



Document #2107605

USDOS – US Department of State (Author)

2023 Country Report on Human Rights Practices: Czech Republic

EXECUTIVE SUMMARY

There were no significant changes in the human rights situation in the Czech Republic during the year.

Significant human rights issues included credible reports of: extensive gender-based violence, including domestic or intimate partner violence and sexual violence; threats of violence motivated by antisemitism; and crimes involving threats of violence targeting lesbian, gay, bisexual, transgender, queer, or intersex persons.

The government took credible steps to identify and punish officials who may have committed human rights abuses.

Section 1.

Respect for the Integrity of the Person

A. ARBITRARY DEPRIVATION OF LIFE AND OTHER UNLAWFUL OR POLITICALLY MOTIVATED KILLINGS

There were no reports the government or its agents committed arbitrary or unlawful killings, including extrajudicial killings, during the year.

In April the country's Constitutional Court rejected an appeal by the family of a Romani man who died in 2021 while or after he was restrained by several police officers. The court held the General Inspectorate of Security Forces (GIBS) did not act unlawfully when it concluded in March 2022 that the police officers' behavior did not rise to the level of a felony. The court further determined the cause of death was heart failure resulting from intoxication with methamphetamine, in accordance with an expert

forensic analysis. Following the Constitutional Court decision, in August, two European nongovernmental organizations (NGOs) working on behalf of the Romani man's family brought a case against the country at the European Court of Human Rights (ECtHR).

In December the ECtHR ruled against the country in a case brought by the sibling of a psychiatric patient who died from cardiac arrest after police tased him three times and doctors sedated him during a violent incident at a psychiatric clinic in 2015. The ECtHR found the clinic and police failed to use appropriate de-escalation techniques, undermining the country's "positive obligation to provide [the patient] with adequate care and preserve his life." It also identified procedural deficiencies in the GIBS's subsequent investigation of the incident.

B. DISAPPEARANCE

There were no reports of disappearances by or on behalf of government authorities.

C. TORTURE AND OTHER CRUEL, INHUMAN, OR DEGRADING TREATMENT OR PUNISHMENT, AND OTHER RELATED ABUSES

The law prohibited such practices, but there were credible isolated reports of inhuman treatment by police and prison guards. Impunity was not a significant problem in the security forces.

In February the GIBS completed its investigation into the alleged abuse of a prisoner in the Pardubice prison in 2022. The prisoner was handcuffed for 25 hours and did not have a mattress in the cell. He was diagnosed with a severe disability but was not placed in a specialized section. The GIBS concluded the case did not rise to the level of a criminal offense and referred it back to the Pardubice prison for disciplinary proceedings.

In May the trial began of eight guards from the Valdice prison for abuse of official authority. Of the guards, six were accused of allegedly punching a prisoner in the face, breaking his leg, and intentionally inhibiting his breathing; two other guards were accused of willfully ignoring these abuses.

Prison and Detention Center Conditions

The most significant concerns regarding prison conditions included overcrowding, poor sanitary conditions in some prisons, mistreatment of inmates, lack of medical staff, lack of support programs and services inside prisons, and generally unsatisfactory conditions for inmates with physical or mental disabilities.

Abusive Physical Conditions: Prison overcrowding was a problem, with several prisons at more than 110 percent capacity.

The Czech Helsinki Committee (CHC) conducted a monitoring study between October 2022 and January 2023 in 10 prisons, including interviews with approximately 100 staff members and 500 inmates. CHC experts expressed concern regarding prison over population, inadequate support staffing, lack of employment and social opportunities for inmates, poor quality food, and insufficient efforts to prepare prisoners for parole and prevent recidivism (which stood at nearly 70 percent).

The ombudsman visited several pretrial detention centers and observed cameras used to monitor some cells, a lack of daylight, limited ventilation, limited time for prisoners outside cells, and few employment opportunities for the accused.

Administration: Authorities conducted investigations of credible allegations of mistreatment. Specialized public prosecutors regularly inspected prisons, and the Ombudsman's Office made random checks and investigated credible allegations of inhuman conditions.

Independent Monitoring: The government permitted independent monitoring of prison conditions by local and international human rights groups, including the European Committee for the Prevention of Torture, and media.

Improvements: The prison service established new regulations describing conduct and record keeping relating to body searches, although the ombudsman noted the new rules did not meet all international standards.

D. ARBITRARY ARREST OR DETENTION

The law prohibited arbitrary arrest and detention and provided for the right of any person to challenge the lawfulness of their arrest or detention in court. The government generally observed these requirements.

Arrest Procedures and Treatment of Detainees

In most cases, police used judicial warrants to arrest individuals accused of criminal acts. Police could make arrests without a warrant when they believed a prosecutable offense was committed, when they regarded arrest as necessary to prevent further offenses or the destruction of evidence, to protect a suspect, or when a person refused to obey police orders to move.

