rights and freedoms set forth in this Convention shall be secured without discrimination on any ground such as ... race ... membership of a national minority ...”

A. Admissibility

56. The Court notes that the application is neither manifestly ill-founded nor inadmissible on any other grounds listed in Article 35 of the Convention. It must therefore be declared admissible.

B. Merits

1. *The parties' arguments*

(a) **The applicant**

57. The applicant argued that the police had neglected basic investigative steps that could have led to the identification of the perpetrator, including properly interviewing her, assessing available video evidence and undertaking the identification measures she had repeatedly requested. She further argued that the procedural errors by the police had prevented the prosecution of O.Š. for the act committed against her, thereby depriving her of effective participation as a victim and of the possibility to seek compensation as an aggrieved party. The applicant lastly submitted that those errors had been attributable to a culture of institutionalised racism, referring in that regard to allegedly discriminatory attitudes and biased, stereotypical assessments by the police and prosecutors handling her case. In her view, the investigation had therefore not been impartial.

58. The applicant also maintained that the authorities had not investigated the alleged racist motive of the attack, failing to engage with several bias

indicators: the racist slurs shouted during the incident; the attackers' affiliation with football ultras; and the fact that some of the attackers had a history of racist violence or a record of expressing extremist or racist views online. She pointed out that the conflict had arisen between the group of visitors and J.P., and that the visiting group had then attacked other people solely because they were of Roma ethnicity, just like J.P. The applicant submitted that the authorities had taken no relevant investigative steps in that regard, had failed to follow the prescribed domestic procedure for investigating hate crimes, and that their eventual decisions had not at all addressed the above-mentioned bias indicators. In that regard, the applicant also submitted that the domestic framework had been manifestly insufficient, lacking appropriate methodological guidance and police training on the use of bias indicators.

(b) The Government

59. The Government argued that the domestic authorities had subjected the incident to careful scrutiny and had taken all the necessary steps to investigate the alleged racist motive. They maintained that the investigation had relied on numerous witness interviews, surveillance camera footage, medical reports, expert opinions and personal records, including criminal histories of all the identified participants. The perpetrator of the attack on the applicant had not been identified because her statements had been inconsistent and the video footage had not captured the attack on her. The Government further submitted that the applicant had enjoyed full access to the case file and had been able to propose evidence and comment on the investigation. She had not been entitled to information regarding the proceedings against O.Š. as she had failed to identify him as the attacker during her initial interview and therefore had not been registered as an aggrieved party in the proceedings against him.

60. The Government maintained that the authorities had treated the incident as potentially racist from the outset but that the evidence gathered had negated such a motive. They submitted that all those interviewed had been questioned about behaviour and verbal expressions relevant to identifying any prejudiced motive. The authorities had also obtained complete background information on the individuals involved, including criminal and administrative records, and had reviewed their social media activity. That evidence indicated that the visiting group had travelled to Sokolov for a boating trip, not to attack the local Roma community, and the conflict had been provoked by J.P. The Government maintained that racist slurs had been used by both sides and the group members' affiliation with football ultras or their "far from ideal" attitudes toward minorities had not sufficed to establish a racist motive.

61. The Government lastly submitted that the legal framework and practice were adequate. The police received basic and specialised training on

hate crime, were methodologically guided by general instructions from the prosecution service, and could be supervised by the Supreme Prosecutor's Office National Rapporteur for Combating Terrorism, Extremism and Hate Crime responsible for coordinating and methodologically guiding the investigation of hate crimes.

2. *The Court's assessment*

(i) **Whether the attack on the applicant reached the minimum threshold of severity**

62. The Court reiterates that in order where an individual claims on arguable grounds to have suffered acts contrary to Article 3, that Article requires the national authorities to conduct an effective official investigation to establish the facts of the case and identify and, if appropriate, punish those responsible. Such an obligation cannot be considered to be limited solely to cases of ill-treatment by State agents (see, among many others, *X and Others v. Bulgaria* [GC], no. 22457/16, § 184, 2 February 2021). To fall within the scope of Article 3, ill-treatment must attain a minimum level of severity. The assessment of this minimum depends on all the circumstances of the case, discriminatory remarks and racist insults being considered as an aggravating factor in this regard (see *B.S. v. Spain*, no. [47159/08](#), § 40, 24 July 2012; *Abdu v. Bulgaria*, no. [26827/08](#), § 23, 11 March 2014; and *Identoba and Others v. Georgia*, no. [73235/12](#), § 65, 12 May 2015). The potential existence of a racial motive for violence inflicted by third parties may itself lead the Court to the conclusion that the treatment falls within the scope of Article 3 (see *Balázs* cited above, §§ 56-57, and *Abdu*, cited above).

