



Freedom in the World 2018 - Czech Republic

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Freedom Status: Free

Aggregate Score: 93 (0 = Least Free, 100 = Most Free)

Freedom Rating: 1.0 (1 = Most Free, 7 = Least Free)

Political Rights: 1 (1 = Most Free, 7 = Least Free)

Civil Liberties: 1 (1 = Most Free, 7 = Least Free)

Quick Facts

Population: 10,600,000

Capital: Prague

GDP/capita: \$17,716

Press Freedom Status: Free

OVERVIEW

The Czech Republic is a parliamentary democracy in which political rights and civil liberties are generally respected. However, in recent years, the country has experienced a number of corruption scandals and political disputes that hampered normal legislative activity. Illiberal rhetoric and the influence of powerful business entities in the political arena are increasingly visible.

Key Developments in 2017:

- Billionaire Andrej Babiš and his Movement of Dissatisfied Citizens (ANO) party won a plurality of seats in October's parliamentary elections. Babiš was named prime minister in December, but without a clear prospect of support for his cabinet in the new Chamber of Deputies.
- In October, Babiš was charged with fraud, in a case involving the disbursement of more than \$2 million in European Union (EU) subsidies to his agribusiness company, Agrofert, 10 years prior. His immunity had been revoked by the parliament in September. (Babiš placed Agrofert and other assets in trusts in response to 2016 conflict-of-interest legislation, but the independence of the trustees has been questioned.)

POLITICAL RIGHTS: 37 / 40 (-1)

A. ELECTORAL PROCESS: 12 / 12**A1. Was the current head of government or other chief national authority elected through free and fair elections? 4 / 4**

The president is head of state, and is directly elected to up to two five-year terms. The last election, held in 2013, in which Miloš Zeman was elected, was considered free and fair. The president can veto legislation and appoints judges, central bank officials, and the prime minister and other cabinet members, but holds few other formal powers. The prime minister is head of government.

A2. Were the current national legislative representatives elected through free and fair elections? 4 / 4

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 Movement of Dissatisfied Citizens (ANO), led by controversial billionaire Andrej Babiš, won a plurality of seats in the October 2017 legislative elections. The polls were generally well administered, and the results broadly accepted by stakeholders.

Babiš was sworn in as prime minister in December, but the mainstream parties refused to cooperate with him, and he was unable to assemble a mainstream coalition. The Communist Party of Bohemia and Moravia (KSČM) and the populist, anti-immigration Freedom and Direct Democracy (SPD) party revealed they would support his minority cabinet if certain programmatic conditions were met. A motion of confidence was scheduled for January 2018.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 4 / 4

The electoral framework is robust and generally well implemented by the State Election Commission. However, the body does not always operate with transparency, and a 2017 Organization for Co-operation in Europe (OSCE) election monitoring mission expressed concern that its meetings were typically closed to the public and opposition representatives. The OSCE mission also expressed concern about decentralized procedures surrounding the maintenance of voter lists, which made the lists difficult to verify. However, the state of voter lists was not a major concern to any party during the 2017 polls.

B. POLITICAL PLURALISM AND PARTICIPATION: 15 / 16**B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 4 / 4**

Political parties are free to form and operate. Since the 2013 elections, the political scene has seen somewhat of a shake-up, with the establishment Civic Democratic Party (ODS) and the Czech Social Democratic Party (ČSSD) losing support, and space opening up for the liberal populist ANO and anti-immigration and nationalist SPD.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 4 / 4

Power rotates between parties regularly. The opposition holds a significant bloc of seats in the parliament.

B3. Are the people's political choices free from domination by the military, foreign powers, religious hierarchies, economic oligarchies, or any other powerful group that is not democratically accountable? 4 / 4

In an October 2017 report the Security Information Service stated that the Czech Republic faces attempted Russian and Chinese interference in its political affairs. However, these attempts have generally been ineffective.

In 2017, there was widespread discussion of the influence of politically connected media outlets, notably after a controversy arose in May involving the daily newspaper *MF Dnes*, which is among the assets Babiš placed in a trust. In a leaked recording, Babiš could apparently be heard directing the paper's staff to publish stories damaging to his political rivals. Babiš has condemned the leaked recording, but did not deny its authenticity.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 3 / 4

By law, all citizens have full political rights and electoral opportunities. However, the Romany minority lacks meaningful political representation. Women increased their representation in parliament in the 2017 elections, but remain underrepresented in politics and public bodies generally, and there are few initiatives aimed at boosting their political participation.

C. FUNCTIONING OF GOVERNMENT: 10 / 12 (-1)

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 4 / 4

Elected officials are duly installed and generally able to craft and implement policy. However, while the ruling coalition under outgoing prime minister Bohuslav Sobotka survived its whole term, there were a number of serious conflicts between ANO and Sobotka's ČSSD that sidelined normal legislative activity and prompted talk of snap elections.