The law required police to refer individuals arrested on a warrant to a court within 24 hours. A judge had an additional 24 hours to decide whether to continue to hold the individuals. For suspects arrested without a warrant, police had 48 hours to inform them of the reason for the arrest, question them, and either release them or refer them to a judge who had to decide within 24 hours whether to charge them. Authorities could not hold detainees for a longer period without charge.

The law provided for bail except in cases of serious crimes or to prevent witness tampering. A defendant in a criminal case could request a lawyer immediately upon arrest. If a defendant could not afford a lawyer, the government provided one. The court determined whether the government partially or fully covered attorney's fees. Authorities generally respected these rights.

E. DENIAL OF FAIR PUBLIC TRIAL

The law provided for an independent judiciary, and the government generally respected judicial independence and impartiality. In most instances, authorities respected court orders and carried out judicial decisions.

In April the High Court in Olomouc upheld the appeal of judge Ivan Elischer of the High Court in Prague and remanded the case back to the Prague Municipal Court. The municipal court found Elischer guilty of abuse of authority, accepting bribes, unauthorized access to the computer system, and embezzlement and sentenced him to nine years in prison.

In June the appellate body of the ECtHR overturned on procedural grounds a 2022 ECtHR ruling that the country violated an enforcement officer's right to a fair trial because the disciplinary panel of the Supreme Administrative Court, which fined the enforcement officer for professional misconduct, did not meet the ECtHR's parameters for independence and impartiality and the right to an appeal. The appellate body further found the enforcement officer's original complaint regarding the fairness of the disciplinary proceedings "manifestly ill-founded," as the disciplinary court's methods were neither arbitrary nor unreasonable.

Trial Procedures

The law provided for the right to a fair and public trial, and the judiciary generally enforced this right.

Political Prisoners and Detainees

There were no reports of political prisoners or detainees.

F. TRANSNATIONAL REPRESSION

Not applicable.

G. PROPERTY SEIZURE AND RESTITUTION

The government had laws and mechanisms in place for property restitution, including for some restitution of private and religious property confiscated during the Nazi occupation or the Communist era. Although it was possible to file claims for artwork confiscated by the Nazis, the claims period for other types of property seized during the Holocaust era had

expired. Local NGOs and advocacy groups reported that while the government made progress on resolution of Holocaust-era claims, including by foreign citizens, there were some outstanding claims.

In February the Ministry of Culture returned art objects seized from a Jewish entrepreneur in 1939 to his U.S.-based descendants. The pieces were identified in the National Gallery and the Museum of Decorative Arts in Prague.

By law religious groups received an annual installment of the 59 billion koruna (\$2.7 billion) to be paid over a 30-year period in compensation for property seized during communism that could not be returned.

The Department of *State's Justice for Uncompensated Survivors Today (JUST) Act Report* to Congress, released publicly in 2020, can be found on the Department's website at: <https://www.state.gov/reports/just-act-report-to-congress/>.

H. ARBITRARY OR UNLAWFUL INTERFERENCE WITH PRIVACY, FAMILY, HOME, OR CORRESPONDENCE

The law prohibited such actions, and there were no reports the government failed to respect these prohibitions.

Section 2.

Respect for Civil Liberties

A. FREEDOM OF EXPRESSION, INCLUDING FOR MEMBERS OF THE PRESS AND OTHER MEDIA

The law provided for freedom of expression, including for members of the press and other media, and the government generally respected this right. An independent press, an effective judiciary, and a functioning democratic political system combined to promote freedom of expression, including for media members. The law provided for some limitations to this freedom, including in cases of hate speech, Holocaust or genocide denial, and denial of communist-era crimes.

Freedom of Expression: The law prohibited speech that incited hatred based on race, religion, class, nationality, or other group affiliation. It also limited denial of genocide, including the Holocaust, and communist-era crimes. Individuals who were found guilty could serve up to three years in prison. The law also applied to online, print, and broadcast media.

In 2022 courts convicted 23 persons of expressing sympathies for movements seeking to suppress human rights and freedoms; nine for defamation of a nation, ethnic group, race, or religion; three for denying, questioning, approving, or justifying genocide; two for instigation of hatred toward a group of persons or suppression of their rights and

freedoms; and one for establishment, support, and promotion of movements aimed at suppression of human rights and freedoms. The respective crimes could have been committed in previous years.