63. Turning to the present case, the Court notes that it has never been challenged during the domestic proceedings nor disputed by the Government that the applicant had suffered a leg injury as a result of an attack involving the use of a brick. That injury deprived her of the ability to work for 15 days (see paragraph 11 above). Furthermore, the attack happened in the context of a chaotic altercation brought to her immediate vicinity by football ultras, some of whom were reported to have shouted racist slurs about the Roma during the incident, and one of whom had shortly before that attacked a minor from the same community (see paragraph 9 above). That context alone, in the Court's view, was susceptible of inciting in the applicant feelings of fear, anguish and inferiority capable of humiliating and debasing her (see *Labita v. Italy* [GC], no. [26772/95](#), § 120, ECHR 2000-IV).

64. In the Court's view, the physical impacts of the attack, compounded by the context and the possible racist motive for the violence, bring the applicant's complaint within the scope of Article 3 of the Convention (see, *mutatis mutandis*, *B.S. v. Spain*, cited above, § 41). It follows that the State had an obligation to effectively investigate the alleged attack against the applicant.

(ii) Whether an effective investigation was conducted into the violence against the applicant

65. The requirements of an effective investigation into arguable claims of acts amounting to ill-treatment inflicted by private individuals have been summarised in *X and Others v. Bulgaria* ([GC], no. 22457/16, § 184-190, 2 February 2021). In particular, the investigation must also be thorough. The authorities must always make a serious attempt to find out what happened. Failing to follow an obvious line of inquiry undermines to a decisive extent the investigation's ability to establish the circumstances of the case and the identity of those responsible (see *Mustafa Tunç and Fecire Tunç v. Turkey* [GC], no. 24014/05, § 175, 14 April 2015, and *Armani Da Silva v. the United Kingdom* [GC], no. 5878/08, § 234, 30 March 2016). Furthermore, the investigation must be accessible to the victims to the extent necessary to safeguard their legitimate interests. Victims should be able to participate effectively in the investigation in particular, by having access to the materials of the investigation, so they are not left in a complete vacuum as regards its progress (see *B.Ů. v. the Czech Republic*, no. 9264/15, § 92, 6 October 2022).

66. The Court observes in this context that the district police initiated a criminal investigation into the incident the very same day, treating the applicant as an aggrieved party of the alleged offences of bodily harm under Article 146 § 1 and disorderly conduct under Article 358 § 1 of the Criminal Code. In the course of the investigation the police took statements from many of the participants in and witnesses to the incident and collected other evidence including surveillance camera footage, a medical report and an expert opinion concerning the applicant's injury. It also gathered the criminal records of the identified participants of the altercation. Nevertheless, the police identified only the perpetrator of the attack against the minor M.B. (see paragraph 21 above).

67. The investigation concerning the applicant's injury was closed owing to the police's inability to identify the person who had thrown the brick at her (see paragraphs 24 and 37 above). The Court observes that for an unspecified reason, Officer S.K., who interviewed the applicant on 24 July 2021, shortly after the incident, did not ask her to describe her attacker (see paragraph 15 above), even though the applicant herself alerted the police to her willingness and ability to identify the person who had thrown the brick at her the day before (see paragraph 11 above). The initial decision to close the case by the district police on account of their inability to identify the perpetrator therefore does not correspond to the facts and appears arbitrary.

68. After the district prosecutor had ordered the police to reopen the investigation, the applicant described her attacker during her interview on 11 February 2022. She reaffirmed that she would be able to identify him, explicitly asking the police to perform an identity parade either in person or with photos, and to include the photos of the members of the visiting group in the case file (see paragraph 35 above). Yet the police still failed to properly

conduct a further inquiry into her allegations. No identity parade was performed, and the photos of the members of the visiting group were not made available to the applicant.

