

CZECH REPUBLIC 2014 HUMAN RIGHTS REPORT

EXECUTIVE SUMMARY

The Czech Republic is a multi-party parliamentary democracy. Legislative authority is vested in a bicameral parliament, consisting of a Chamber of Deputies (Poslanecka snemovna) and the Senate (Senat). The president is head of state and appoints a prime minister from the majority party or coalition. In January 2013 voters elected Milos Zeman to a five-year term as president in the country's first-ever direct presidential election. Previously parliaments elected presidents every five years. On October 10 and 11, the country held Senate and local elections; a second round of Senate elections was held on October 17 and 18. Elections for seats in the Chamber of Deputies took place in October 2013. Observers considered the elections free and fair, although some nongovernmental organizations (NGOs) reported instances of vote buying in the October local elections in some rural areas. The two parties gaining the most seats, the Czech Social Democratic Party and the Discontented Citizens Action Party, formed a coalition government with the Christian Democrats. Authorities maintained effective control over the security forces.

Societal discrimination and violence against the Roma population remained a serious problem, although the government re-established the position of cabinet minister for human rights and made specific commitments to address human rights problems. Hostility toward the small Muslim population grew over the year. Official corruption remained a problem, despite enforcement efforts.

Other human rights problems included hate speech by politicians and public figures, in particular before elections; violence against women; sexual and other abuse of children; anti-Semitism; trafficking in persons, particularly labor trafficking and exploitation; and discrimination against migrant workers.

The government took steps to prosecute and punish officials who committed abuses in the security services and elsewhere in the government, but impunity persisted in the legislature.

Section 1. Respect for the Integrity of the Person, Including Freedom from:

a. Arbitrary or Unlawful Deprivation of Life

There were no reports that the government or its agents committed arbitrary or unlawful killings.

b. Disappearance

There were no reports of politically motivated disappearances, kidnappings, or abductions.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

The law prohibits such practices, and there were no reports government officials employed them.

Although in 2004 the government discontinued the use of net beds and cage beds to restrain patients in long-term care facilities, it allowed psychiatric hospitals to continue to use them under the strict regulation of the Ministry of Health. In May 2013 a Supreme Court decision returned to the Prague Municipal Court the case of a 30-year-old female patient who died in a net bed in 2006. The victim's mother filed a lawsuit against the psychiatric hospital in Bohnice, claiming the institution neglected treatment of her daughter on the day she died and generally overused net beds. The mother also claimed the hospital violated her daughter's human dignity by shaving her head and fixing her to a mobile restroom for an extended period. The Supreme Court ruled it was incorrect to assume the boundaries of human dignity are different for persons with serious mental illnesses than for healthy persons. Six months later, the Prague Municipal Court ruled the Bohnice hospital had not committed any act of negligence and therefore did not have to apologize for insufficient surveillance or the alleged impairment of the patient's human dignity.

There were no new reports of surgical castration of imprisoned sex offenders. In 2012 a health-services law came into force that effectively reduced the number of surgical castrations of imprisoned sex offenders by tightening the rules governing the practice. For example, officials may order castration only upon the subject's written application and with the agreement of an expert committee. The 2012 law also states surgical castration would not qualify an imprisoned sex offender for release.

In 2012 the government's Human Rights Council approved a resolution recommending the government provide ex gratia compensation to women

sterilized without their fully informed consent between 1971 and 1991 and who did not have a reasonable opportunity to seek redress through the courts. Prior investigations showed the majority of forcibly sterilized women were Roma. The country has a three-year statute of limitations on filing lawsuits in such cases, and a debate continued as to whether the statute applies in cases where the woman was unaware of her sterilization until much later. Three cases of forced sterilization were resolved prior to the European Court of Human Rights (ECHR) delivering a judgment. There were reports over the year hospitals refused to give women records of their sterilization that were required to apply for compensation.

Prison and Detention Center Conditions

In January 2013 a large presidential amnesty temporarily solved the problem of prison overcrowding, but some substandard sanitary conditions and security risks persisted. Conditions in pretrial detention were generally worse than in prison.

Physical Conditions: Shortly before leaving office in March 2013, President Klaus issued a blanket amnesty that resulted in the release of more than 6,400 prisoners. While this temporarily relieved prison overcrowding, it did not improve services to prisoners, since the government cut the prison staff proportionally. In August the total prison population was 17,882, of whom 2,141 were in pretrial detention, 15,704 in prisons, and 37 in preventive detention. The total prison population was 88 percent of the intended capacity of 20,388 inmates, an increase of 10 percent compared with 2012. Facilities that held detainees were at 83 percent of capacity. Facilities for holding prisoners serving their sentences were at 87 percent capacity. Average employment of prisoners in 2013 was 66 percent, compared with 59 percent in 2012, including educational and therapy programs.

As of August 1, the country's detention and prison facilities held 113 women and 108 juveniles. Pretrial detainees of both genders, held separately, were 12 percent of the total.

In the first seven months of the year, there were 13 deaths in prisons and five in detention facilities. In 2013 the public defender of rights (ombudsman) investigated two suspicious deaths in prison but did not find evidence of misconduct. The other deaths were reportedly all due to natural causes. As of October the ombudsman was investigating one death for potential negligence in providing health care.

Prisoners had access to sufficient amounts of food and potable water but limited access to hot water, which posed a sanitation problem. Prison authorities permitted only prisoners who worked and menstruating women to take hot showers daily; other prisoners could take hot showers only once a week, although EU standards recommend at least two hot showers per week. The ombudsman criticized the incarceration of inmates in prisons far from their families, which impeded family visits, as well as the potential use of excessive force by prison guards, although the latter was difficult to prove.

Prisoners complained prison staff accompanied them during visits to the doctor, not allowing for privacy. Like the rest of the population, prisoners were required to make a 30 koruna (\$1.50) copayment for each doctor's appointment and each prescription, in addition to health insurance premiums. The government was scheduled to eliminate the charges for all users of the national health-care system as of January 2015.

In June the Government Council for Human Rights approved an initiative calling for improvements to prison and detention conditions. The initiative requires a minimum living area of 37.7 square feet (3.5 square meters) for a prisoner; improved staffing for health care, education, and security; and higher wages for employed prisoners. It also calls for a deeper analysis of alternative sentencing, causes of deaths in prison, and social benefits offered to release prisoners to prevent recidivism. As of year's end, authorities had not fully implemented the initiative.

Administration: There were no reports of inadequate recordkeeping in the prison system. According to the Ministry of Justice, there were three cases of corruption by prison guards in 2013. The law allows house arrest and alternative sentencing. Officials used house arrest in 145 cases in the first eight months of the year and in 195 cases in 2013. Individual prisons did not have ombudsmen, but the ombudsman investigates prisoner complaints throughout the system.

Prisoners and detainees had reasonable access to visitors (three hours per week) and could attend religious services. Authorities permitted prisoners and detainees to submit complaints to the ombudsman without censorship, and the ombudsman investigated credible allegations of inhumane conditions in addition to his routine prison visits. In 2013 representatives of the ombudsman inspected four police detention facilities. The Ministry of Justice, which oversees the prison system, inspected prisons throughout the year.

Independent Monitoring: The government permitted independent monitoring of prison conditions by local and international human rights groups, such as the Helsinki Commission and the Council of Europe's Committee for the Prevention of Torture (CPT), and the media. The Helsinki Commission received more than 300 complaints in the first nine months of the year, most of them criticizing limited access to health care, unhygienic conditions, and low wages paid to employed prisoners, which contributed to their heavy indebtedness. In April representatives of the commission participated in a periodic inspection visit by the CPT. The visit targeted mainly institutions for juvenile prisoners, police custody, pretrial detention, and preventive detention. The CPT provided its preliminary observations to authorities.

d. Arbitrary Arrest or Detention

The law prohibits arbitrary arrest and detention, and the government generally observed these prohibitions.

Role of the Police and Security Apparatus

The national police, who report to the Ministry of Interior, are responsible for enforcing law and maintaining public order. The General Inspectorate of Security Forces (GIBS) in the Office of the Prime Minister oversees police, customs, fire fighters, and the prison service and is responsible for investigating allegations of misconduct. Inspectors investigated allegations of criminal misconduct and carried out "integrity tests," or sting operations, to catch violators in action. In 2013 inspectors across the country opened proceedings in 269 cases. Authorities reported police committed 153 crimes in 2013, a decrease of 30 percent from 2012, while members of the prison service committed 40, a decrease of 13 percent. There was a 33 percent increase in the number of crimes committed by customs officers, from nine cases in 2012 to 12 cases in 2013.