Censorship or Content Restrictions for Members of the Press and Other Media, Including Online Media: The law prohibited elected officials from controlling media entities while in office. In August the president signed legislation tightening rules on media ownership by politicians and expanding the regulations to include the office of the president. Under the amended law, politicians could not transfer media ownership to relatives or trust funds. The law was dubbed "Lex Babiš" in reference to former Prime Minister and presidential candidate (and current member of parliament) Andrej Babiš, whose company, Agrofert, owned two prominent newspapers and other media outlets until placing control of these assets into trust funds in 2017. The amended law did not apply to online media, an omission observers assessed as a major shortcoming. In September Babiš's ANO political party filed a motion with the Constitutional Court challenging parts of the law.

An amendment to the Television Act and Radio Act signed by the president in August aimed to strengthen public media governance by revising the nomination and dismissal processes for supervisory boards, including a requirement for the Senate to have input into membership in the television and radio councils.

In July a European Commission report acknowledged improvements to public media governance but expressed concern regarding a lack of transparency in press ownership in the country despite legislation passed in 2022 intended to strengthen the media regulator's access to corporate ownership data.

Internet Freedom

The government did not restrict or disrupt access to the internet or censor online content, and there were no credible reports the government monitored private online communications without appropriate legal authority. In August the Supreme Administrative Court upheld an earlier ruling by the Prague Municipal Court that government efforts to block disinformation websites in connection with Russia's full-scale invasion Ukraine were lawful. The court noted the government requested but did not enforce the temporary blocking of eight known pro-Kremlin propaganda outlets and internet providers acted voluntarily.

B. FREEDOMS OF PEACEFUL ASSEMBLY AND ASSOCIATION

The constitution and law provided for the freedoms of peaceful assembly and association, and the government generally respected these rights.

C. FREEDOM OF RELIGION

See the Department of State's *International Religious Freedom Report* at <https://www.state.gov/religiousfreedomreport/>.

D. FREEDOM OF MOVEMENT AND THE RIGHT TO LEAVE THE COUNTRY

The law provided for freedom of internal movement, foreign travel, emigration, and repatriation, and the government generally respected these related rights.

E. PROTECTION OF REFUGEES

The government cooperated with the Office of the UN High Commissioner for Refugees (UNHCR) and other humanitarian organizations in providing protection and assistance to refugees, asylum seekers, and other persons of concern.

Access to Asylum: The law provided for the granting of asylum or refugee status, and the government had an established system for providing protection to refugees and other endangered foreign nationals.

The Ministry of Interior funded a private law firm to provide legal assistance to migrants. NGOs complained the assistance provided by the law firm was insufficient and inferior to the services provided by NGOs prior to 2022. NGOs also reported difficulty accessing the detention facility at the Prague airport and criticized the length and substance of some asylum claims decisions. Observers said the quantity and quality of asylum claims dropped during the year and attributed the trend to the new system.

Durable Solutions: The Ministry of Interior operated an effective voluntary return program to help individuals return to their country of origin.

Temporary Protection: The government provided temporary protection to some individuals who might not qualify as refugees. As of November, approximately 370,000 Ukrainians maintained temporary protected status granted by the government when they fled Ukraine following Russia's invasion.

F. STATUS AND TREATMENT OF INTERNALLY DISPLACED PERSONS

Not applicable.

G. STATELESS PERSONS

The Ministry of Interior reported 921 stateless persons or persons for whom nationality was not recorded in the country at the end of 2022, the latest data available. UNHCR listed 1,625 persons as stateless in its 2022 statistics for the country, including refugees, asylum seekers, and those

with long-term visas or permanent residence. The ministry reported two stateless persons were granted subsidiary protection in 2022. The law allowed for stateless persons to acquire nationality.

Local NGOs reported applicants for stateless status generally were not provided temporary identity documents, depriving them of immediate access to the housing, employment, education, and health care to which they were entitled under the law while waiting for their permanent identity documents. This often complicated the status determination procedure, as authorities refused to give them the necessary correspondence.

Section 3.

Freedom to Participate in the Political Process

The constitution and law provided citizens the ability to choose their government in free and fair periodic elections held by secret ballot and based on universal and equal suffrage.

ELECTIONS AND POLITICAL PARTICIPATION

Abuses or Irregularities in Recent Elections: National elections held for the presidency in January were widely reported to be fair and free of abuses and irregularities.

Participation of Women and Members of Marginalized or Vulnerable Groups: The law did not limit the participation of women or members of historically marginalized groups in the political process, and they did participate. Nevertheless, participation by women and historically marginalized groups in elected bodies was low in comparison to their estimated percentage of the population; two of 17 cabinet ministers were women.

Section 4.

Corruption in Government

The law provided criminal penalties for corruption by officials, and the government generally implemented the law effectively. There were isolated reports of government corruption. Several high-level political figures were under investigation in various regions for manipulating public contracts and abuse of official power.