69. The police justified their refusal to pursue the investigation further by pointing to alleged inconsistencies in the applicant's statements, notably that she had confused two different individuals from the visiting group. Yet, even accepting that assessment of the applicant's statements, it is unclear why an inconsistency in the victim's description of the attacker led the police to abandon the search for the perpetrator entirely. The police never suggested that the attack on the applicant involving the use of a brick had not occurred; nor had they considered that there might have been no perpetrator at all. If the information provided by the applicant was considered insufficient to allow for a reliable identification of the perpetrator, the Court considers that further readily available investigative measures were all the more – not less – warranted.

70. In the Court's view, in these circumstances, the conclusion that the alleged inconsistencies in the applicant's statements justified the refusal to conduct the requested in-person or photographic identity parade was not compatible with the requirements of effective investigation. Even if those inconsistencies persisted, or if the identification was considered unreliable for other reasons, the police could have addressed those issues at the stage of assessing the evidence, instead of declining to collect further evidence altogether.

71. The Court further observes that despite the applicant having offered from the start to describe the attacker, she was first invited to do so on 11 February 2022, more than six months after the incident (see paragraph 35 above), when she may have forgotten or confused certain details. Instead of attempting to clarify the gaps in the information provided, the police appear to have cast general doubts on the applicant's statements, thereby abdicating their duty to take all reasonable steps to elucidate the circumstances of the incident.

72. The questionable nature of the authorities' approach is further highlighted by the fact that the prosecution later acknowledged that the applicant's description of the attacker had clearly corresponded to O.Š. (see paragraph 41 above). Nevertheless, O.Š. does not appear to have ever been questioned in relation to that allegation, nor do any other investigative steps seem to have been taken in that line of inquiry. Instead, the prosecution reached the conclusion that the applicant had identified O.Š. as the perpetrator only once he had already been found guilty of disorderly conduct, an offence which was subsequently deemed to cover the attack against her. That conviction occurred in the proceedings from which the applicant was excluded. She was thus effectively denied information about the investigative steps taken and the right to suggest evidence or to seek compensation.

73. The Court notes the Government's argument that domestic law had not conferred participatory rights on the applicant because she had not been recognised as an aggrieved party in the proceedings against O.Š. However, in the light of the above, it finds that the applicant was not recognised as such precisely because of the omissions of the authorities. When the authorities finally accepted that the applicant had been describing O.Š. from the outset, they concluded that he could no longer be prosecuted for the act committed against her because of the *ne bis in idem* bar created by their own earlier omissions.

74. In the Court's view, the identification of the person who had attacked the applicant was therefore effectively hindered by the authorities' approach. The Court further finds it immaterial that the applicant's case was eventually closed also on the ground that her injuries were not considered sufficiently serious to engage criminal liability for the offence of bodily injury. It observes that the applicant consistently argued in the domestic proceedings that the attack could in any event have been investigated as an offence of disorderly conduct, or an offence of violence against a group of people or against an individual, which do not require such a threshold (see paragraphs 46-47 above).

75. In the light of the above, the Court must conclude that the investigation into the attack on the applicant was not adequate and thorough, and that it did not ensure her adequate participation as a victim, as required by Article 3 of the Convention. There has been, therefore, a violation of that provision.

(iii) Whether the authorities sufficiently investigated the alleged racist motive for the violence and whether the investigation was influenced by racist stereotypes

76. The Court reiterates that when investigating violent incidents, State authorities therefore have the additional duty to take all reasonable steps to unmask any racist motive and to establish whether or not ethnic hatred or prejudice may have played a role in the events (see *Balázs*, [cited above](#), § 52). Racial violence is a particular affront to human dignity and requires from the authorities special vigilance and a vigorous reaction (see *Stoica v. Romania*, no. 42722/02, § 117, 4 March 2008). The authorities must do what is reasonable in the circumstances to collect and secure the evidence, explore all practical means of discovering the truth and deliver fully reasoned, impartial and objective decisions, without omitting suspicious facts that may be indicative of a racially induced violence (see *Balázs*, [cited above](#), § 52 and *Bekos and Koutropoulos v. Greece*, no. 15250/02, § 69, ECHR 2005-XIII). An investigation into an attack with racial overtones must be pursued with vigour and impartiality, having regard to the need to continuously reassert society's condemnation of racism in order to maintain the confidence of

minorities in the ability of the authorities to protect them from the threat of racist violence (see *Amadayev v. Russia*, no. [18114/06](#), § 81, 3 July 2014).