Corruption remained a problem among law enforcement bodies. In 2013 authorities investigated 32 cases of corruption, a 24 percent decrease from 2012. According to the inspectorate, regular integrity tests limited the most common type of corruption by traffic officers, the solicitation of bribes at traffic stops.

Authorities reported there were two allegations of right-wing extremism among police and two among members of the prison service in 2013. According to the GIBS, only one case, which involved police officers physically and verbally

assaulting a Rom, met the legal requirement for further investigation. The case was underway at year's end.

The Ministry of Interior has a police ombudsman (the ombudsman of the Ministry of Interior) who serves as a mediator within the ministry. All public safety personnel, including civilians, employed by the ministry can approach the ombudsman with suspicions of possible wrongdoing or improper activities. The primary function of the police ombudsman is to settle internal disputes, such as complaints about improper hiring and firing practices, unfair performance evaluation and compensation, or bullying. In cases of suspected criminal misconduct within the security forces, the police ombudsman forwards the case to the GIBS. The law also requires the police ombudsman to share all information about cases with the GIBS upon request, which led to privacy and confidentiality concerns. Despite having limited powers, the police ombudsman was effective in making some police procedures more transparent and helping to settle some disputes without lengthy court procedures. In 2013 the police ombudsman received 306 complaints, mostly involving bullying, overbearing behavior, and unequal treatment. In the first seven months of the year, the police ombudsman reviewed 96 cases, of which 92 percent concerned police officers, 7 percent ministry employees, and 1 percent firefighters.

Arrest Procedures and Treatment of Detainees

In most cases police used judicial warrants to arrest persons accused of criminal acts. Police may make arrests without warrants when they believe a prosecutable offense has been committed, when they regard arrest as necessary to prevent further offenses or the destruction of evidence, to protect a suspect, or when a person refuses to obey police orders to move.

Police must refer persons arrested on a warrant to a court within 24 hours. A judge then has an additional 24 hours to decide whether to continue to hold the individuals. Police have 48 hours to inform suspects arrested without a warrant of the reason for the arrest, question them, and either release them or refer them to a court, after which a judge must decide within 24 hours whether to charge the persons. Authorities may not hold detainees for a longer period unless they are charged.

The law provides for bail except in cases of serious crime or to prevent witness tampering. A defendant in a criminal case may request a lawyer immediately upon arrest. If a defendant cannot afford a lawyer, the government provides one. The

court determines whether the government partially or fully covers attorneys' fees. Authorities generally respected these rights.

In September police officers from the town of Kynperk went on trial at the district court in Sokolov for negligence in the 2012 death of a Romani man held in custody. According to witnesses, officers beat the man after they had arrested him at the home of his estranged wife.

Pretrial Detention: By law pretrial detention may last no longer than two years except for "exceptionally grave" offenses. A suspect may petition investigating authorities at any time for release from detention. In 2013 the average length of pretrial detention was 101 days (84 days on the district level and 232 days on the regional level). In the first six months of the year, the average length of pretrial detention was 106 days (90 days on the district level and 224 days on the regional level). A former governor, arrested on corruption charges, brought media attention to conditions in pretrial detention, which prompted the Ministry of Justice to re-evaluate living conditions in pretrial detention. In particular he complained those not yet found guilty suffered from worse conditions than those already convicted, such as limited communication with friends and family.

Amnesty: In January 2013 the outgoing president, Vaclav Klaus, issued a blanket amnesty to more than 6,400 prisoners. In reaction to the political fallout from this amnesty, the new president, Milos Zeman, declared he would not grant any individual or general amnesties even in cases of serious illness or old age.

e. Denial of Fair Public Trial

The law provides for an independent judiciary, and the government generally respected judicial independence. The quality of judicial proceedings improved and the length of investigations and prosecutions steadily decreased over the past decade. In 2013 prosecutors typically required an average of 48 days at the district level to determine whether to take a case to trial and an average of 357 days at the regional level. In the first half of the year, the average length of court proceedings was 164 days at the district level and 595 days at the regional level, a decrease by 13 and 182 days, respectively.

In most instances authorities respected court orders and carried out judicial decisions.

Trial Procedures

The law provides for the right to a fair trial, and an independent judiciary generally enforced this right.

Defendants enjoy a presumption of innocence and have the right to prompt and detailed information about the charges against them. Trials are public. Juries are not used. In serious cases a panel of three judges rules on the guilt or innocence of the defendant, while a single judge hears less serious cases. In trial courts at the district level, the panel of judges is composed of one professional judge, who is the chair, and two lay judges drawn from the public. Appeals and cases originating in regional courts have only professional judges. Defendants have the right to consult an attorney, and the government provides an attorney without charge to defendants who cannot afford one. Defendants have the right to be present at trial, confront adverse witnesses, and present their own witnesses and evidence. Defendants and their attorneys are entitled to access government-held evidence relevant to their cases. Convicted persons have a right of appeal.

Political Prisoners and Detainees

There were no reports of political prisoners or detainees.

Civil Judicial Procedures and Remedies

The constitution provides for a separate, independent judiciary in civil matters, and there is court access to bring lawsuits seeking damages for, or cessation of, human rights violations. Available remedies include monetary damages, equitable relief, and cessation of harmful conduct. NGOs reported increased coherence between criminal and civil procedures that simplified the process for victims. At times, however, remedies and relief still required a lengthy legal process and were difficult to obtain, particularly for members of disadvantaged groups such as the Romani minority. Plaintiffs may appeal unfavorable rulings that involve alleged violations by the state of the European Convention on Human Rights to the ECHR. Administrative remedies are also available.

A law on crime victims' rights went into effect in August 2013. The law recognizes children, persons with disabilities, victims of human trafficking, and victims of sexual and brutal crimes as the most vulnerable populations. It lists the rights of crime victims, such as to claim compensation and have access to an attorney. It also sets standards of treatment by the judiciary and defines the framework for provision of other services. Victims of sexual crimes may choose

the gender of the judge who will preside over the trials of their alleged assailants. The Ministry of Justice provided six million koruna (\$300,000) during the year to support implementation of the new law.

Regional Human Rights Court Decisions

In the first seven months of the year, the ECHR entered two judgments against the country for violations of the European Convention on Human Rights. The government generally complied with ECHR judgments.

The government worked closely with the Council of Europe to implement an ECHR decision on inclusive education of Romani students, but implementation was piecemeal and remained incomplete seven years after the initial judgment against the country. In September the European Commission initiated an infringement procedure against the country for failing to implement the ECHR decision and not integrating Romani students into mainstream education.

Property Restitution

The law provides for restitution of private property confiscated under the Communist regime as well as restitution of, or compensation for, Jewish property seized during the Nazi era. Although it was still possible during the year to file claims for artwork confiscated by the Nazi regime, the claims period for other types of property had expired. In 2012 the parliament approved a law allowing for restitution and compensation for church property confiscated under the Communist regime that became effective in January 2013. Within a one-year period, churches filed 7,445 claims. Churches are also to receive compensation of 59 billion korunas (\$2.95 billion) for unreturned property. There was a one-year period to file for restitution. The law provides that the state pay compensation over a period of 30 years while simultaneously phasing out state subsidies for registered religious groups over a 17-year period.

f. Arbitrary Interference with Privacy, Family, Home, or Correspondence

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

In June 2013 police charged former prime minister Petr Necas and his then chief of staff and current wife Jana Nagyova with corruption and abuse of power. Nagyova

allegedly abused her power by ordering military intelligence to surveil Necas's former wife. The case was awaiting trial.

Section 2. Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The law provides for freedom of speech and press, and the government generally respected these rights. An independent press, an effective judiciary, and a functioning democratic political system combined to promote freedom of speech and press. The law provides for some exceptions to this freedom, including in cases of hate speech, Holocaust denial, and denial of Communist-era crimes.

Freedom of Speech: The law mandates prison sentences of six months to three years for persons who deny Communist-era crimes or the Holocaust. The law prohibits speech that incites hatred based on race, religion, class, nationality, or other group affiliation and provides for prison sentences of up to three years for violations.

Press Freedoms: The independent media were active and expressed a wide variety of views but were subject to the same restrictions on the dissemination of hate speech and other objectionable material as the broadcast media.

In September a court acquitted two individuals charged with genocide denial, approval, or justification for the 2012 publication of a collection of Czech translations of selected speeches by Adolf Hitler.

In July the media reported that in 2011 a court in Ostrava granted members of the national antimafia police unit access to the communications of two journalists to help the unit uncover the identity of their source, even though the law protects such information.