Corruption: Corruption was a problem among law enforcement bodies and at various levels of bureaucracy. The most common forms of corruption included: leaking information for payments; the unauthorized use of law enforcement databases, typically to search for derogatory information; acceptance of bribes in connection with criminal proceedings and other procedures (e.g., issuance of permits); and unlawful influencing of law enforcement procedures.

In July the European Commission released its annual rule-of-law report, in which it criticized the country for the slow speed of investigations in high-level corruption cases.

Observers criticized the government's ability to remove principal prosecutors from office without cause, which compromised their independence and impartiality. Observers also criticized the lack of regulations on lobbying.

In January a court acquitted former Prime Minister and current member of parliament Andrej Babiš of alleged EU subsidy fraud in the so-called Stork's Nest case. The prosecutor appealed the decision in April. In September the Prague High Court upheld the appeal and returned the case to the first-instance court to be reopened.

For additional information concerning corruption in the country, please see the Department of State's *Investment Climate Statement* for the country and the Department of State's *International Narcotics Control Strategy Report*, which includes information on financial crimes.

Section 5.

Governmental Posture Towards International and Nongovernmental Monitoring and Investigation of Alleged Abuses of Human Rights

A variety of domestic and international human rights groups generally operated without government restriction, investigating and publishing their findings on human rights cases. Government officials were often cooperative and responsive to the views of these groups, although some politicians disparaged NGOs in public remarks.

Government Human Rights Bodies: The Office of the Government had commissioners for human rights and Roma minority affairs, as well as several advisory and working-level bodies related to human rights, including the Government Council for Human Rights, the Council for Roma Minority Affairs, the Council for National Minorities, and the Board for Persons with Disabilities. Observers praised the December 2022 establishment of a commissioner for Roma minority affairs but noted it was a part-time position and inadequately resourced. Throughout the country, community-based volunteers worked as Roma "ambassadors" on behalf of the commissioner to de-escalate conflict and liaise between Roma communities and authorities on housing, education, and debt problems.

The Ombudsman's Office operated without government or political party interference and had adequate resources. The Ombudsman's Office issued quarterly and annual reports to the government on its activities in addition to reports and recommendations on topics of special concern.

Human rights observers generally regarded the Ombudsman's Office as effective. NGOs, the Romani community, and some politicians criticized incumbent Ombudsman Stanislav Křeček, however, contending he had previously downplayed the extent of discrimination towards Roma and other minorities and did not take their concerns seriously. A September report by the Council of Europe's Commissioner for Human Rights urged more efforts to tackle hate speech and prejudicial comments by public officials. The country had separate ombudspersons for the security forces and for education.

Section 6.

Discrimination and Societal Abuses

WOMEN

Rape and Domestic Violence: The law prohibited rape of a person, regardless of gender, including spousal rape, as well as domestic or intimate partner violence, and provided for a penalty of two to 10 years in prison for violations, with longer sentences in aggravated circumstances. The law included a narrow definition of rape requiring the presence of violence or the threat of violence, which was out of line with the definition of rape included in the Council of Europe's Convention on Preventing and Combating Violence against Women and Domestic Violence, which the country signed in 2016. Although the government enforced the law effectively, some police officers and judges implicitly condoned gender-based or domestic violence. NGOs continued longstanding advocacy efforts to revise the definition of rape to include nonconsensual sex, rather than just violent sexual assaults. Women's advocates pointed out that rape survivors who did not resist rape out of fear for their life or safety often lacked evidence that both the investigators and the courts typically required (e.g., bruises, bleeding, and other injuries).

Observers reported prosecutors and judges in rape cases sometimes lacked knowledge on the subject and cited a shortage of experienced judicial experts. Penalties were often low, and only half of all sentences included prison time. Judicial training on how to work with survivors of abuse was available, but observers said judges resisted making such training mandatory.

Perpetrators of spousal rape, including brutal attacks, were frequently given inadequate sentences, including probation. Observers acknowledged that when conditional sentences were combined with restraining orders, they were more effective at protecting survivors from perpetrators. In August a man accused of raping six children agreed to a plea agreement and received a suspended sentence.

Domestic violence was punishable by up to four years in prison, with longer sentences in aggravated circumstances. Police had the authority to

remove violent abusers from their homes for 10 days. The law stated a removal order could remain in effect for up to six months, including extensions. The government generally enforced the law effectively.

The government supported shelters and NGOs working with survivors. It also funded a widely used hotline for gender-based violence crimes, including domestic violence. The government trained police officers on responding to domestic violence.

In August the police president asserted in an interview that "very often women's reports of sexual violence are made up," and that he encountered such false accusations "at least twice" in his 30-year career. He later apologized for the comments after coming under criticism from several government officials and civil society representatives.