77. The Court notes that the applicant complained that the domestic legal framework was manifestly insufficient in addressing hate crime. The Government disagreed with that assertion, pointing to specific legal provisions, methodological guidance documents, as well as professional training aimed at facilitating the investigation and prosecution of hate crimes. In view of the above, the Court is ready to proceed on the assumption that the domestic legal framework and practice were in principle capable of allowing an effective investigation of the alleged racist motive of the incident.

78. The Court must therefore determine whether, in the light of their obligations under Article 14 of the Convention, the authorities duly investigated the alleged racist motive for the violence against the applicant (see *Balázs*, [cited above](#), §§ 58-76). In view of the applicant's arguments, the Court will also assess whether the investigation was influenced by racist stereotypes (see, *mutatis mutandis*, *Stoica*, [cited above](#), § 121; *Beizaras and Levickas v. Lithuania*, no. 41288/15, § 129, 14 January 2020; *I.C. v. the Republic of Moldova*, no. 36436/22, §§ 199 and 220-21, 27 February 2025; and *X v. Cyprus*, no. 40733/22, §§ 119-120, 27 February 2025). The Court will examine these issues sequentially.

79. The Court firstly considers that from the outset of the investigation, the district police possessed ample information suggesting that a racist motive may have played a role. Namely, the police were informed that while attacking M.B., O.Š. had referred to him as a “Gypsy motherfucker” (*cikánská mrdka*), and that other racist slurs targeting Roma had been uttered by members of the visiting group (see paragraphs 9, 18 and 23 above). Neither O.Š. nor any other member of that group appear to have disputed those allegations. Moreover, the Government acknowledged that the authorities had had access to the criminal records of members of the visiting group, revealing that some had a prior history of violent offences, some of them with racist or extremist undertones (see paragraphs 5 and 59-60 above). They also had access to information concerning their social media activity documenting expressions of extremist or racist views (see paragraphs 38 and 41 above).

80. The Court furthermore observes that the overall dynamics of the altercation also suggest that the ethnicity of the Roma residents may have played a role in motivating certain actions. In his statement, O.Š. said that he had only attacked M.B. because he was Roma and he had thus perceived him as being “together” with J.P., who had allegedly provoked the fight (see paragraph 21 above). The Court considers that this statement constitutes a particularly strong indicator that the attack was motivated by M.B.'s Roma ethnicity. It further considers that the same appears to hold true for the attacks directed at other Roma residents who had not participated in the initial altercation between J.P. and the visiting group. It notes that according to the description of the public video surveillance footage drawn up by the district

police, following the initial confrontation with J.P., the visiting group progressively moved towards the residential building inhabited by Roma residents, even though no other Roma resident had attacked them or posed any relevant threat (see paragraphs 9-10 above). The only apparent factor linking J.P. with the other persons targeted by the visiting group was their Roma ethnicity. As noted above, while approaching the residential building, the group allegedly shouted racist slurs.

81. In the Court's view, the authorities were thus in possession of clear and concrete indicators pointing to a potential hate-based motive underlying the incident. Despite that, and contrary to the Government's submissions, there is no indication that those indicators triggered any targeted investigative steps aimed at confirming or dispelling a racist motive.

82. The Court firstly observes that the act committed against the applicant was examined solely under the general provision criminalising bodily injury, despite the existence of a specific provision prescribing a harsher penalty where the offence is committed on grounds of another person's actual or perceived race or ethnicity (see paragraphs 44-45 above). The remaining acts were investigated as offences of disorderly conduct, rather than as acts of violence against a group of persons or an individual motivated by their actual or perceived race or ethnicity (see paragraphs 46-47 above). The Court therefore notes that the investigation does not appear to have been structured in a manner conducive to identifying, documenting or assessing a potential racist motive underlying the violence.

83. Furthermore, contrary to the Government's assertion that the alleged verbal slurs were thoroughly investigated, the Court finds no evidence in the material before it that the police raised that issue in interviews with participants or witnesses. The decisions of the district police and the district prosecutor are entirely silent on the matter. Only the regional prosecutor's decision refers to the racist slurs, dismissing them as irrelevant on the ground that Roma residents had allegedly also used racist expressions against the visiting group (see paragraph 41 above).

