

ANNUAL REVIEW

OF THE HUMAN RIGHTS SITUATION
OF LESBIAN, GAY, BISEXUAL, TRANS
AND INTERSEX PEOPLE

2019



Annual Review

of the Human Rights Situation of Lesbian, Gay, Bisexual, Trans, and Intersex
People in Czech Republic covering the period of January to December 2018

Czech Republic

Bias-motivated speech

A high-ranking priest of the Roman Catholic church delivered a sermon on 28 September, primarily aimed against the ratification of the Istanbul Convention, with several aggressive, homophobic and sexist statements. He was later fully backed by the head of the church. Feminist organisations filed a criminal complaint against the priest for inciting hatred, the investigation of which is currently pending.

Education

An NGO opposing LGBTI equality and its affiliates have made several claims throughout the year, via media appearances or public hearings in the Parliament, that public education should not include information on LGBTI families, as this would violate freedom of religion and conscience. This kind of argument is fairly new in the Czech Republic, which is not a religious country. It also perpetuates stigma against LGBTI people.

Equality and non-discrimination

The opposition to LGBTI equality, including marriage equality, has risen substantially in 2018. Among the voices in the civic sector were “Aliance pro rodinu” (in English: Alliance for family), by the Roman Catholic Church and several ultra-conservative politicians.

Family

As a result of the campaign for marriage equality run by the Czech NGO coalition for equal marriage “Jsme Fer”/We Are Fair since April 2017, a bill introducing same-sex marriage and granting the same rights to all marriages, was filed to the Czech Parliament on 12 June. This bill is co-sponsored by 46 MPs from 6 out of 9 parties present in the lower chamber. More MPs, including the Prime Minister, supported the bill, but decided not to co-sponsor. Two days later, a second bill was filed, to introduce a ban on equal marriage in the Constitution. It is co-sponsored by 37 MPs, including Christian Democrats, and many conservative MPs from the Civic Democratic Party.

Jsme Fer/We Are Fair, the Czech NGO coalition for equal marriage, presented a petition with over 70,000 signatures in support of marriage equality to parliament on 26 June. A public hearing on the petition was held in the Parliament on 9 November in presence of both We Are Fair and the opposition Alliance For Family (non-profit).

On 14 November, the House of Representatives held its first ever debate on equal marriage. Due to lack of time and a heated debate, no vote was taken and the debate may resume in the beginning of 2019.

A third proposal is widely being discussed in the media, even though no bill has been presented. It would allegedly grant same rights to registered partners as to married couples, but would reserve marriage to heterosexual couples only. It is not clear whether it would include adoption rights. The idea came from a MP of the leading ANO liberal party. Who claims to have large support for his proposal and states he plans to submit the bill in early 2019.

Human rights defenders

The Office of Public Defender publicly supported equal marriage in a statement in September. The Deputy Head of the Office publicly opposed the idea, however the Office stated that these are his private views and do not represent the views of the office.

Legal gender recognition

Forced sterilisation is still a requirement of legal gender recognition in the Czech Republic. On 1 October, the European Committee of Social Rights ruled in the case of Transgender Europe and ILGA-Europe v. the Czech Republic (No. 117/2015) that this seriously impacts trans people’s health, physical and psychological integrity, and dignity. The Committee also emphasised the importance of the right to give free consent when accessing medical treatment. The government did not publicly react to the ruling.

However, in reaction to the 2017 A.P., Garçon and Nicot v. France judgment of the European Court of Human Rights (2017), the Justice Ministry already started drafting a law proposal addressing LGR around spring. The draft is currently being debated with other government bodies. Civil society remains concerned that even though mandatory sterilisation might be abolished, the law will retain the psychiatric diagnosis requirement.

Public opinion

A public opinion poll from February carried out by a well established agency, shows support for equal marriage at 64%, matching Pew Research Center findings from May 2017.