Other Forms of Gender-based Violence or Harassment: The law prohibited sexual harassment and treated it as a form of direct discrimination. Although the government generally enforced the law effectively, approximately one-third of women in a 2021 survey reported instances of verbal harassment and nonconsensual touching. Police often delayed investigations until the perpetrator committed serious crimes, such as sexual coercion, rape, or other forms of physical assault. Offenders convicted of stalking could receive sentences of up to three years in prison.

There were NGO reports of alleged hate crimes, including hate speech, targeted at women based on gender, which were not taken seriously or handled adequately by police and the courts.

Media reported on several cases of university faculty sexually harassing mainly women students, with experts suggesting a recent uptick in reported sexual harassment at universities reflected students' increased confidence their complaints would be taken seriously. In recent years, several universities established ombudsperson's offices and other tools to combat the phenomenon.

Discrimination: The law granted women and men the same legal status and rights, including under family, religious, personal status, labor, property, nationality, and inheritance laws. Women sometimes experienced employment and wage discrimination, which disproportionately affected Romani women. The government generally enforced the law effectively.

The government acknowledged the country lagged behind other EU member states in gender equality. Observers cited obstacles to achieving gender equality, including women holding most household and child-care responsibilities and facing professional and societal stereotypes.

A survey published by the ombudsman in June found 61 percent of women were questioned regarding their family life in a job interview despite it being forbidden under the law.

Reproductive Rights: There were no reports of coerced abortion or involuntary sterilization on the part of government authorities.

Transgender individuals were required to be medically sterilized to receive legal gender recognition in violation of a 2017 ECtHR ruling.

By law women who were involuntarily sterilized between 1966 and 2012 were entitled to compensation of 300,000 koruna (\$14,000); however, observers claimed implementation of the law was problematic. In response to lawsuits by several applicants, first-instance courts ordered the Ministry of Health to help applicants prove their claims.

Individuals had access to safe, effective, and affordable methods of family planning and contraception. The government did not allow women access to artificial insemination if using the cells of an anonymous donor without the written consent of their partner, and by law medical providers could use artificial insemination only for opposite-sex couples.

Women had access to health care services for pregnancy and childbirth and to provide parents with the best chance of having a healthy infant. Some observers reported Romani women faced obstacles in access to health care in general, including reproductive health care.

The government provided access to sexual and reproductive health services for survivors of sexual violence, as well as access to emergency health care, including services for the management of complications arising from abortion. Emergency contraception was available, but women had to pay for it themselves. Postexposure prophylaxis was available free of charge through public insurance in rape cases.

SYSTEMIC RACIAL OR ETHNIC VIOLENCE AND DISCRIMINATION

The law prohibited discrimination and hate speech against members of racial and ethnic minority groups. The government generally enforced the law effectively.

The situation of the Romani minority was one of the country's most pressing and persistent human rights problems. Despite partial successes, marginalization, social exclusion, and territorial segregation of some Roma occurred. Moreover, Roma faced daily prejudice, intolerance, and discrimination in education, housing, and employment. A report published in September by the Council of Europe Commissioner for Human Rights noted persisting discrimination against Roma in education, housing, the labor market, and in their interactions with police. Observers

attributed a decline in complaints to the Ombudsman's Office of discrimination based on Romani origin to several controversial statements concerning Roma by Ombudsman Křeček.

Approximately one-third of Roma lived in socially excluded communities and faced difficulties obtaining both public and private housing.

Construction began on a memorial to Romani Holocaust victims on the site of a World War II concentration camp in the town of Lety.

Minister of Labor and Social Affairs Marian Jurečka attracted condemnation for an August Instagram post depicting a Romani man with a can of beer alongside text calling for an end to public benefits abuse. Romani community organizations and other politicians criticized Jurečka for stoking societal divisions and using harmful stereotypes.

Two senators from parties in the governing coalition drew criticism in July when they told a media outlet many Roma did not seek work and preferred to live off welfare benefits. Romani community members responded to the comments by posting on social media photos of themselves at work. The senators later said their remarks were misrepresented and taken out of context.

NGOs noted an increase in anti-Ukrainian attacks. In one incident in August, a man allegedly physically assaulted two women in front of their children after asking them, "Are you from Ukraine?"

Government and civil society representatives noted rising tensions between the Romani and Ukrainian communities following two violent confrontations over the summer, including the fatal stabbing of a Romani man in Brno in June during a brawl with another man reported by media to be Ukrainian. Officials created an ad hoc working group to combat social media disinformation aimed at stirring further conflict and asserted extremists were seeking to use the situation to drive anti-Ukrainian sentiment.

CHILDREN

Education: School segregation of Romani children was a persistent problem. A 2007 ECtHR ruling required the government to prevent the inappropriate placement of Roma in segregated schools and to integrate them into schools with the general population.