84. The Court further observes that the allegations of a racist motive were for the very first time addressed in the regional prosecutor's decision, which concluded that there was no need to further investigate them. The decision referred in this regard to three main reasons; firstly, the visiting group had gone to Sokolov on a boating holiday, not to attack the local Roma residents; secondly, each group had allegedly shouted racist slurs at the other; and lastly, the actions of the visiting group been provoked by J.P. without whom the altercation would not have arisen (see paragraph 41 above).

85. The Court recalls, however, that perpetrators of hate crimes may be motivated by situational factors as much as, or even more than, their biased attitude towards the group to which the victim belongs (see *Balázs*, cited above, § 70). It correspondingly considers that the fact that the group's initial reason for travelling to the locality was unrelated to the Roma population does

not, in itself, exclude the possibility that the altercation was escalated by the visiting group because of the Roma ethnicity of J.P. and the residents present at the relevant time. Furthermore, it observes that the regional prosecutor's decision provided no concrete details or references to evidence in support of the assertion that the Roma inhabitants shouted racial slurs at the visiting group.

86. More fundamentally, however, the Court observes that the regional prosecutor failed to appreciate the potential discriminatory implications of the conclusion that the violence against multiple Roma residents was not racially motivated because it was provoked by J.P. (see paragraph 41 above). Such reasoning may be understood as accepting the conduct of an individual as a sufficient explanation for attacks against a group of persons sharing his ethnic identity. Consequently, the reasoning could imply that hostility directed at the group could be justified, or at least neutralised, by the behaviour of a single member, thereby blurring the distinction between individual responsibility and group-based targeting. In the Court's view, reasoning of this kind is incompatible with the State's obligation to ensure that acts of violence are not treated in a manner that could be perceived as condoning or trivialising discriminatory or racist motives (see, *mutatis mutandis*, *Moldovan and Others v. Romania* (no. 2), nos. 41138/98 and 64320/01, §§ 17-19, 139, ECHR 2005-VII (extracts)). The Court finds it concerning that similar reasoning appears in the decision of the Constitutional Court (see paragraph 43 above).

87. In this context, the Court further notes that the investigation as a whole was marked by troubling circumstances capable of raising serious doubts as to its objectivity. At the outset, the district police decision discontinuing the applicant's case appears to have been based on a misinterpretation of her statement, ignoring her repeated claims she could identify the attacker against her (see paragraphs 24-25 above). When the applicant challenged that approach and questioned the impartiality of Officer S.K., her complaint was dismissed without a clear explanation (see paragraph 33 above). Furthermore, when her representative drew attention to the fact that certain members of the visiting group had expressed sympathy for Nazi ideology (some of whom had already been convicted of related offences, see paragraph 5 above), the authorities did not engage with those allegations as potentially relevant. Instead, the head of the district police considered that the applicant's representative referring to some of the alleged attackers as "Nazis" might indicate racism against them on her part (see paragraph 33 above).

88. Against that background, the Court finds it particularly questionable that shortly after the applicant lodged her complaint, Officer S.K. separated her case into distinct proceedings without providing a clear justification, thereby effectively excluding the applicant from participation in the proceedings against O.Š. and preventing his identification as her alleged attacker (see paragraph 31 above). The Court also notes the applicant's

further complaint that the same officer, contrary to domestic law, refused to allow the presence of her trusted person during her interview in the absence of a written authority (see paragraph 35 above).

89. The Court also finds problematic the manner in which the regional prosecutor assessed the credibility of the applicant's statements. The decision relied to a significant extent on perceived inconsistencies in the statements of other Roma residents concerning matters unrelated to the acts committed against the applicant (see paragraph 41 above). The regional prosecutor thus appears to have regarded the applicant's assertions as less credible on account of the perceived unreliability of other Roma witnesses. In the Court's view, such reasoning suggests that racial stereotypes might have influenced the assessment of the applicant's credibility.

90. For the Court, this indication that the investigation was not free from racist stereotyping is further reinforced by the fact that the police officers themselves repeatedly used the term "Gypsy" (*cikáni*), a word widely regarded as an inappropriate and disrespectful denomination of the group, when questioning members of the visiting group about the Roma residents (see paragraph 19 above).

91. The combined effect of the ineffective conduct of the investigation, the failure to make any genuine attempt to establish whether the violence was motivated by racial hatred despite clear indicators to that effect, and the presence of stereotypical reasoning and racially offensive language on the part of the authorities leads the Court to conclude that the authorities failed in their positive obligation to investigate possible racist motives behind the attack against the applicant and, moreover, failed to ensure that the investigation itself is not influenced by discriminatory stereotypes.

