



# Czech Republic

FREEDOM WORLD 2020

**91**  
/100

FREE

<u>Political Rights</u>	<b>36</b> /40
<u>Civil Liberties</u>	<b>55</b> /60

## LAST YEAR'S SCORE & STATUS

91 /100 Free

Global freedom statuses are calculated on a weighted scale. [See the methodology.](#)



TOP

## Overview

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

## Key Developments in 2019

- Prime Minister Andrej Babiš faced a wave of protests from April through June, and again in November, calling for his resignation due to his role in a large corruption scandal involving subsidy fraud. The protests were the largest in the Czech Republic's modern history since the Velvet Revolution.
- In May, President Miloš Zeman refused to appoint the nominee for the Minister of Culture favored by the Czech Social Democratic Party and requested by Babiš, and instead appointed an accepted substitute. The president technically violated the constitution, which obligates him to grant the prime minister's appointment requests for cabinet positions.
- In September, the state attorney halted the prosecution of Prime Minister Babiš for his alleged involvement in the Stork's Nest affair, a scandal involving European Union subsidy fraud in which Babiš was implicated. Though the case was reopened in December, public protests voiced disappointment at how the case had been handled.

## Political Rights

### A. Electoral Process

**TOP**

**A1** 0-4 pts

**Was the current head of government or other chief national authority elected through free and fair elections?**

**4 / 4**

The president is the head of state but holds limited powers and is directly elected to up to two five-year terms. The January 2018 presidential election was considered credible. President Miloš Zeman of the Party of Civic Rights was reelected, defeating his opponent, Jiří Drahoš, in the second round of voting.

The prime minister is the head of government and holds most executive power. In December 2017, controversial billionaire Andrej Babiš of the ANO party was sworn in as prime minister, following elections that were held in accordance with international standards.

**A2** 0-4 pts

**Were the current national legislative representatives elected through free and fair elections?**

**4 / 4**

The 200 members of the Chamber of Deputies, the lower house of Parliament, are elected to four-year terms by proportional representation. The Senate, the upper chamber, which holds limited legislative power, has 81 members elected for six-year terms, with one-third up for election every two years.

The ANO, led by Babiš, won 78 seats in the Chamber of Deputies in the October 2017 legislative elections, followed by the Civic Democratic Party (ODS) with 25, and the populist, anti-immigration Freedom and Direct Democracy (SPD) party with 22. The polls were generally well administered, and the results were broadly accepted by stakeholders.

Babiš was sworn in as prime minister in late 2017, but mainstream parties refused to cooperate with him, and he struggled to assemble a coalition. In July 2018, after almost nine months of negotiations, corruption allegations, and a vote of no confidence in January, the ANO, the ČSSD, and the Communist Party of Bohemia and Moravia (KSČM) formed a coalition government. Since then, the coalition has experienced a number of crises, with ČSSD threatening to leave the coalition multiple times.

**TOP**

The most recent Senate elections were held in October 2018, with 27 seats contested. The opposition ODS won the most seats, with 10.

**A3** 0-4 pts

**Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies?**

**4 / 4**

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

## B. Political Pluralism and Participation

**B1** 0-4 pts

**Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings?**

**4 / 4**

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

**B2** 0-4 pts

**4 / 4**

<b>Is there a realistic opportunity for the opposition to increase its support or gain power through elections?</b>	
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Power rotates between parties regularly. The opposition holds a significant bloc of seats in Parliament.

**B3** 0-4 pts

<b>Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means?</b>	<b>4 / 4</b>
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The influence of politically connected media outlets has been a growing concern in recent years, notably after a controversy arose in 2017 involving the daily newspaper *MF Dnes*, which is among the assets Babiš placed in a trust to comply with 2016 conflict-of-interest legislation. Critics have accused him of using *MF Dnes* and another newspaper his trust owns, *Lidove noviny*, as tools to advance his political and business interests.

**B4** 0-4 pts

<b>Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities?</b>	<b>3 / 4</b>
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By law, all citizens have full political rights and electoral opportunities. However, the Roma lack meaningful political representation. Women hold 45 out of the 200 seats in the Chamber of Deputies, and 13 of the 81 seats in the Senate. an increase from the previous Parliament. However, women remain underrepresented in politics and public bodies generally. There are few initiatives aimed at boosting their political participation.