Censorship or Content Restrictions: In 2013 a number of major media outlets were consolidated under the ownership of several wealthy owners, some of whom were involved in politics. There were reports of potential self-censorship, especially by those outlets owned by individuals with political or business interests.

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. According to the Czech Statistical Office, approximately 70 percent of individuals used the internet during the year.

Authorities were increasingly willing to prosecute hate speech on the internet, although extremists often stymied their efforts by placing their pages on foreign servers, out of the reach of the authorities. White-Media.info, a website hosted abroad but run by Slovak white supremacists, listed the names and addresses of many Czech lesbian, gay, bisexual, and transgender (LGBT) and Romani activists and supporters. In some cases the supremacists hacked webpages, such as the Czech Helsinki Commission, and called for violence against individuals, such as the director of a major Roma NGO.

Academic Freedom and Cultural Events

There were no government restrictions on academic freedom or cultural events.

b. Freedom of Peaceful Assembly and Association

Freedom of Assembly

The law provides for freedom of assembly, and the government generally respected this right. The government may legally restrict or prohibit gatherings, including marches, demonstrations, and concerts, if they promote hatred or intolerance, advocate suppressing individual rights, or jeopardize the safety of participants. During a rash of anti-Roma protests in 2013, authorities banned several neo-Nazi gatherings using this section of the law. In November the Supreme Administrative Court rejected a complaint by a right-wing extremist who in 2013 attempted to organize a march in Ceske Budejovice, for which the municipality did not grant a permit. The court determined the municipality was correct to deny the permit because the march intended to threaten the well-being of Roma.

Protesters are required to have permits for demonstrations, but police generally did not interfere with spontaneous, peaceful demonstrations.

Freedom of Association

The constitution and law provide for freedom of association, and while the government generally respected this right, the law requires organizations, associations, foundations, and political parties to register with the Ministry of Interior. The courts may dissolve or ban, and the Ministry of Interior may refuse to register, groups that incite hatred based on race, religion, class, nationality, or other group affiliation or that use prohibited symbols.

In September 2013 the Interior Ministry refused to register the Czech Lions Association due to its openly racist platform. The association was affiliated with the newly emerging Democratic Workers Party founded by defectors from the far-right Workers Social Justice Party.

c. Freedom of Religion

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

d. Freedom of Movement, Internally Displaced Persons, Protection of Refugees, and Stateless Persons

The constitution and law provide for freedom of internal movement, foreign travel, emigration, and repatriation, and the government generally respected these rights. 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, stateless persons, and other persons of concern.

Protection of Refugees

Access to Asylum: The law provides for the granting of asylum or subsidiary protection, and the government has established a system for providing protection to refugees. Both Ministry of Interior officials and NGOs noted a reduction in the length of asylum procedures over the past year. The length of the procedure reached an average 67 days in the first half of the year compared with the legal requirement of 90 days. Although the system was generally fair, some NGOs reported problems with the quality of some decisions. NGOs also noted conditions in reception centers were adapted to hold asylum seekers. In the first half of the year, the government granted asylum to 39 persons.

In 2013 the Constitutional Court halted the extradition of asylum seekers until the procedure on their applications for international protection were completed.

Safe Country of Origin/Transit: The Ministry of Interior accepts asylum applications from persons arriving from or through countries deemed to be safe, as defined by law. The authorities usually deny such applications, but they review all cases individually and may approve exceptional cases. The government applies the Dublin III regulations to determine which EU member state is responsible for examining an asylum application. There were no reports or complaints regarding the safe country of origin or transit policy.

Refugee Abuse: There were reports of extraordinarily long detentions of asylum seekers facing extradition or waiting for voluntary repatriation. One asylum seeker, a Georgian national, had been awaiting a decision in detention since April 2013. A Sri Lankan national, who requested repatriation because she did not want to apply for asylum in the Czech Republic, was required to stay in a small, temporary reception center at Prague's main airport from March until September because of an administrative problem. Asylum seekers have the right to submit evidence in a language of their choice, but NGOs reported the ability of asylum seekers to submit evidence in a third language, such as that of their country of origin, was limited.

Durable Solutions: A national resettlement program managed by the government in close cooperation with the UNHCR continued on an ad hoc basis. In January the government agreed to accept 15 families, or 70 persons total, for resettlement from Syria.

Temporary Protection: The country provides subsidiary protection to individuals who do not satisfy the legal criteria for refugee status but who cannot return to their country of origin due to the risk of serious harm. Under EU guidelines, individuals granted subsidiary protection are supposed to be eligible to receive temporary residence permits, travel documents, access to employment, and equal access to health care and housing. In the first six months of the year, authorities granted subsidiary protection to 97 individuals.

Section 3. Respect for Political Rights: The Right of Citizens to Change Their Government

The constitution and law provide citizens the ability to change their government through free and fair elections, which they exercised through elections based on universal suffrage.

Elections and Political Participation

Recent Elections: On October 10 and 11, authorities held elections for one-third of the seats in the Senate and for municipal government positions; a second round of Senate elections was held on October 17 and 18. On May 24 and 25, elections were held for seats in the European Parliament. In October 2013 the country held elections for seats in the Chamber of Deputies. In January 2013 elections were held for president. Local and international observers considered the elections free and fair, despite reports of localized vote buying that targeted ethnic minorities in the October municipal elections.

According to testimony taken by the NGO Anticorruption Endowment, the Social Democrat Party and local SOS Cesky Tesin Party used social media to offer 500 koruna (\$25) per vote in the October municipal elections in the Moravian town of Cesky Tesin. The chair of the electoral commission in the Mojzir district of Usti nad Labem reported votes for the Civic Democratic Party were bought for 200 koruna (\$10). The commission reported this to the police, which closed the case during the election, citing no evidence of illegal activity. NGOs criticized the investigation as abrupt and incomplete. In November the regional court in Brno ruled the Sever district of Brno must repeat the municipal election due to evidence that Romani voters received free tickets, as well as complimentary food and drinks, to a party organized to gain votes for the Social Democratic candidate, who eventually became mayor.

In the town of Duchcov, the local branch of the National Social Democratic Party (CSSD) entered into a governing coalition with the right-wing Workers Party of Social Justice. The national CSSD leadership immediately distanced itself from the Duchcov chapter, and the party's national executive committee voted to disband it in December.

Political Parties and Political Participation: In September the State Election Commission announced citizens of EU member states with at least temporary residency in the country could vote in municipal elections. According to police data, 110,000 EU citizens had temporary residency.

Participation of Women and Minorities: There were 39 women in the 200-seat Chamber of Deputies and 14 women in the 81-seat Senate. As of October women filled three of the 14 ministerial positions in the coalition government. During the October elections, women constituted 32 percent of candidates for municipal offices and 15 percent of the candidates for the Senate. Women constituted 61 percent of judges, including three members of the 15-judge Constitutional Court. None of the 13 regional governors was a woman.

Few of the country's estimated 300,000 Roma were integrated into political life. There were no Romani members of the parliament, cabinet ministers, or Supreme Court justices. There were some Romani appointees to national and regional advisory councils dealing with Romani affairs. Romani political parties and groups participated in recent national and local elections, but several factors contributed to their lack of success. Roma constitute approximately 3 percent of the national population, but a minimum of 5 percent of the vote is required for a party to enter the parliament. Therefore, any unified effort by Romani parties to enter parliament would face a statistical hurdle. Moreover, competing Romani parties vied for the same votes in recent elections. Three Romani candidates--two who ran on a local party ticket and one who ran for re-election on the center-right Civic Democratic ticket--won seats on the city council of Trmice, a small town of 3,200 in the northwest part of the country.

Representatives from the 14 national minority groups were included in the 31-member Government Council for National Minorities, an advisory group that includes government officials. Each minority group may nominate up to three representatives to the council.

Section 4. Corruption and Lack of Transparency in Government

The law provides criminal penalties for corruption by officials. The government did not always implement the law effectively, and officials sometimes engaged in corrupt practices with impunity. NGOs reported the new coalition government listed combating corruption as a priority.

Corruption: Marek Dalik, a former aide to Prime Minister Mirek Topolánek, went on trial in June for allegedly requesting a multi-million dollar bribe in return for awarding a defense procurement contract to a foreign firm. In February police charged influential lobbyist Ivo Rittig with corruption in connection with public transit contracts.

In August 2013 the former governor of Central Bohemia, David Rath, went on trial for corruption; Rath allegedly carried a seven million koruna (\$350,000) bribe in a wine box when police arrested him in 2012. The trial continued at year's end.

