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Czech Republic

Country:

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Year:

2015

FIW Status:

F

PR Rating:

1

CL Rating:

1

Aggregate Score:

95

Combined Freedom Score:

1.0

Overview:

President Miloš Zeman appointed a new government led by Bohuslav Sobotka in January 2014 following the snap elections of October 2013. The ruling coalition of the Czech Social Democratic Party (ČSSD), Movement of Dissatisfied Citizens (ANO), and the Christian Democratic Union–Czech People's Party (KDU-ČSL) embarked on a more pro-European Union course than its predecessor.

Political Rights and Civil Liberties:

Political Rights: 38 / 40 (+1) [\[Key\]](#)

A. Electoral Process: 12 / 12

The 200 members of the Chamber of Deputies, the lower house of Parliament, are elected to four-year terms by proportional representation. The Senate has 81 members elected for six-year terms, with one-third up for election every two years.

Then prime minister Petr Nečas's resignation in 2013 led to snap elections in October of that year. The ČSSD finished first, capturing 50 seats, followed closely by ANO with 47 seats. The Communist Party of Bohemia and Moravia (KSČM) placed third with 33 seats. The Civic

Democratic Party (ODS) won just 16 seats, down from 53 seats in 2010. Tradition Responsibility Prosperity 09 (TOP 09), the populist Úsvit (Dawn of Direct Democracy) Party, and the Christian Democratic Union-Czech People's party (KDU-ČSL) won the remaining seats.

Senate and local elections took place in October 2014, bringing victories for the ruling coalition parties of the ANO, ČSSD, and the KDU-ČSL.

The president is directly elected under a 2012 constitutional amendment. The president can veto legislation and appoints judges, Central Bank officials, the prime minister, and other cabinet members, but the post holds few other formal powers. Although some analysts feared that Zeman was orchestrating a power grab to convert the system to a semipresidential one, the president did not interfere with the work of the new government in 2014.

B. Political Pluralism and Participation: 15 / 16

Historically, the two main political parties were the center-left ČSSD and the center-right ODS. However, the ODS lost significantly in the 2013 elections. The opposition TOP 09 has rebuilt its voter base after losing many of its voters due to the fall of the Nečas government. KSČM has been excluded from all national governments so far, but the party has formed regional governing coalitions with ČSSD in 10 of the country's 13 regions.

The Romany minority lacks meaningful political representation. None of the parties representing the estimated 250,000 Roma living in the country have reached the 5 percent parliamentary threshold.

C. Functioning of Government: 11 / 12 (+1)

The Czech Republic has a history of unstable governments; the country had 12 cabinets in the first 20 years of its independence. However, despite initial internal disputes and a disagreement over taxation and social policy, the coalition government remained intact throughout 2014.

Corruption—especially high-level graft—is widespread and the level of trust in state institutions is low. A 2013 police raid on government offices, which implicated several high-ranking politicians and civil servants in graft and abuse of office, had not resulted in convictions by the end of 2014. Jana Nagyova, former prime minister Nečas's aide, was found guilty of abuse of office in June; she has appealed the ruling. Nagyova has also been accused of tax fraud in connection with luxury gifts worth 10 million Czech crowns (\$435,000) and, along with Nečas, faces a related corruption investigation. Two intelligence officers involved in the scandal were acquitted in July, and the Supreme Court ruled in September that three legislators who had allegedly resigned in exchange for bribes were protected by parliamentary immunity.

The Czech Republic has no specific law regulating lobbying activities, and powerful Czech lobbyists, also known as “godfathers,” have managed to avoid prosecution in several instances. In May, lobbyist Michal Smrz and former defense minister Martin Barták were acquitted in a high-profile case linked to the purchase of Tatra vehicles.

Chronic corruption has tainted public procurement practices and the management of EU funds, and the situation has been exacerbated by a lack of civil service regulation since 2002. In October 2014, a bill aiming to depoliticize the civil service was adopted in the Senate.

The Czech Republic was ranked 53 of 175 countries and territories in Transparency International's 2014 Corruption Perceptions Index.

Civil Liberties: 57 / 60

D. Freedom of Expression and Belief: 16 / 16

Freedom of expression is respected, though the constitution-based Charter of Fundamental Rights and Freedoms limits this right in cases of threats against individual rights, state and public security, public health, and morality.