**TOP**

## C. Functioning of Government

**C1** 0-4 pts

**Do the freely elected head of government and national legislative representatives determine the policies of the government?**

**4 / 4**

Elected officials are duly installed and generally able to craft and implement policy. Political polarization and the controversy surrounding Babiš contributed to drawn-out negotiations that left the country without a governing coalition through the first half of 2018. In addition to the ČSSD threatening to leave the government multiple times in 2019, the prime minister's escalating dispute with President Miloš Zeman deepened the nation's political instability. In May, Zeman refused to appoint Minister of Culture nominee demanded by the ČSSD and requested by Babiš, despite the president's constitutional obligation to grant appointment requests by the prime minister. In August, Zeman appointed an accepted substitute. The dispute challenged Prime Minister Babiš's authority to implement administrative decisions.

**C2** 0-4 pts

**Are safeguards against official corruption strong and effective?**

**2 / 4**

Corruption remains a problem in Czech politics, but institutions have generally been responsive to corruption allegations and scandals. In 2017, Czech police and the European Anti-Fraud Office began an investigation into Prime Minister Babiš, following allegations of improprieties regarding the disbursement of European Union (EU) subsidy funds to one of his firms, known as the Stork's Nest fraud scandal. In November 2018, a leaked European Commission legal opinion concluded that Babiš's formal transfer of the company Agrofert to two trusts did not resolve his de facto ownership of the company.

**TOP**

The Stork's Nest scandal further escalated in 2019 when Justice Minister Jan Kněžínek resigned in April, one day after police investigators proposed

charging the prime minister with subsidy fraud. As a result, Babiš decided to appoint Marie Benšová, a close ally and advisor to Miloš Zeman, to the vacant position. The highly controversial appointment triggered a wave of protests fueled by fear that the appointment would convince President Zeman to block the prosecution of Babiš. Roughly 400,000 Czech residents added their names to a petition demanding Babiš's resignation.

**C3** 0-4 pts

**Does the government operate with openness and transparency?**

**3/4**

The government often fails to proactively publish information about procurement processes, public officials' salaries, and public spending. Members of the public must request a time-sensitive password to view asset declarations online. In 2018, new legislation came into force requiring that the "ultimate beneficial owners" of companies and trust funds be disclosed in a register. Although the register is not available to the public, law enforcement agencies, the courts, and several other entities can access it. Analysts viewed the register as a step forward for transparency and a tool for identifying conflicts of interest.

In July 2019, the government proposed legislation to regulate government lobbying. Although generally seen as a positive change, a potential loophole in the legislation could exempt the president's office from such regulations.

## Civil Liberties

### D. Freedom of Expression and Belief

**TOP**

**D1** 0-4 pts

**Are there free and independent media?****3** / 4

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

Although Prime Minister Babiš placed his significant media holdings in a trust, the trust is controlled in part by his close associates. Critics have accused both of his newspapers of biased coverage, claiming that they are being used as tools to advance the prime minister's political interests. Another Czech billionaire, Petr Kellner, announced in October 2019 his upcoming acquisition of Central European Media Enterprises (CME), which owns 30 TV channels broadcasting to five countries. Among the most influential television stations in the Czech Republic is TV Nova, now operated by CME. Analysts note that media outlets serve as a means of influence in the region, and although Kellner denies any political motives, his acquisition of CME raises questions over his ability to influence public discourse.

**D2** 0-4 pts**Are individuals free to practice and express their religious faith or nonbelief in public and private?****3** / 4

The government generally upholds freedom of religion. Tax benefits and financial support are provided to registered religious groups. The state has initiated a process to return land confiscated from churches by the former communist regime, which will take place over the next 30 years. **TOP**

**D3** 0-4 pts**Is there academic freedom, and is the educational system free from extensive political indoctrination?****4** / 4

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

In November 2019, reports emerged that four faculty members at Prague's Charles University had received secret Chinese payments, prompting an investigation and the firing of the faculty members involved. Analysts have voiced concerns that China might use its ties with prominent politicians to build a foothold in Czech academia.

**D4** 0-4 pts

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

**4 / 4**

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

## E. Associational and Organizational Rights

**E1** 0-4 pts

**Is there freedom of assembly?**

**4 / 4**

Freedom of assembly is upheld in practice, and demonstrations take place frequently and without incident. Beginning in April 2019, demonstrations in Prague involving thousands of protesters demanded Prime Minister Babiš's resignation over corruption allegations and his much-criticized appointment of Marie Benešová as Minister of Justice. The protests culminated in June, the largest since the Velvet Revolution with over 200,000 people coming to Letná Park. Although the protests were held in peaceful and ordered manner, both the president and prime minister verbally attacked the

**TOP**

organizers and the cause they were mobilized by. The prime minister's claim that the protests were paid by his political opponents caused a public outrage. The last protest was held in November, on the eve of the 30th anniversary of the Velvet Revolution, when between 200,000 and 300,000 people returned to Letná Park calling for Prime Minister Babiš's resignation.