In June 2013 the special police unit against organized crime raided the Office of the Government, the central body of state administration, amid allegations of official corruption and misuse of power. Among those implicated were Prime Minister Petr Necas and his chief of staff, Jana Nagyova. In late June a court gave Nagyova a one-year suspended sentence for abuse of military intelligence. Prosecutors were appealing that decision.

A police anticorruption unit and an organized crime unit investigated corruption allegations against high-level officials and major regional and local officials, as well as private individuals and companies. Regular police units investigated lower-level cases. According to the Ministry of Interior, during the first half of the year, police pursued 76 bribery cases (48 for offering a bribe, 27 for receiving a bribe, and one for indirect bribery) and investigated 37 public officials for abuse of authority, a decrease from the previous year. According to the Ministry of Justice, courts convicted 38 public officials for abuse of power, sentencing three to prison and fining or giving probationary sentences to 35 others. Courts also convicted 63 public officials of bribery-related offenses (15 for receiving a bribe and 48 for offering one). They sentenced seven officials to prison, placed 48 on probation, and fined or barred the remainder from future public service.

The Anticorruption Police forwarded 25 cases of corruption involving 85 individuals to prosecutors. They investigated several judges and one prosecutor. Prosecutors remained relatively insulated from pressure not to pursue high-level corruption targets. The Finance Ministry and Anticorruption Police strengthened their cooperation during the year in an effort to crack down on tax evasion. The Ministry of Defense inaugurated a special unit to audit defense procurements.

NGOs reported authorities were able to investigate and prosecute corruption cases involving rank-and-file officials without political pressure. Regular leadership changes every one to two years in the Anticorruption Police, however, contributed to an environment of uncertainty.

Transparency International reported public corruption occurred most frequently in the information technology and construction sectors, as well as in the distribution of EU funds at the regional level. Corruption in the construction sector, however, declined in recent years.

In September the NGO zIndex released an analysis of the financing of political parties represented in the Chamber of Deputies between 2006 and 2013. The study showed sponsors of political parties received public contracts for 390 billion koruna (\$19.5 billion). State-owned companies gave donations to major political parties, which is illegal. Companies of political donors received 40-60 percent more public contracts than did companies of nondonors.

Factors contributing to the infrequent prosecution of high-level corruption included inadequate laws concerning disclosure of the sources of assets, weak rules governing the financing and lobbying activities of campaigns and parties, weak whistleblower protection, and limited funding for investigations.

Between 2012 and 2013, the legal threshold for the application of procurement rules to nonpublic tenders for construction projects was three million koruna (\$150,000) and, for all others, one million koruna (\$50,000). In 2013 the Senate amended the law to return the threshold levels to the pre-2012 threshold amounts of six million koruna (\$300,000) for construction projects and three million koruna (\$150,000) for all others. The law requires more than one bidder for all procurements and mandates publication of tender specifications. The law also requires bidders to disclose much of their ownership structure in the bidding process, but it contains some loopholes.

In October the parliament passed the Civil Service Act, which aims to institutionalize and depoliticize the civil service. It was scheduled to come into effect January 1, 2015. NGOs criticized the act, in particular the lack of provisions for an independent Civil Service directorate.

Financial Disclosure: The law obliges legislators, members of the cabinet, and other selected public officials to declare their assets annually. In 2011 authorities introduced a central website where the public can view the declarations, but access remained difficult because it required a time-sensitive password issued by the official's department. The information tended to be general and lacked detail. Persons subject to the law must report only assets gained after taking public office. NGOs criticized the fact that officials do not have to report their finances at the beginning of their term in office but rather only after they have been in office a certain time. They noted this requirement made it difficult to determine the make-up of an official's assets and whether the assets had increased during his or her term in office. The law does not require officials to disclose information about

shares in companies, and all forms are filled in by hand, making them difficult to review.

The Supreme Audit Office is responsible for auditing executive branch disclosures, although it rarely verified the declarations. The parliament had jurisdiction over asset declarations for legislators but did not verify them.

Public Access to Information: The law provides for public access to government information, and officials usually provided such access to citizens and noncitizens, including foreign media. NGOs reported inconsistent practices in releasing information, noting that authorities were reluctant to release information to the public proactively, especially information about the salaries of public officials, public tenders, and other uses of public finances. The situation improved slightly during the year, according to some NGOs. In October the Supreme Administrative Court ruled salary and bonus information for government employees and external advisors is public information. The Forum for Open Data--initiated by the Open Society Fund in cooperation with the Faculty of Mathematics and Physics of Charles University and the Faculty of Informatics and Statistics of the University of Economics--provided municipalities and institutions with a methodology for the use and sharing of open data. NGOs started several other initiatives aimed at building an open data infrastructure and allowing access to data in an easy and readable form, such as Opendata.cz.

Several cases involving access to public information reached the courts, and the courts were generally receptive to plaintiffs' positions. Authorities, however, implemented court decisions only when specific institutions were required to provide specific information and generally did not implement nonspecific rulings.

Section 5. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

A number of domestic and international human rights groups generally operated without governmental restriction, investigating and publishing their findings on human rights cases. Government officials were often cooperative and responsive to their views.

Government Human Rights Bodies: Representatives from the office of the ombudsman made regular visits to government and private facilities where residents had limited movement, (i.e., prisons, orphanages, and senior citizens' homes), examining the treatment of individuals and monitoring respect for

fundamental rights. The office issued quarterly and annual reports on its activities, in addition to reports and recommendations on topics of special concern to the government. The office operated without government or party interference, had adequate resources, and was regarded effective by human rights observers. In the first six months of the year, the ombudsman received 4,064 complaints, 169 of which concerned the prison, police, and military services; 30 with discrimination in employment; 11 with discrimination in services; 16 with discrimination in housing; and 13 with discrimination in education. Of the total, 57.7 percent fell within the office's mandate. In 2013 the ombudsman received a record 8,041 complaints, and the information hotline received 6,134 requests for advice. During the same period, the ombudsman opened 701 inquiries in response to complaints and 37 cases on the office's own initiative.

In addition to the ombudsman, there are ombudsmen for security forces and for education.

The government re-established the position of human rights minister and pursued an ambitious domestic human rights agenda. The Office of the Government continued to support several human rights-related councils.

Section 6. Discrimination, Societal Abuses, and Trafficking in Persons

The law prohibits discrimination based on gender, age, disability, race, ethnic origin, nationality, sexual orientation, religion, or personal belief. The government did not effectively enforce these provisions. Significant societal discrimination against some minorities, including Roma, persisted.

In 2013 the ombudsman received 360 complaints of discrimination, investigated 301, and found discrimination in 20 cases. The most common complaints of discrimination were in the areas of employment (104 cases), public administration (100), education (53), and services (49). The reasons for discrimination were age (49 cases), gender (31), ethnicity (30), and health/disability (25). The ombudsman criticized the high fees for filing a discrimination complaint, which resulted in few cases being filed.

Although the law had been in force since 2009, there were only 13 discrimination cases reported by the Ministry of Justice between 2011 and 2013, of which nine were reported in 2013. Five cases were related to discriminatory employment policies, mainly for ethnic reasons, and one case was related to discrimination in education for religious reasons; the bases for other cases were not specified. The

Ministry of Justice reported three additional discrimination cases that were decided under other laws between 2011 and 2013. Those decisions were related to salary discrimination based on gender.

Women

Rape and Domestic Violence: The law prohibits rape, including spousal rape, and provides a penalty of two to 15 years in prison for violations. The government effectively enforced these provisions. Although experts still considered rape underreported, they noted an upward trend in the number of rape convictions. They attributed this trend to improved police training, public awareness campaigns, and greater interaction between police and NGOs. In the first six months of the year, authorities recorded 363 rapes and investigated 189 of them. Courts convicted 93 offenders, 45 of whom received prison sentences. The remainder received suspended sentences. In 2013 authorities received 589 reports of rapes and investigated 366. Courts convicted 205 offenders, giving prison sentences to 105 and suspended sentences to the remainder.

Experts believed violence against women was more widespread than suggested by the number of cases reported to authorities, due to the stigma associated with reporting such abuses. NGOs noted in particular the underreporting of violence against women in immigrant communities, where victims often feared losing their immigration status as well as being subjected to cultural stigma. Some NGOs began to offer increased social, legal, and psychological services to rape victims.

Domestic violence is punishable by up to three years in prison, with longer sentences if there are aggravating circumstances. Police have the authority to remove violent abusers from their homes for 10 days. As of January a new law limits to six months the total time, including extensions, a renewal order can remain in effect. In the first eight months of the year, the NGO White Circle of Safety reported police removed 938 offenders (some of them women) from the home, of which 122 were repeat removals. There were 1,361 police removals of abusers in 2013.