Observers criticized the government's failure to implement an inclusive education environment, including use of a controversial diagnostic tool to assess children's mental and intellectual abilities and a ministerial decree limiting the use of supporting measures and assistants. According to a survey issued by the ombudsman in September for the 2022-2023 school year, 26 percent of primary school students attending segregated programs were Roma, while Roma students comprised only 3.5 percent of

the total primary school population. A European Parliament resolution in October calling for member states to eradicate "persistent segregation" of Romani children in education made specific reference to the country's "failure to correctly implement the Racial Equality Directive" and called its measures "neither comprehensive nor... effectively implemented."

Child Abuse: The law prohibited child abuse and required citizens to report suspected cases of child abuse. Prison sentences for persons found guilty of child abuse ranged from five to 12 years.

Child, Early, and Forced Marriage: The minimum legal age for marriage was 18. The law allowed for marriage at age 16 with court approval. The law was enforced effectively by the government.

Sexual Exploitation of Children: The law prohibited commercial sexual exploitation of children and the possession, manufacture, and distribution of child pornography, which was punishable by imprisonment for up to eight years. The minimum age for consensual sex was 15. Sexual relations with a child younger than 15 were punishable by a prison term of up to 12 years, or more in the presence of aggravating circumstances. The law prohibited all forms of trafficking and prescribed punishments of two to 10 years in prison for violations, with longer sentences in the presence of aggravating circumstances. The most frequent cases involved distribution of child pornography. These laws were generally enforced. The law did not provide for a sex offenders registry.

Two men were arrested in September in connection with an investigation into a criminal group suspected of sexually abusing children targeted through clubs and recreational activities.

ANTISEMITISM

There were an estimated 10,000 Jews in the country, approximately 3,000 of whom were registered members of the Federation of Jewish Communities. Expressions of antisemitism in public were rare, but small, well-organized right-wing groups with antisemitic views were active. Antisemitic hate speech on the internet increased and constituted the majority of antisemitic incidents in the country. The Ministry of Interior monitored the activities of such groups and cooperated with police from neighboring countries as well as the local Jewish community. In April a district court convicted two persons of Holocaust denial for a video they filmed next to the former Terezín Ghetto denying the Nazi genocide of Jews. The court gave them 10-month and eight-month suspended sentences.

The Federation of Jewish Communities assessed global events, including the October attack by Hamas on Israel and Russia's full-scale invasion of Ukraine, contributed to an increase in antisemitic incidents.

Under a five-year counterextremism and hate crime strategy, the government conducted a public awareness campaign on disinformation and online extremism and provided specialized training to law enforcement personnel.

For further information on incidents in the country of antisemitism, whether or not those incidents were motivated by religion, and for reporting on the ability of Jews to exercise freedom of religion or belief, please see the Department of State's *International Religious Freedom Report* at <https://www.state.gov/religiousfreedomreport/>.

TRAFFICKING IN PERSONS

See the Department of State's annual *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

ACTS OF VIOLENCE, CRIMINALIZATION, AND OTHER ABUSES BASED ON SEXUAL ORIENTATION, GENDER IDENTITY OR EXPRESSION, OR SEX CHARACTERISTICS

Criminalization: No laws criminalized consensual same-sex sexual conduct between adults, cross-dressing, or other sexual or gender characteristic-related behaviors. There were no reports that seemingly neutral laws were disproportionately applied to lesbian, gay, bisexual, transgender, queer, or intersex (LGBTQI+) persons.

Violence and Harassment: Police registered 13 crimes motivated by anti-LGBTQI+ hatred in 2022. In a 2022 study conducted by the Queer Geography association, 52 percent of respondents said public expressions of anti-LGBTQI+ hatred or aversion were widespread. A third of respondents assessed attacks or harassment of LGBTQI+ persons as widespread. An NGO identified 28 reports of sexual orientation or gender identity-based prejudicial violence in the first half of the year but noted many incidents went unreported or were reported long after they occurred.

Authorities took action to investigate, prosecute, and punish those complicit in violence and abuses by state or nonstate actors against LGBTQI+ persons.

Discrimination: The law prohibited discrimination by state and nonstate actors based on sexual orientation, gender identity or expression, or sex characteristics, but did not provide equal rights. The law also prohibited discrimination against LGBTQI+ persons in housing, employment, and access to health care, and the government generally enforced the law.

Experts criticized the fact the country did not have specific hate crime provisions in its criminal code covering sexual orientation and gender identity. Laws allowed registered partnerships of same-sex couples but

not marriage. The law on victims of crimes covered lesbian, gay, bisexual, and transgender persons, but they were not considered "particularly vulnerable persons" and were not entitled to additional legal protections, unlike children, seniors, victims of trafficking or terrorism, and rape and domestic violence victims.

In a 2022 survey, 43 percent of LGBTQI+ respondents said they had been discriminated against or harassed in the past five years. Nearly half of transgender persons reported experiencing discrimination in health care or in social services during the year.

