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Freedom in the World 2014 - Czech Republic

Publisher [Freedom House](#)

Publication Date 21 August 2014

Cite as Freedom House, *Freedom in the World 2014 - Czech Republic*, 21 August 2014, available at: <http://www.refworld.org/docid/53fae9a6d.html> [accessed 7 December 2014]

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2014 Scores

Status: Free

Freedom Rating (1 = best, 7 = worst): 1.0

Civil Liberties (1 = best, 7 = worst): 1

Political Rights (1 = best, 7 = worst): 1

OVERVIEW

Miloš Zeman of the center-left Party of Civic Rights-Zemanovci (SPOZ) won the Czech Republic's first direct presidential elections in January 2013.

In June, Prime Minister Petr Nečas of the Civic Democratic Party (ODS) resigned amid a spying and corruption scandal. Rather than appointing a replacement from the ruling government, President Zeman instead selected a long-time ally, Jiří Rusnok, as caretaker in a move that critics denounced as a power grab. Rusnok's interim government lost a no-confidence vote in August, leading to his resignation and prompting early legislative elections in October. However, no single party won enough seats to form a government without entering into a coalition, and a new prime minister had yet to be appointed at year's end.

After numerous failed attempts at recovery, the Czech Republic moved out of its longest-ever recession in September; the economy had been contracting since the third quarter of 2011.

POLITICAL RIGHTS AND CIVIL LIBERTIES

Political Rights: 37 / 40 (-1)

A. Electoral Process: 12 / 12

The Czech Republic is an electoral democracy. 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.

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. The country held its first direct presidential elections in January 2013, though no candidate received an absolute majority. A run-off vote was held later that same month between Minister of Foreign Affairs Karel Schwarzenberg of the center-right Tradition Responsibility Prosperity 09 (TOP 09) party and former prime minister Miloš Zeman of the SPOZ. Zeman – who had criticized austerity measures implemented by the government in previous years and took a strong stance against corruption – won with almost 55 percent of the vote amid a turnout of 59 percent.

Early legislative elections were held in October in response to the resignation of Prime Minister Nečas following a spying and corruption scandal. The center-left Czech Social Democratic Party (ČSSD) finished first in the October vote, capturing 50 seats, followed closely by ANO 2011 – a new protest party – with 47 seats. The Communist Party of Bohemia and Moravia (KSČM) placed third with 33 seats, while TOP 09, the center-right Civic Democratic Party (ODS), the populist the Úsvit (Dawn of Direct Democracy) Party, and the Christian Democratic Union-Czech People's party (KDU-ČSL) all crossed the parliamentary threshold of 5 percent. A ruling coalition and new prime minister had not yet been negotiated by year's end.

B. Political Pluralism and Participation: 15 / 16

Historically, the two main political parties were the ČSSD and the center-right ODS. However, the resignation of the Nečas government in 2013 proved detrimental to the popularity of ODS, which received just 16 seats in the snap elections in October, down from 53 seats in the 2010 elections.

The other two right-leaning parties in the Nečas government, TOP 09 and the Public Affairs (VV) party, also suffered significant losses of popularity. VV splintered in 2012, following the conviction of one of its leaders, Vít Bárta, on bribery charges; the party announced in September that it would not run in the October elections. Some former VV members, including Bárta, joined the newly established Úsvit Party, which was formed by the businessman Tomio Okamura.

Several other new parties were founded in 2013; the most popular among them ANO 2011, started by the billionaire Andrej Babiš. The Roma Democratic Party (RDS) – which was established in 2013 to represent the country's Romany minority – did not reach the 5 percent parliamentary threshold.

C. Functioning of Government: 10 / 12 (-1)

The country was shaken by several high-profile corruption scandals in 2013. In January, outgoing President Václav Klaus caused national outrage by granting a broad amnesty that resulted in the release of more than 6,000 low-level and elderly inmates; Klaus's amnesty also halted several high-profile graft investigations, triggering widespread public anger. The Senate impeached the president in March, just days before his term ended; he was charged with high treason for allegedly violating the constitution with the amnesty, though the Constitutional Court cleared him several weeks later.

An intricate spying and corruption scandal emerged during the summer of 2013, involving one of Prime Minister Nečas's close aides, Jana Nagyová, who allegedly ordered intelligence agencies to spy on Nečas's

wife. In June, Czech anticorruption forces raided the government's offices and arrested several politicians and advisors, including Nagyová, who was charged with abuse of power and bribery; charges of corruption against three other members of Parliament were dropped after the Supreme Court ruled that they were protected by immunity. Nečas divorced his wife in August and married Nagyová in September, which observers believed was an effort to avoid testifying against her in court. The Czech Republic was ranked 57 of 177 countries in Transparency International's 2013 Corruption Perceptions Index.