In the first six months of the year, the Interior Ministry reported 338 cases of domestic violence, and police investigated 206 cases. During the same period, courts convicted 138 individuals of domestic violence, sentencing 46 persons to prison terms, suspending the sentences of 91, and deporting one.

The new civil code that entered into force in January provides protection against domestic violence to other persons living in the household, especially children and seniors. The law introduces legal emancipation for children from the age of 16 under certain circumstances. NGOs welcomed this change, noting it removed the issue of custody from divorce proceedings and other disputes between parents. The child could request a removal order for an aggressor in the family in case a parent (usually the mother) was not willing or able to do so.

The Ministry of Interior continued to implement a National Action Plan for Domestic Violence Prevention for 2011-14 that focuses on support services for victims of domestic violence and their children, education of police, and behavior modification of perpetrators.

According to the study *Violence against Women across the EU*, published in March by the EU Agency for Fundamental Rights, 32 percent of women had experienced physical and/or sexual violence since the age of 15. Of this number, 19 percent experienced physical violence by a partner, 7 percent experienced sexual violence by a partner, and 4 percent experienced sexual violence by a nonpartner. In addition, 47 percent of women experienced some form of psychological abuse by either a current or former partner.

According to NGOs police lacked personnel with specialized training to deal with domestic violence cases. NGOs continued training officers on the regional and local level to assist victims of domestic violence, with a special focus on senior citizens. The Ministry of Interior supported the training. Several hotlines and crisis centers offered psychological counseling to victims of rape and domestic abuse. In the first six months of the year, the Dona hotline received 1,697 calls related to domestic violence, compared with 3,562 during all of 2013. In 2013 the Ministry of Interior's hotline for seniors registered 450 calls related to domestic abuse.

The Ministry of Interior provided 1.4 million korunas (\$70,000) in support to projects for preventing domestic violence against seniors. NGOs noted an increase in activities and funding focused on support for children but reported shifting the funding for social services from the Ministry of Labor and Social Affairs to individual regions would create an additional administrative burden on civil society that could lead to reduced services in fewer locations.

Female Genital Mutilation/Cutting (FGM/C): FGM/C is illegal and can be prosecuted as serious bodily harm under the penal code. There were no reports of FGM/C.

Sexual Harassment: The antidiscrimination law prohibits sexual harassment and treats it as a form of direct discrimination. A person who has been harassed can seek justice through the courts and request compensation for possible harm. The burden of proof is on the accused party, who has to prove that he or she did not discriminate against the accuser. Penalties for conviction may include fines, dismissal from work, or a prison sentence. Most cases of sexual harassment take place in the workplace. Police rarely investigated such cases because, according to NGOs, victims usually preferred to seek advice on how to stop such harassment rather than accuse colleagues or supervisors and risk losing their jobs. Police often delayed investigations until the perpetrator committed serious crimes, such as sexual coercion, rape, or physical assault.

Offenders convicted of stalking may receive sentences of up to three years in prison. In the first half of the year, police received 281 reports of stalking, 165 of which were investigated. In the first half of the year, courts convicted 119 individuals of stalking, 12 of whom received prison sentences, 91 received suspended sentences, and the others were fined or sentenced to community service. In 2013 courts convicted 207 individuals of stalking, issued prison sentences to 22, suspended sentences to 165, and prescribed other forms of punishment to the remaining 20. NGOs reported that 80 percent of victims were women but that men were also victims of stalking.

NGOs reported an increase in cyber bullying or cyber stalking, not only of children but also of adults of both sexes. In response to this rise, the NGOs Gender Studies and ProFem started a preventive campaign against cyberbullying in September, focused on all target groups.

Reproductive Rights: The government recognized the basic right of couples and individuals to decide freely and responsibly the number, spacing, and timing of their children; to obtain the information and means to do so; and to attain the highest standard of reproductive health, free from discrimination, coercion, and violence. Access to contraception and skilled obstetrical care was widespread.

Discrimination: The law grants men and women equal rights, including in family and property law matters. According to 2013 data from the Czech Statistical Office, 8.3 percent of women were unemployed, compared with 5.9 percent of

men. In 2013 women constituted 43.8 percent of the nonagricultural workforce. Women's salaries lagged behind those of men by approximately 24.1 percent, and women were more likely to work in lower-paying professions than men were. In 2013 the Ministry of Justice reported one case of salary discrimination based on gender. In the first six months of the year, the ombudsman received 30 complaints concerning discrimination in employment. In November the government approved a new gender equality strategy for 2015-20 that addresses wage-gap problems and aims for women to occupy at least 40 percent of managerial positions in public and private companies by 2020.

Children

Birth Registration: Children derive their citizenship from their parents. Any child with at least one citizen parent is automatically a citizen. Authorities register births immediately.

Child Abuse: Although illegal, child abuse remained a problem. By law any person under the age of 18 is a minor. NGOs reported approximately 40,000 children experienced some form of violence every year. NGOs reported approximately 50 children died annually due to abuse or mistreatment. In the majority of cases, the violence was not detected early and continued through the victim's entire childhood. According to police there were 886 cases of child abuse in 2013, 732 of which involved sexual abuse. During the year the Avon cosmetics company started a campaign focused on children and women that provided them information on legal rights, available shelters, and counseling resources.

Prison sentences for persons found guilty of child abuse range from five years to 12 years in the case of the death of a child. The Ministries of Interior and Justice introduced the use of special interviewing rooms for child victims and witnesses. As of 2013 authorities had completed 48 such rooms and had nine more under construction. A child victim is not required to give additional testimony in any court proceedings when specially trained police follow the specific interview requirements (including the presence of psychologists and, in some cases, judges and defense attorneys). The Ministry of Interior continued to implement the National Strategy for Prevention of Violence against Children for 2008-18, and the government approved a new national action plan on violence against children for 2015-18. Based on a new amendment to the Law on Police, a child is considered an endangered individual and regarded as a victim in cases of domestic violence, even if the violence does not necessarily target the child.

Early and Forced Marriage: The minimum legal age for marriage is 18. Some members of the Romani community married before reaching legal age. The law allows for marriage at the age of 16 with court approval, and no official marriages were reported of anyone under 16. Some NGOs reported a few cases of forced marriages of resident foreign nationals, but they were conducted outside the country.

Female Genital Mutilation/Cutting (FGM/C): FGM/C is illegal and can be prosecuted as serious bodily harm under the penal code. There were no reports of FGM/C.

Sexual Exploitation of Children: Sexual relations with a child younger than age 15 is punishable by a prison term of up to eight years or, in the case of the death of the child, up to 18 years. The minimum age for consensual sex is 15. The law prohibits the possession, manufacture, and distribution of child pornography, which is punishable by imprisonment for up to eight years. According to Ministry of Interior statistics, police investigated 45 cases of commercial sexual exploitation of children in the first six months of the year, compared with 62 cases in all of 2013. There were reports of trafficked children engaged in prostitution.

In the first six months of the year, the Ministry of Justice reported courts convicted 51 individuals for the production or handling of child pornography. One received a prison sentence, while 45 were given suspended sentences, and five received other kinds of penalties. Courts convicted nine individuals of misuse of a child for production of pornography, and four of them received prison sentences. NGOs criticized the sentences for producing and distributing child pornography as too light.

International Child Abductions: The country is a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction. For information see the Department of State's country-specific information at travel.state.gov/content/childabduction/english/country/czechrepublic.html.

Anti-Semitism

Although estimates varied, the country's Jewish population numbered approximately 10,000. Public expressions of anti-Semitism were rare, but small, fairly well organized right-wing groups with anti-Semitic views were active around the country. The Ministry of Interior continued to monitor the activities of such

groups, increase cooperation with police from neighboring countries, and shut down unauthorized rallies.

In 2013 the Ministry of Interior recorded 15 criminal offences with anti-Semitic motives. During the same period, the Federation of Jewish Communities reported 12 anti-Semitic incidents, including damage to property, spray painting of anti-Semitic slogans, and Nazi symbols, threats, and intrusions. The Federation registered one physical attack against a Jew. The number of anti-Semitic articles written by Czechs on the internet, including incitement to violence against Jews, almost doubled from 82 in 2012 to 156 in 2013. A well-known anti-Semitic blogger continued his anti-Semitic internet postings, including statements denying the Holocaust.

Trafficking in Persons

See the Department of State's *Trafficking in Persons Report* at www.state.gov/j/tip/rls/tiprpt/.