Availability of Legal Gender Recognition: Authorities required transgender individuals to be sterilized to receive legal gender recognition. Gender affirming surgery was allowed only for single or divorced persons who had a minimum of one year of hormonal therapy and were "acting" as the desired gender.

Involuntary or Coercive Medical or Psychological Practices: The law did not prohibit so-called conversion therapy practices to try to change a person's sexual orientation or gender identity or expression, but there were no reports of such practices during the year. Observers reported some persons traveled to other countries where these practices were more widespread to undergo such practices.

There were no reports of surgeries performed on children or nonconsenting adult intersex persons.

Restrictions of Freedom of Expression, Association, or Peaceful Assembly: There were no laws or other restrictions on speaking or reporting on LGBTQI+ topics or on the ability of LGBTQI+ organizations to legally register or convene events such as Pride. Prague's annual Pride festival culminated in a parade attended by an estimated 60,000 persons.

PERSONS WITH DISABILITIES

Persons with disabilities faced problems accessing public buildings and public transportation on an equal basis with others. The country did not have a unified law governing access for persons with disabilities. Instead, pieces of legislation in various areas (education, transport, health, construction) contained accessibility provisions linked to technical or EU-approved standards. Experts reported only buildings built since 2009 or modifications to older buildings required compliance with these standards. Government websites generally lacked videos in sign language and materials in easy-to-read formats for persons with intellectual or psychosocial disabilities.

Television broadcasters and on-demand media providers submitted to the Broadcasting Council action plans to improve accessibility through

closed captioning, audio description, and sign language.

A September report by the Council of Europe Commissioner for Human Rights recommended shifting from institutionalized social and health care for persons with disabilities toward a community-based approach that promoted persons with disabilities' inclusion and independence. Despite this recommendation, the government admitted persons with disabilities into institutions. Observers assessed little progress on deinstitutionalization. In October the government's failure to finalize a Deinstitutionalization Action Plan led to a halt on the distribution of certain EU funds for disability-related services.

In June an ombudsman's advisory body expressed alarm regarding the number of persons with disabilities who had their legal capacity restricted by the courts. They noted prior research showing courts in the country disproportionately used such restrictions in lieu of other forms of comprehensive social support that would allow persons with intellectual or psychosocial disabilities to live more independently. The most common restrictions limited these individuals' ability to manage their property, conclude contracts, or make their own health-care decisions.

According to the law, only children with "significant" disabilities could attend designated schools with specially trained teachers. Many children with disabilities were able to attend mainstream primary and secondary schools and universities, but funding for additional educational support, such as teaching assistants and equipment, was insufficient. The Government Committee for Persons with Disabilities and the Ombudsman's Office recommended allowing for case-by-case supplementary support in cases when a school's funding was inadequate to support some students' special education needs.

Disability was among the most common grounds for alleged discrimination in cases submitted to the ombudsman and the courts in 2022.

Several court decisions affected the rights of persons with disabilities. Responding to the case of a teacher who claimed she was fired due to her visual impairment, the Constitutional Court placed greater burden of proof on respondents to prove their actions were not taken on discriminatory grounds. The Supreme Administrative Court ruled in favor of a small, sheltered workshop employing persons with disabilities that missed by four days a deadline for requesting a state contribution to wage payments. Observers said the decision would help combat what they assessed as punitive administrative practices by the Labor Office and Ministry of Labor and Social Affairs that negatively impacted small-scale employers of persons with disabilities.

Institutionalized Children: Legislation forbidding placement of children younger than three, with or without disabilities, in so-called infant care centers by 2025 led to a drop in the placements during the year. Infant centers were government-funded institutions. Government data indicated nearly half of infants in these care centers were Roma. Experts claimed poverty, reluctance of foster parents to care for Romani children, and general discrimination against Roma contributed to the problem.

OTHER SOCIETAL VIOLENCE OR DISCRIMINATION

Persons with HIV and AIDS faced societal discrimination, although there were no reported cases of violence. HIV and AIDS were classified as a disability under the antidiscrimination law, which contributed to the stigmatization of and discrimination against HIV-positive individuals. Individuals with HIV or AIDS often preferred to keep their status confidential rather than file a complaint, which observers believed led to underreporting of the problem. The AIDS Help Society reported most insurance companies did not provide health insurance to persons with HIV and AIDS. NGOs reported some physicians refused to treat HIV-positive patients.

Fear, stigma, and basic misinformation often led to discrimination and the exclusion of persons with HIV within their private and work environments and limited their employment opportunities. NGOs prepared a brochure for HIV-positive refugees from Ukraine containing practical information on diagnosis and treatment and regulations surrounding treatment.

Section 7.