After Nečas's resignation, President Zeman refused to appoint a candidate chosen by the out-going center-right coalition, and instead selected an ally, his former minister of finance, Jiří Rusnok. Opponents criticized the move as a power grab; Rusnok's caretaker government lost a no-confidence vote in the Chamber of Deputies in August, leading to the dissolution of the Parliament and early elections in October.

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.

Most media outlets are owned by private foreign companies and do not appear to be influenced by the state. However, the acquisition of several outlets by wealthy businessmen in recent years has raised concerns regarding their independence and influence. In June 2013, Andrej Babiš, the country's second-richest man and leader of ANO 2011, purchased one of the largest publishing houses, MAFRA.

Public television and radio have a reputation of producing highly analytical and in-depth reports. In the second half of 2013, personnel changes at the Czech Television (CT) and allegations of censorship, however, prompted fears of politicization at the channel. In November, 23 editors criticized CT's management in an open letter. The government generally upholds freedom of religion. Tax benefits and financial support are provided to registered religious groups. Promoting denial of the Holocaust or past communist crimes is illegal, as is inciting religious hatred. In 2012, the lower house approved legislation under which the state would return some of the church land confiscated under the 1948-89 communist regime and pay compensation for the rest. The Supreme Court upheld the law in June 2013 after left-wing opposition groups filed a challenge.

Academic freedom is respected and generally free from political intrusion. Ceremonial presidential approval is required for academic positions. In what was considered an unparalleled interference in academic freedom, President Zeman refused to approve the appointment of Martin Putna for a professorship at Prague's Charles University in May 2013. Zeman's decision caused a public uproar, as Putna was openly gay and often critical of the president. The president subsequently agreed to endorse Putna after meeting with the minister of education.

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 (lesbian, gay, bisexual, and transgender) community – took place without any major incidents in 2013.

In 2012, there were approximately 80,000 registered nongovernmental organizations (NGOs) in the country, most of which struggled with poor funding. The 2012 Civil Code scheduled to come into force in January 2014 is expected to give rise to large-scale changes in the nonprofit sector, including amendments to NGOs' legal status and tax exemptions.

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 more than 30 member unions and has around 400,000 members. The 2007 Labor Code was amended in 2012, lowering workers' severance pay, among other changes. Workers have the right to strike, though this right is limited for public employees in jobs deemed essential, 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 has led to a 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, though corruption also remains a problem within law enforcement agencies. The arrest of the CSSD's David Ráth in 2012 on corruption charges and the 2013 investigation into the ODS government were praised by many as proof of an increasingly independent police force and prosecution. However, the unsuccessful prosecution of three members of Parliament in the Nagyová scandal due to immunity, as well as the unwillingness of the Czech Bar Association to turn over important files related to the case demonstrated ongoing problems in prosecuting high-level crime.

Prisons suffer from overcrowding and poor sanitation. In July 2013, the European Court of Human Rights (ECHR) ruled that the Czech Republic had violated its prohibition of inhuman or degrading treatment by allegedly abusing a detainee, Vladimir Kummer, while in custody. In August, the police promised better treatment of detainees.

The 2009 Antidiscrimination Act covers a wide range of areas and provides for equal treatment regardless of sex, race, age, disability, belief, or sexual orientation. However, members of the Roma community sometimes face threats and violence from right-wing groups, and Romany children continue to face discrimination in the country's public school system. Despite a landmark ECHR decision in 2007 that found the placement of Roma pupils in "special schools" discriminatory and the government's repeated efforts to address the issue, Romany children continue to face segregation in the education system. Roma also face discrimination in the job market and suffer from significantly poorer housing conditions.

Several anti-Roma protests occurred during the summer of 2013, some of which turned into violent clashes with police. Police arrested at least 75 people in August during violent rallies in České Budějovice and Ostrava.

A new immigration bill tabled in May received harsh criticism from NGOs and migrants' rights advocates. The draft, among other things, requires a work permit for EU citizens staying longer than three months, discriminates against spouses who are not EU-citizens, and allows immigration police to detain minors.

Asylum seekers are routinely detained in the Czech Republic. In 2012, only 49 of 753 applicants were granted asylum. Conditions in detention centers are generally poor. The remote location of detention and reception centers also limits the ability of NGOs to visit them.

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 200-member Chamber of Deputies. Three of the nine candidates in the January 2013 presidential elections were women. Trafficking of women and girls for the purpose of prostitution remains a problem.

Scoring Key: X / Y (Z)

X = Score Received
Y = Best Possible Score
Z = Change from Previous Year

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