Persons with Disabilities

The law prohibits discrimination against persons with physical, mental, and other disabilities in employment, education, public transportation services, access to health care, and the provision of other government services. The government generally enforced these provisions. Nevertheless, persons with disabilities faced a shortage of public accommodations and were unemployed at disproportionately high rates. Most children with disabilities were able to attend mainstream primary and secondary schools and universities. Education officials placed a number of children with disabilities in special, or "practical," schools, intended for children with "mild retardation." These schools did not prepare children for university-level education. Elementary school directors had the authority to accept or reject any student, based upon the school's ability to meet the student's individual needs. Mainstream schools sometimes refused admittance to students with disabilities.

The new civil code, in force since January 1, strengthened the position of persons whose disabilities impede their ability to exercise their full legal rights. The law requires a legal guardian to ensure the preferences of a person with a mental or psychological disability are taken into consideration. In addition courts are no longer able to deprive such individuals of their full legal capacity but can only limit it in some clearly specified areas (e.g., finances, the right to vote). The courts have three years to review all cases of mentally or physically disabled persons with

curtailed legal rights to determine whether the treatment of such individuals complies with the law.

Of Prague's 54 subway stations, 34 were accessible to persons with disabilities, including five of the 15 major stations in the city center. Approximately 66 percent of buses and new tramcars had low entry doors to accommodate passengers with disabilities, although only 20 percent of all trams and 10 percent of all tram stations were fully accessible. The subway, bus, and tram systems provided stop announcements and equipment for riders with vision disabilities.

The ombudsman is required to visit regularly all governmental and private workplaces employing incarcerated or institutionalized persons, including persons with disabilities, to examine conditions, ensure respect for fundamental rights, and advocate for improved protection against mistreatment. The ombudsman's office made these visits throughout the year. In 2013 the office focused on institutions for seniors with dementia. The ombudsman visited 15 institutions and claimed misconduct in seven cases. In 2013 the ombudsman's office received 360 complaints of discrimination, of which 25 were for health and disability reasons.

The Ministry of Labor and Social Affairs continued a program, initiated in 2012, to assist persons with disabilities in transitioning from institutional care to mainstream society. Through 2013 the program, which the EU funded, helped 490 individuals transition to community homes and 168 to return to their families or move to new housing.

National/Racial/Ethnic Minorities

Minority groups in the country included Bulgarians, Croats, Hungarians, Germans, Greeks, Poles, Roma, Ruthenians, Russians, Slovaks, Serbs, Ukrainians, and Vietnamese. In July 2013 the Czech Council for National Minorities voted to grant official minority status to the Vietnamese and Belarusian communities.

Roma, who numbered an estimated 300,000, experienced high levels of poverty, unemployment, and illiteracy and faced varying levels of discrimination in education, employment, and housing. Societal prejudice against the Romani population at times resulted in violence.

According to European Commission research data published by the NGO In Iusticia in July, 32 percent of Roma had been threatened or attacked because of their ethnicity; approximately 66 percent of assault victims did not report the

attack. A poll conducted in May indicated 84 percent of the public believed the state of coexistence of the Roma and non-Roma populations was “bad” or “very bad.” Only 12 percent responded that the state of coexistence with Roma was “good.” In a similar poll in 2013, 87 percent of respondents opposed coexistence, while only 9 percent supported it.

The new minister for human rights and the minister for labor and social affairs made public statements in support of socially disadvantaged groups, in particular Roma, and advocated policies favorable to them within the government.

In March the European Roma and Travellers Forum filed a complaint with the European Committee for Social Rights against the government for failing to protect the rights of Roma under the provisions of the European Social Charter.

Roma participated in politics and were members of mainstream, as well as Roma-specific, political parties. In recent elections Romani candidates had little success on the national level, but some were elected to local office (see section 3).

According to the Ministry of Interior, extremists held 241 events, including 26 anti-Roma demonstrations, throughout the country from May through October. Police and NGOs agreed there was less anti-Roma activity during the summer, a common time for extremist groups to hold demonstrations, than in the summer of 2013. In addition persons with no evident extremist connections sought to protest their socioeconomic conditions by participating in anti-Roma demonstrations. As these demonstrations attracted negative publicity and increased police presence, participation declined in the course of the year. Demonstrations during the year were not violent. President Milos Zeman sharply criticized the anti-Roma demonstrations.

In 2013 five Romani youth attacked a married couple in the city of Duchcov. The media widely reported the attack, sparking a series of protests throughout the country. In March a regional court in Usti nad Labem convicted the assailants and issued sentences ranging from one year of probation to three years in prison. The court considered one of the convicted assailants, a juvenile, to be the most brutal and sentenced him to two years’ imprisonment.

In April a district court in Ceske Budejovice sentenced one person to two and one-half years in prison for attempted arson at an apartment building that housed Roma. The court found, however, that the crime was not racially motivated and that the perpetrator was “bothered by the behavior of some residents.” In October

the court on appeal changed the sentence to two and one-half years' probation. Observers noted that in order to receive financial compensation, residents of the building would have to file separate civil lawsuits, because in the criminal proceedings they did not file an expert opinion on the psychological harm they suffered.

The national media continued to give disproportionate coverage to crimes and acts of violence committed by Roma compared with similar behavior by members of the majority population or other minorities. White-media.info, a webpage registered outside the country, listed the names and addresses of activists and hacked the website and e-mail addresses of several high-profile individuals who either worked on Romani issues or expressed support for Roma in the past.

NGOs reported the level of hate speech increased during the year among politicians, including members of parliament, senators, and local politicians across the political spectrum. In August a Prague district court placed Otto Chaloupka on probation for six months for remarks he made about Roma in social media. According to the court, he publicly incited hatred. The ruling was issued without a hearing, and the Prague Municipal Court denied Chaloupka's appeal. Several NGOs filed a criminal complaint against a member of parliament (and former senator), Tomio Okamura, for denying the Holocaust. Okamura publicly questioned whether the facility at Lety was in fact a detention facility for Roma transported to Auschwitz and other death camps. He said Lety was a camp for "work-shy" persons. Police determined Okamura's statements were not criminal and dismissed the charges. To counter anti-Roma bias in the media, NGOs held training seminars for young journalists to educate them about how to produce more balanced reporting. A journalism school in Prague conducted a two-day seminar supported by a European Economic Area grant.

Since 2013 the Ministry of Interior increased funding for "crime prevention assistants" who worked with municipal police forces in cities and towns throughout the country. In 2013 there were 124 crime prevention assistants working in 41 cities; more than half of them were Roma. There were 140 assistants operating in 46 cities throughout the country. The assistants acted as mediators in disputes between Roma and other communities. According to the Ministry of Interior's 2013 *Report on Extremism in the Territory of the Czech Republic*, there were 217 reported hate crimes. Two persons received prison sentences, 62 were given probation, and four were sentenced to community service. Of those convicted, five were juveniles and 10 were women. Three persons convicted of a hate crime were recidivists.

Several NGOs operated programs to support victims of hate crime. The NGOs Romea and In Iustitia operated a toll-free hotline that had received more than 100 calls since 2012, mostly from Roma. As of February 64 calls concerned possible cases of discrimination, while 41 concerned hate crimes.

Approximately one-third of Roma lived in “excluded localities,” or ghettos. There were more than 400 such ghettos in the country, often with substandard housing and poor health conditions. In addition to housing discrimination, urban gentrification and rent increases contributed to the growth in Roma-dominated ghettos.

NGOs examined multiple housing advertisements and found that Romani applicants experienced discrimination when seeking to rent residential and business locations. A recent study by the CERGE-EI research institute in Prague determined Roma and Vietnamese applicants had to apply to twice as many housing advertisements as majority Czechs to rent an apartment. The same study concluded majority Czechs were 75 percent more likely than a similar Romani applicant to obtain employment. While the law prohibits housing discrimination based on ethnicity, NGOs stated some municipalities applied regulations in ways that discriminated against certain socially disadvantaged groups, primarily Roma, including basing housing decisions on the reputation of the applicant and family at previous residences. One online advertisement for an apartment in Prague posted in May explicitly stated, “Czechs only, Roma please do not call.” According to some organizations, there was evidence of skimming by proprietors and possibly local government officials at government-subsidized housing complexes, where rents were higher than on the private housing market. Because it was difficult for many Roma to secure other housing, they often had to pay higher rents than others for public housing. An NGO identified cases of discrimination, which it shared with Helsinki Commission lawyers; however, no cases had gone to court.