**E2** 0-4 pts

<b>Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work?</b>	<b>4 / 4</b>
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Tens of thousands of registered nongovernmental organizations (NGOs) operate in the country, generally without interference from the government or security forces. However, the environment for civil society has grown increasingly antagonistic as the government and its allies have harshly criticized some outspoken NGOs.

**E3** 0-4 pts

<b>Is there freedom for trade unions and similar professional or labor organizations?</b>	<b>4 / 4</b>
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Trade unions and professional associations function freely, though they are weak in practice. Workers have the right to strike, though this right is limited for essential public employees, such as hospital workers and air traffic controllers.

## F. Rule of Law

**F1** 0-4 pts

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<b>Is there an independent judiciary?</b>	<b>3 / 4</b>
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The judiciary is largely independent, though its complexity and multilayered composition have led to slow delivery of judgments.

In 2019, the appointment of Marie Benešová as Minister of Justice raised concerns over the independence of the judiciary. She took office in April, following Minister Jan Kněžínek's resignation one day after police investigators proposed charging the prime minister with subsidy fraud. Citizens feared Benešová's appointment would undermine the criminal investigation into the prime minister. The investigation was paused in September without clear explanation, causing a public outcry and disappointment in how the investigation was handled. Although the case was reopened in December, the process severely damaged the overall trust in the judiciary and its independence. Similarly in September, the Černošice council found Babiš at fault in a conflict-of-interest case, however, the Central Bohemia's regional council suspended the proceeding after an appeal.

Benešová's appointment was accompanied by rumors in August about potential reform of the prosecutor general's office, currently the main force behind the Babiš investigation. Although Babiš and Benešová deny ulterior motives, the proposed reforms would likely end the office's mandate. The prosecutor general's reservations have been ignored, and President Zeman openly expressed his concerns about the motivations behind the changes.

**F2** 0-4 pts

Does due process prevail in civil and criminal matters?	4 / 4
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The rule of law generally prevails in civil and criminal matters. Despite corruption and political pressure within law enforcement agencies, the office of the public prosecutor has become more independent in recent years. <sup>TOP</sup>

However, the recent investigation of Prime Minister Babiš and his nomination of Marie Benešová for Minister of Justice showed that political interests may

interfere with due process. In September, President Zeman openly stated he would use his constitutional authority to dismiss potential criminal charges of fraud against the prime minister.

**F3** 0-4 pts

**Is there protection from the illegitimate use of physical force and freedom from war and insurgencies?**

**4 / 4**

The Czech Republic is free from war in insurgencies. However, prisons are overcrowded and at times unsanitary.

**F4** 0-4 pts

**Do laws, policies, and practices guarantee equal treatment of various segments of the population?**

**3 / 4**

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

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

Anti-Muslim attitudes have increased in the wake of the refugee crisis confronting European states, and the country's legal battle with the EU about accepting refugee quotas. The populist and anti-immigration SPD continue to spread Islamophobic rhetoric characterizing Islam as "incompatible with freedom and democracy." These positions are episodically approved by some of the highest representatives of state as well. **TOP**

Asylum seekers are routinely detained, and conditions in detention centers are generally poor. Xenophobic and antirefugee rhetoric was voiced by

Prime Minister Babiš and President Zeman on a regular basis in 2019. Although the country is notoriously known for granting only a few asylums every year (in 2018, offering protection to just 1 in 10 applicants), the general salience of the topic is high.

## G. Personal Autonomy and Individual Rights

**G1** 0-4 pts

**Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education?**

**4 / 4**

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

**G2** 0-4 pts

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

**4 / 4**

The rights to own property and operate private businesses are established in the law and upheld in practice.

**G3** 0-4 pts

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

**4 / 4**

**TOP**

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

Parliament has yet to ratify the Council of Europe Convention on preventing and combating violence against women and girls and domestic violence (the Istanbul Convention). Reports show that only a small number of perpetrators of gender-based violence face criminal charges.

In September 2019, the government cut funding for NGOs providing support for survivors of gender-based and domestic violence by 70 percent. The resources no longer available could lead to the closure or extreme limitation of counseling and legal support to those who have experienced gender-based violence.

**G4** 0-4 pts

**Do individuals enjoy equality of opportunity and freedom from economic exploitation?**

**3 / 4**

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



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### *Country Facts*

Global Freedom Score

**91 / 100** Free

*Other Years*

2019

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