Worker Rights

A. FREEDOM OF ASSOCIATION AND THE RIGHT TO COLLECTIVE BARGAINING

The law provided workers with the right to form and join independent unions of their choosing without authorization or excessive requirements. The law provided for the right to associate freely for both citizens and foreign workers. Unions were apolitical and independent of the state, and the state did not interfere in their internal affairs.

The law allowed collective bargaining and prohibited antiunion discrimination. The law required reinstatement of workers fired for union activity and protected union officials from dismissal by an employer during their term of union service and for 12 months after its completion. Workers in most occupations had the legal right to strike if mediation efforts failed, and they generally exercised this right.

The government effectively enforced laws protecting freedom of association, collective bargaining, and the right to strike for workers. Penalties for violations of freedom of association and collective bargaining

were commensurate with those for analogous crimes such as civil rights violations. Penalties were regularly applied against violators.

B. PROHIBITION OF FORCED OR COMPULSORY LABOR

See the Department of State's *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

C. PROHIBITION OF CHILD LABOR AND MINIMUM AGE FOR EMPLOYMENT

The law prohibited the worst forms of child labor. The minimum age for employment was 15, but employment of children between ages 15 and 18 was subject to strict safety standards, limitations on hours of work, and the requirement that work not interfere with education.

The State Bureau for Labor Inspections (SBLI) effectively enforced these regulations. Penalties were commensurate with those for analogous violations and were regularly applied against violators. There were no confirmed reports during the year of the worst forms of child labor.

D. DISCRIMINATION (SEE SECTION 6)

E. ACCEPTABLE CONDITIONS OF WORK

Wage and Hour Laws: The Ministry of Labor and Social Affairs established and enforced minimum monthly wage standards. The minimum wage was greater than the "minimum subsistence cost," which was defined as the minimum amount needed to satisfy the basic needs of a working-age adult for one month.

The law provided for a 40-hour workweek, two days of rest per week, and a 30-minute break during the standard eight-hour workday. Employees were entitled to at least 20 days of paid annual leave. Employers could require up to eight hours per week of overtime to meet increased demand but not more than 150 hours of overtime in a calendar year. Additional overtime was subject to the employee's consent. The labor code required premium pay for overtime equal to at least 125 percent of average earnings.

Violations of wage, hour, and overtime laws were common in the wholesale, retail, food, hospitality, land transport, construction, machinery, and security services sectors.

Occupational Safety and Health: The government set occupational safety and health (OSH) standards appropriate for the country's main industries. In addition to responding to workers' OSH complaints, responsibility for identifying unsafe conditions remained with SBLI inspectors, who had the authority to make unannounced visits and initiate sanctions. Workers had the right to remove themselves from dangerous situations without jeopardy to their employment.

SBLI inspectors typically focused on sectors with high-risk working conditions, such as construction, agriculture, forestry, handling of hazardous chemicals, and transport.

Wage, Hour, and OSH Enforcement: The government effectively enforced minimum wage, overtime, and OSH laws. Penalties for violations were commensurate with those for similar crimes, such as fraud or negligence. Penalties were regularly applied against violators.

Inspections for compliance with the minimum wage and hour laws were one of the primary objectives of SBLI inspectors. While SBLI inspectors had the authority to make unannounced inspections and initiate sanctions such as fines against employers, employees seeking enforcement of wage and hour laws would need to seek judicial recovery through the court system. Inspection and remediation, and the number of SBLI inspectors, were sufficient to enforce general compliance with both wage and hour and OSH laws.

According to the Center for Economic and Market Analyses, the informal economy accounts for approximately 10 percent of GDP. A 2018 analysis estimated approximately 250,000 persons worked in the informal sector. The government generally enforced labor laws in this sector.

ecoi.net description:

Annual report on human rights in 2023

Country:

Czech Republic

Source:

[USDOS – US Department of State](#) (Author)

Published:

23 April 2024

Original link:

<https://www.state.gov/reports/2023-country-reports-on-human-rights-practices/czech-republic/>

Document type:

Periodical Report

Language:

English

Available on [ecoi.net](https://www.ecoi.net) since:

23 April 2024

Document ID:

2107605

Austrian Red Cross
Austrian Centre for
Country of Origin and
Asylum Research and
Documentation
(ACCORD)

Wiedner Hauptstraße
32, 1041 Wien
T +43 1 589 00 583
F +43 1 589 00 589
info@ecoi.net

Contact
Imprint & Disclaimer
F.A.Q.
Data Protection Notice

ecoi.net is run by the Austrian Red Cross (department ACCORD) in cooperation with Informationsverbund Asyl & Migration. ecoi.net is funded by the Asylum, Migration and Integration Fund, the Austrian Ministry of the Interior and Caritas Austria. ecoi.net is supported by ECRE & UNHCR.