In November the government changed the way housing benefits are calculated. In the past property owners received funding from the government based on the number of individuals in a single residence, a practice that encouraged them to overcrowd their units. The new law bases reimbursement on the size of the living space, regardless of the number of occupants. In the first half of the year, the funds disbursed by the government to subsidize housing grew by 24 percent, compared with the first six months of 2013, to approximately 1 billion koruna (\$50 million) total. According to the government’s 2013 *Report on the State of Romani Minority in the Czech Republic*, the government issued 65,100 individual housing payments

per month in 2013, 21,500 more payments per month than in 2012. Due to the small number of government-owned housing units, only 9 percent of the total inventory, most subsidy recipients turned to private proprietors.

Other problems affecting Roma living in the country included indebtedness due to lack of access to banking services, exploitation by predatory lenders, and discrimination. The government was considering a proposal to absorb the debt of Romani families so that they qualify for subsidized housing; some municipalities had already begun to freeze debt. The NGO Romea began a campaign, funded by the CSOB Bank Foundation, to educate young Roma about personal finance.

A disproportionately high number of Romani children attended remedial schools known as “practical schools,” which effectively segregated them into a substandard educational system. According to 2013 statistical data from the Czech School Inspectorate, approximately one-third of Romani children attended such schools, which provided little opportunity for them to continue to higher levels of education. In regular schools officials often segregated Romani children from the majority population by placing them according to the location of their residence (often in a Roma-majority neighborhood) or a need for remedial instruction. The Ministry of Education issued a regulation in September that improved the method of testing for special needs, including by involving more experts in the decision process. The regulation requires increased retesting over the course of a student’s education.

On September 25, the European Commission announced it was initiating infringement proceedings against the country for potential noncompliance with the Charter of Fundamental Rights of the EU. It prohibits discrimination based on any ground, including race or ethnic origin, as well as with the Race Equality Directive, which prohibits discrimination in access to education on the grounds of race or ethnicity.

The Agency for Social Inclusion has responsibility for implementing the government’s strategy for combating social exclusion to improve education, housing, security, regional development, employment, and family/social/health services for socially excluded or disadvantaged individuals, many of whom were members of ethnic and other minorities. The agency ran programs in cities throughout the country, including 17 new cities. The agency had an operating budget of 45 million koruna (\$2.25 million) for 2013-15 and worked with municipalities, NGOs, schools, and labor offices to secure funding for projects. The agency started a national project focused on three areas: educating youth

about tolerance, sharing best practices of social inclusion in local government, and conducting a national media campaign against racism and hate crimes focused on youth under the age of 25. The project was scheduled to run for three years and had a budget of 37 million koruna (\$1.85 million). Some NGOs and other governmental entities criticized the agency as ineffective because of a lack of tangible progress on Roma integration.

There were some reports of violence and discrimination against members of other ethnic minorities.

In June the Senate's Committee on Immunity fined Senator Vladimir Dryml 20,000 koruna (\$1,000) for verbally assaulting a Yemeni doctor. The committee determined the senator's comments had a racist subtext. The senator said he would appeal the decision to the Constitutional Court.

The Czech Trade Inspection Authority (CTIA) disclosed 19 cases of discrimination against Romani and Russian consumers in the first half of the year. Four real-estate brokers and one retailer refused to provide services to Roma. On two occasions, hotels refused to serve Russian tourists, citing the crisis in Ukraine. In the first six months of the year, the CTIA performed 690 inspections of commercial establishments and fined two businesses a total of 470,000 korunas (\$23,500) for discrimination.

Acts of Violence, Discrimination, and Other Abuses Based on Sexual Orientation and Gender Identity

The country has antidiscrimination legislation that covers sexual orientation, but hate-crime laws do not specifically cover LGBT individuals. Single LGBT individuals may adopt children. The 2011 census showed parents in same-sex relationships were raising almost 900 children.

The government did not keep statistics on incidents of violence directed at individuals because of their sexual orientation or gender identity, but NGO contacts reported the number of such incidents was very low. Local LGBT activists stated citizens were largely tolerant of LGBT persons. After same-sex registered partnerships were legalized in 2006, authorities had documented 1,812 gay and lesbian couples, including 116 in the first half of the year. Two-thirds of the population approved of domestic partnerships. Nevertheless, an opinion poll in June showed 53 percent of the population believed that "coming out" created problems for LGBT persons. This opinion was held mainly by persons from small

villages (less than 800 inhabitants), persons older than 60, and those having left-leaning political beliefs. In 2012 approximately 36 percent of LGBT persons reported suffering discrimination and harassment due to their sexual orientation. Many LGBT persons chose not to reveal their sexual orientation. According to a survey by the European Agency for Fundamental Rights, only 11 percent spoke openly about their orientation at work, while more than 80 percent of young respondents reported witnessing bullying of LGBT youths at school. Discrimination at work or while searching for work was reported by 13 percent of respondents.

There were no impediments to LGBT organizations or to the annual Prague Pride Festival.

HIV and AIDS Social Stigma

Persons with HIV/AIDS faced societal discrimination, although there were no reported cases of violence. The Czech AIDS Help Society (CSAP) reported a number of cases of discrimination, primarily in access to health care and dental care and wrongful termination of employment or discrimination during the hiring process. The government took no action in most cases, because individuals with HIV/AIDS often preferred to keep their status confidential rather than file a complaint. In 2013 the ombudsman issued an opinion in connection with a case of wrongful termination of employment of a police officer with HIV/AIDS. The opinion stated that, based on the antidiscrimination law, HIV/AIDS can be considered a health disability and should be treated as such. The opinion recommended police modify how they apply regulations regarding health standards for police officers and avoid applying them mechanically.

Other Societal Violence and Discrimination

Societal prejudice and discrimination against Muslims remained a growing concern. Although the government publicly condemned anti-Islamic rhetoric, politicians continued to make anti-Islamic statements. President Milos Zeman continued to make public statements equating Islam with terrorism, most recently at the Israeli National Day Celebration in May, and refused to retract his statement. The Ministry of Interior rejected a proposed city ordinance in the city of Teplice that would have prohibited Muslim women from covering their faces. In September pig's blood and graffiti were found on the wall of a mosque in the Prague district of Cerny Most.

Several institutions attempted to ban Muslim women from covering their hair while at school or work. The High School for Nursing in Prague prohibited women from wearing headscarves in class. As a result at least two female students left the school. One, a Somali woman, complained to the country's ombudsman, who in August described the ban as discriminatory. The ombudsman for education agreed, but President Zeman announced his own opposition to Muslim women wearing headscarves in hospitals and schools.

Section 7. Worker Rights

a. Freedom of Association and the Right to Collective Bargaining

The law provides for the right of workers to form and join independent unions of their choice without authorization or excessive requirements. It permits them to conduct their activities without interference. The right to freely associate covers both citizens and foreign workers, but the latter generally did not join unions due to the often short-term nature of their employment or the lack of social interaction with employees who were citizens.

The law provides for collective bargaining. It prohibits antiunion discrimination and does not recognize union activity as a valid reason for dismissal. Workers in most occupations have the legal right to strike if mediation efforts fail, and they generally exercised this right.

Strikes can be restricted or prohibited in essential service sectors, including hospitals, electricity and water supply services, air traffic control, nuclear energy, and the oil and natural gas sector. Members of the armed forces, prosecutors, and judges may not form or join trade unions or strike. The scope for collective bargaining was limited for civil servants, whose wages were regulated by law. Only trade unions may legally represent workers, including nonmembers. When planning a strike, unions are required to inform employers in writing of the number of strikers and provide a list of the members of the strike committee or contact persons for negotiation. They must announce the strike at least three days in advance. While regulations entitle union members to conduct some union activities during work hours, they do not specify how much time workers may use for this purpose, leaving room for diverse interpretations on the part of employers.

The law protects union officials from dismissal by an employer during their term of union service and for 12 months after its completion. To dismiss a union

official, an employer must seek prior consent from the employee's unit within the union. If the union does not consent, a dismissal notice is invalid.

The government worked to enforce such laws effectively and permitted unions to conduct their activities without interference. Government resources for inspections and remediation were adequate, and legal penalties were sufficient to deter violations.

The Czech-Moravian Federation of Trade Unions (CMKOS) reported amendments to the law made during 2013 hurt the ability of employees of small enterprises to maintain union rights. Under the amendments employers are no longer required to consult with unions on matters related to individual employees or to seek mutual agreement on some workplace problems.