The media operate relatively freely. However, the acquisition of several outlets by wealthy businessmen in recent years has raised concerns about media independence and the concentration of ownership. In 2013 and 2014, several journalists left major media outlets that were acquired by Babiš of the ANO.

During the campaign for 2014 European Parliament elections, Czech Television banned a provocative No to Brussels–National Democracy Party advertisement that featured a representation of the Czech Republic slaying a snake slithering in front of Jewish, Muslim, and LGBT (lesbian, gay, bisexual, and transgender) symbols. The government does not restrict internet access.

The government generally upholds freedom of religion. Tax benefits and financial support are provided to registered religious groups. The state has initiated a process to return land confiscated from churches by the 1948–89 communist regime, which will take place over the next 30 years.

Promoting denial of the Holocaust or of past communist crimes is illegal, as is inciting religious hatred. In April 2014, police raided the headquarters of Prague's Islamic Foundation and a mosque on allegations that a book had been published by the Czech Muslim community inciting anti-Semitism. Hate crimes were filed against the publisher and 20 people were detained. In May, President Zeman made critical remarks about Islam, citing violent verses in the Koran when he was condemning the gun attack at the Jewish Museum in Brussels.

Academic freedom is respected. Ceremonial presidential approval is required for academic positions.

E. Associational and Organizational Rights: 12 / 12

Czechs may assemble peacefully, form associations, and petition the government. The Prague Pride Parade—the annual event of the LGBT community—took place without any major incidents in 2014.

Approximately 85,000 registered nongovernmental organizations (NGOs) operate in the country. Most NGOs struggle with weak funding, and only 10 percent of NGOs were fully active in 2012. The new Civil Code, which came into force in January 2014, overhauled legislation related to the nonprofit sector, including amendments to NGOs' legal status and tax exemptions. Anticorruption NGOs have played a significant role in the past two years; an initiative called the Reconstruction of the State was lobbying for the passage of nine anti-graft bills in 2014.

Trade unions and professional associations function freely but are weak in practice. The largest trade union, the Czech-Moravian Confederation of Trade Unions (ČMKOS), incorporates 29 member unions and has over 300,000 members. Workers have the right to strike, though this right is limited for essential public employees, such as hospital workers and air traffic controllers.

F. Rule of Law: 14 / 16

The judiciary is largely independent, though its complexity and multilayered composition have led to slow delivery of judgments. A 2010 report produced by the country's counterintelligence agency found that corruption within the Czech Republic's judicial system was "very sophisticated," making detection difficult.

The rule of law generally prevails in civil and criminal matters. While corruption and political pressure remain within law enforcement agencies, the Office of the Public Prosecutor has become more independent in recent years. The arrest of ČSSD's David Ráth in 2012 on corruption charges and the 2013 raid on government offices were praised by many as evidence of strengthening rule of law. However, the aftermath of the raid has been marred by disputes over the accuracy of accusations and a lack of convictions.

Prisons in the Czech Republic suffer from overcrowding and poor sanitation. Following former president Václav Klaus's controversial prisoner amnesty in 2013, the police reported an increased crime rate in January 2014.

The 2009 Antidiscrimination Act provides for equal treatment regardless of sex, race, age, disability, belief, or sexual orientation. However, members of the Roma community face discrimination in the job market and significantly poorer housing conditions, as well as occasional threats and violence from right-wing groups. In September 2014, the European Commission initiated proceedings against the Czech Republic over discrimination against Romany children, who face segregation in the education system.

Asylum seekers are routinely detained, and conditions in detention centers are generally poor.

G. Personal Autonomy and Individual Rights: 15 / 16

Gender discrimination is legally prohibited. However, sexual harassment in the workplace appears to be fairly common, and women are underrepresented at the highest levels of government and business—their parliamentary presence decreased from 44 to 39 seats in 2013 in the Chamber of Deputies. According to data from the European Commission, the

gender pay gap is one of the largest in the European Union. Trafficking of women and girls for the purpose of prostitution remains a problem.

LGBT persons are not allowed to marry but they do not face significant discrimination. In July, Czech Ombudsman Anna Šabatová stated that the country's laws preventing same-sex couples from adopting children are unconstitutional.

The Czech Republic's lustration law aims to keep those with close ties to the Communist regime out of high-level political, judicial, and military positions. A February proposal to abolish the law was defeated in Parliament.

Scoring Key: X / Y (Z)

X = Score Received

Y = Best Possible Score

Z = Change from Previous Year

Full Methodology

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