92. There has accordingly been a violation of Article 14 in conjunction with Article 3 of the Convention.

II. APPLICATION OF ARTICLE 41 OF THE CONVENTION

93. Article 41 of the Convention provides:

"If the Court finds that there has been a violation of the Convention or the Protocols thereto, and if the internal law of the High Contracting Party concerned allows only partial reparation to be made, the Court shall, if necessary, afford just satisfaction to the injured party."

A. Damage

94. The applicant claimed 15,000 euros (EUR) in respect of non-pecuniary damage.

95. The Government disagreed, finding that amount to be excessive.

96. In view of the applicant's claims concerning the psychological impact of the impugned violations, the Court considers the applicant's claims

justified and awards her the full sum claimed, plus any tax that may be chargeable.

B. Costs and expenses

97. The applicant also claimed EUR 16,275 in respect of costs and expenses incurred before the Court and before the domestic authorities, to be paid directly to her counsel, in the amount of EUR 3,456 to be paid to In IUSTITIA, o.p.s., representing the applicant in part of the domestic proceedings, and EUR 12,819 to be paid to her lawyer Ms Petra Naskosová. She submitted records of travel costs and invoices for translation services incurred by In IUSTITIA, o.p.s., and invoices for legal services and records of travel costs incurred by Ms Petra Naskosová.

98. The Government argued that the submitted documents do not show that any of those costs were actually incurred by the applicant. They pointed out that all invoices as well as travel costs were evidenced as an expense incurred by the non-profit organisation which had also contracted the applicant's lawyer.

99. According to the Court's case-law, an applicant is entitled to the reimbursement of costs and expenses only in so far as it has been shown that these were actually and necessarily incurred and are reasonable as to quantum (see, for example, *H.F. and Others v. France* [GC], nos. [24384/19](#) and [44234/20](#), § 291, 14 September 2022). In accordance with Rule 60 § 2 of the Rules of Court, itemised particulars of all claims must be submitted, failing which the Chamber may reject the claim in whole or in part.

100. The Court observes that in the present case, the applicant requests the reimbursements of sums for legal costs incurred on her behalf by a non-profit organisation with whom she had concluded contracts for the provision of legal representation. The Court notes that it had previously awarded costs and expenses shown to have been incurred not directly by the applicants but by non-profit organisations on their behalf, as long as those costs had been adequately documented (see, for example, *Cobzaru v. Romania*, no. [48254/99](#), § 111, 26 July 2007; *V.I. v. the Republic of Moldova*, no. 38963/18, §§ 188-92, 26 March 2024; and *I.C. v. the Republic of Moldova*, no. 36436/22, §§ 230-33, 27 February 2025).

101. In the present case, deciding on an equitable basis and having regard to the documents in its possession and the above criteria, the Court considers it reasonable to award the sum of EUR 16,275 in respect of costs and expenses, plus any tax that may be chargeable to the applicant, to be paid in the respective sums of EUR 3,456 to In IUSTITIA, o.p.s., and EUR 12,819 to Ms Naskosova, into the bank accounts indicated by the applicant's representatives.

FOR THESE REASONS, THE COURT, UNANIMOUSLY,

1. *Declares* the application admissible;
2. *Holds* that there has been a violation of Article 3 of the Convention in its procedural aspect;
3. *Holds* that there has been a violation of Article 14 in conjunction with Article 3 of the Convention;
4. *Holds*
 - (a) that the respondent State is to pay the applicant, within three months from the date on which the judgment becomes final in accordance with Article 44 § 2 of the Convention, the following amounts, to be converted into the currency of the respondent State at the rate applicable at the date of settlement:
 - (i) EUR 15,000 (fifteen thousand euros), plus any tax that may be chargeable, in respect of non-pecuniary damage;
 - (ii) EUR 16,275 (sixteen thousand two hundred and seventy five euros), plus any tax that may be chargeable to the applicant, in respect of costs and expenses;
 - (b) that from the expiry of the above-mentioned three months until settlement simple interest shall be payable on the above amounts at a rate equal to the marginal lending rate of the European Central Bank during the default period plus three percentage points.

Done in English, and notified in writing on 16 July 2026, pursuant to Rule 77 §§ 2 and 3 of the Rules of Court.

Victor Soloveytchik
Registrar

María Elósegui
President