C2. Are safeguards against official corruption strong and effective? 3 / 4

Corruption remains a problem in Czech politics, but institutions have been responsive to corruption allegations and scandals. Babiš was subject to a continuing investigation by Czech police and the European Anti-Fraud Office in 2017, as a result of allegations of improprieties regarding the disbursement of EU subsidy funds to small- and medium-sized enterprises in the country. It was alleged that Babiš's firm, Agrofert, had wrongfully accepted some 50 million crowns (\$2,250,000) through its anonymous ownership of a farm complex. In September, only a month before the elections, the Chamber of Deputies lifted Babiš's immunity, and fraud charges were levied against him in October. Babiš claimed the development was a political attack on him orchestrated by his political rivals.

C3. Does the government operate with openness and transparency? 3 / 4 (-1)

Although the government generally operates with transparency, the country still does not have a law regulating lobbying. In February 2017, the Minister for Human Rights and Legislation prepared a strategic document presenting different variants of potential regulation, and before the October election a proposal for a lobbying act was introduced by the government. However, the

new government had not acted on the proposal by year's end. The government tends not to proactively publish information about procurement processes, public officials' salaries, and other public spending, and requires that members of the public request a time-sensitive password to view asset declarations online.

Score Change: The score declined from 4 to 3 due to weak lobbying regulations, and obstacles in accessing public information.

CIVIL LIBERTIES: 56 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 15 / 16

D1. Are there free and independent media? 4 / 4

The media operate relatively freely, and the government does not place undue restrictions on content. Legislation protects private ownership of media outlets, but concerns remain about the extent to which the media is controlled by wealthy business figures and the potential impact of this on journalists' ability to investigate commercial interests.

Babiš placed his significant media holdings in a trust, following the approval of conflict-of-interest legislation in 2016, but the trust is controlled in part by Babiš's close associates. In 2017, leaked recording emerged in which Babiš apparently directed staff at *MF Dnes* to publish articles that could damage the reputations of his rivals, and indicated a preference that certain stories be published before or after the year's election.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 3 / 4

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.

However, Islamophobic sentiment has increased in the wake of the refugee crisis confronting European states, and the country's legal battle with the EU about accepting refugee quotas. The populist and anti-immigration SPD relied heavily on Islamophobic rhetoric during the 2017 election campaign, calling Islam "incompatible with freedom and democracy" and purchasing billboards that read "No to Islam."

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 4 / 4

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

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 4 / 4

People are generally able to express controversial or political opinions without fear of surveillance or retribution.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 12 / 12

E1. Is there freedom of assembly? 4 / 4

Freedom of assembly is upheld in practice, and demonstrations take place frequently and without incident. The Prague Pride Parade – an annual event held by the LGBT (lesbian, gay, bisexual, and transgender) community – was attended by 35,000 people in August 2017.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 4 / 4

Tens of thousands of registered nongovernmental organizations (NGOs) operate in the country, generally without intimidation or interference from government or security forces.

E3. Is there freedom for trade unions and similar professional or labor organizations? 4 / 4

Trade unions and professional associations function freely, though they are weak in practice. 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

F1. Is there an independent judiciary? 3 / 4

The judiciary is largely independent, though its complexity and multilayered composition have led to slow delivery of judgments.

F2. Does due process prevail in civil and criminal matters? 4 / 4

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.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 4 / 4

The Czech Republic is one of the safest states in the world. However, prisons in the Czech Republic are overcrowded and at times unsanitary.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 3 / 4

The 2009 Antidiscrimination Act provides for equal treatment regardless of sex, race, age, disability, belief, or sexual orientation. The Roma minority faces discrimination in the job market and significantly poorer housing conditions than non-Roma, as well as occasional threats and violence from right-wing groups. Many Roma children attend ethnically segregated schools.

Women are underrepresented at the highest levels of business. According to data from the European Commission, the gender pay gap in the Czech Republic is one of the largest in the EU.

Asylum seekers are routinely detained, and conditions in detention centers are generally poor. Xenophobic, antirefugee rhetoric has been voiced by Interior Minister Milan Chovanec and President Zeman. In July 2017, after accepting just 12 asylum seekers of its EU-mandated quota of around 2,700, authorities announced the country would no longer comply with the program.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 15 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 4 / 4

Individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 4 / 4

Economic freedoms are well respected in the Czech Republic.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 4 / 4

Authorities generally do not restrict social freedoms, though same-sex marriages are not legally recognized. While gender discrimination is legally prohibited, sexual harassment in the workplace appears to be fairly common.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 3 / 4

Human trafficking remains a problem as organized criminal groups use the country as a source, transit, and destination point; women and children are particularly vulnerable to being trafficked for the purpose of sexual exploitation. The government has made increasing efforts in recent years to fund protective services and other resources for victims, and to prosecute perpetrators.

Scoring Key: X / Y (Z)

X = Score Received

Y = Best Possible Score

Z = Change from Previous Year

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