According to CMKOS, employer violations of the labor law and trade union rules increased during the year, following the trend of the past couple of years. CMKOS reported a number of violations and cases of discrimination, including employers' raising administrative obstacles to collective bargaining; making unauthorized, unilateral wage changes; and threatening to dismiss employees who asserted their union rights, refused to terminate union activities, or attempted to form unions. Nevertheless, proving a violation of the law was difficult. Employees, union and nonunion, were often unwilling to file formal complaints or testify against their employers due to fear of losing their jobs, having their wages reduced, or being moved to positions with poorer working conditions. According to CMKOS, employees usually filed complaints only if their jobs were immediately threatened or after a job loss. CMKOS reported cases of employers not allowing union members sufficient paid time off to fulfill their union responsibilities or pressuring union members to resign their employment to weaken the local union unit. There were cases of bullying of union officials, including unreasonable performance evaluation criteria, excessive monitoring of work performance, and being targeted for disciplinary action or reduced financial compensation based solely on union participation.

In 2011 and 2012, an employer dismissed the chairperson of a local unit of the Czech-Moravian Union of Civilian Employees of the Army from two successive positions, ostensibly due to redundancy. In both cases she successfully appealed the dismissal to the Supreme Court, claiming that the employer infringed on her rights related to the protection of union officials. In 2013 she received a third dismissal notice, also justified by redundancy. While the Supreme Court reviewed

her appeal against the dismissal, the local unit closed, and the Supreme Court found the dismissal valid.

In September the Trade Union Organization of Airline Stewards (TUOAS), one of five union organizations of Czech Airlines (CSA, the national air carrier), and a member of the Trade Union of Transportation, issued a strike alert in response to concerns about a possible reduction in staff. CSA planned to reduce its fleet to address declining demand for services and to eliminate approximately 30 percent of its employees, including stewards, pilots, and administrative staff. Of the three professional groups, stewards were expected to suffer the highest cuts of approximately 46 percent. CSA also planned to apply a flat wage reduction to the remaining stewards. TUOAS challenged the airline's assertion that it needed to reduce capacity and accused it of hiring temporary staff while considering reductions in full-time positions.

b. Prohibition of Forced or Compulsory Labor

The law prohibits all forms of forced or compulsory labor, and the government effectively enforced these prohibitions.

The government implemented legislation tightening the regulation of potentially abusive labor agencies by raising requirements to enter the labor agency business, levying fines for illegal employment, and establishing limits on the temporary employment of foreign nationals. Resources, inspections, and remediation were adequate. Penalties for violations were sufficient to deter violations.

There were reports that men and women, including migrant workers, were subjected to forced labor, typically through debt bondage. Private labor agencies often used deceptive practices to recruit workers from abroad as well as from inside the country.

Also see the Department of State's *Trafficking in Persons Report* at www.state.gov/j/tip/rls/tiprpt/.

c. Prohibition of Child Labor and Minimum Age for Employment

The minimum age for employment is 15. Employment of children between the ages of 15 and 18 was subject to strict standards of safety, limitations on hours of work, and the requirement that work not interfere with education. Resources, inspections, and remediation were adequate. Infringement of child labor rules is

subject to fines of up to two million koruna (\$100,000). The State Bureau for Labor Inspections (SBLI) effectively enforced these regulations. During the year the SBLI did not report any child labor law violations.

d. Discrimination with Respect to Employment or Occupation

Labor laws and regulations prohibit any kind of discrimination based on nationality, race or ethnic origins, religion, gender, sexual orientation and/or gender identity, age, disability, HIV-positive status or presence of other communicable diseases, social status, political attitude and belief, or trade union membership. The law provides for equal treatment for any individual seeking employment.

The SBLI conducted 2,637 checks for unequal treatment and discrimination. It imposed fines totaling 2.9 million koruna (\$145,000) for violations of discrimination laws, most involving noncompliance with the requirement to employ a specific number of disabled persons or the publication of discriminatory job advertisements.

Associations supporting HIV-positive individuals reported cases of discrimination. According to labor legislation, HIV-positive individuals are not obligated to report their diagnoses to their employer unless the diagnosis prevents them from executing their duties. Some employers dismissed HIV-positive employees due to prejudices of other employees. To avoid accusations of discrimination, employers justified such dismissals on administrative grounds, such as redundancy.

The government generally enforced antidiscrimination laws in employment effectively, but employees were often unwilling to file formal complaints or testify against their employers due to fear of losing their jobs, having their wages reduced, or being moved to positions with poorer working conditions (also see section 6, HIV and AIDS Social Stigma).

e. Acceptable Conditions of Work

The Ministry of Labor and Social Affairs establishes and enforces minimum wage standards. In 2013 the national minimum wage increased from 8,000 to 8,500 koruna (\$400 to \$425) per month. The “minimum subsistence cost,” defined as the minimum amount needed to satisfy the basic needs of a working-age adult for a month, was 2,200 koruna (\$110). Enforcement of the minimum wage was one of the primary objectives of SBLI inspections.

The law provides for a 40-hour workweek, two days of rest per week, and a break of at least 30 minutes during the standard eight-hour workday. Employees are entitled to at least 20 days of paid annual leave. Employers may 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 is subject to the consent of the employee. The provisions of the labor code govern premium pay for overtime equal to at least 125 percent of the average earnings.

The government sets occupational health and safety standards. The labor code obliges an employer to provide safety and health protection in the workplace, maintain a safe and healthy work environment, and prevent health and safety risks.

SBLI inspectors conducted 6,871 checks for compliance with the labor code. The SBLI imposed fines totaling 30.2 million koruna (\$1.5 million) for substantial violations of the code involving contracts, wages, overtime pay, working hours, and rest periods. In 2013 there were 323 labor inspectors in the country. SBLI's labor inspection plan focused on sectors where there were typically high-risk working conditions, such as construction, agriculture, and forestry.

The SBLI is responsible for combating illegal employment. Labor inspectors prioritized inspections for illicit employment in those sectors that were especially vulnerable to illegal employment, such as the lodging/catering, retail, agriculture, forestry, and construction industries. The inspectors conducted numerous inspections in selected, seasonal businesses, including outdoor swimming parks, ski resorts, gasoline stations, and service stations. To strengthen the effectiveness of inspections, SBLI inspectors acted in conjunction with the Labor Office, the Social Insurance Bureau, Foreign Police, the Customs Office, and police. In 2013 they conducted 36,101 inspections and imposed fines totaling 81.6 million koruna (\$4.1 million) for substantial violations of labor laws involving illegal employment, contracts and wages, denied salary bonus payments, working hours and rest periods, and valid residency and working permits.

The SBLI conducted 149 checks in work agencies employing migrant workers. According to the SBLI, the inspections revealed inconsistencies in work agreements, denials of salary bonus payments or on-time salary payments, and inconsistencies involving working hours, overtime, and breaks. For substantial infringements of labor legislation, the SBLI imposed fines totaling 1.5 million koruna (\$75,000). Although the SBLI did not find any cases of systematic discrimination based on citizenship, gender, age, or health status, labor law

violations were most frequently reported in cases where labor and wage conditions for permanent staff differed from those of temporary workers hired by agencies.

Employers sometimes ignored standard work conditions requirements in situations involving migrant workers. Relatively unskilled foreign workers from less developed countries were sometimes dependent on temporary employment agencies to find and retain work. Migrants sometimes worked under substandard conditions and were subjected to inhuman treatment by these agencies. Most commonly, salaries were paid to the agencies, which then garnished them, resulting in workers receiving subminimum wages, working overtime without proper compensation, or working without compensation. Since migrant workers seldom filed formal complaints of such abuses, authorities had few opportunities to intervene.

The SBLI effectively enforced health and safety standards. Laws requiring acceptable conditions of work cover all workers equally in all sectors. During the year 9,100 SBLI checks focused on health and safety standards, primarily in construction, catering and lodging services, manufacturing, transport, food processing, and the heavy machine industries. The inspections occurred both proactively and in response to complaints. Fines of 17.6 million koruna (\$880,000) were imposed in cases where infringement of the law was substantial.

In 2013 the number of registered injuries in the workplace dropped significantly (by 10.7 percent) from 2012. Fatal accidents dropped by 4.4 percent during 2013. From 1998 to 2013, the total number of registered injuries in the workplace dropped by 53.1 percent, exceeding by 28.1 percent the 25 percent EU target for the period. The vast majority of injuries and deaths occurred in the transport and construction industries. Professional drivers and low-qualified workers were the most common victims of fatal injuries. Employees of small and medium-sized companies often declined to use protective gear even though their employer provided it. Injuries often occurred when employees underestimated risks or did not pay necessary attention to work procedures or when employers failed to exercise consistent control or supervision of the workplace.

Workers can remove themselves from situations that endanger health or safety without jeopardy to their employment, and the SBLI aimed to enforce this standard consistently.