

CZECH REPUBLIC 2012 HUMAN RIGHTS REPORT

EXECUTIVE SUMMARY

The Czech Republic is a multiparty parliamentary democracy. Legislative authority is vested in the bicameral parliament, consisting of a Chamber of Deputies (Poslanecka snemovna) and Senate (Senat). The president is head of state and appoints a prime minister from the majority party or coalition. As of 2013, the president will be chosen in a popular election to serve a five-year term. Previously, presidents were elected every five years by parliament. In 2008 the bicameral parliament elected Vaclav Klaus as president for a second term. Elections for the Chamber of Deputies in 2010 were considered free and fair, as were the elections for one-third of seats in the Senate in October 2012. Security forces reported to civilian authorities.

During the year societal discrimination and violence against the country's Romani population was a serious problem, and human rights observers criticized the government's efforts to address it as inadequate. Official corruption remained a problem, despite enforcement efforts.

Other human rights problems included instances of prison overcrowding, violence against women, sexual and other abuse of children, anti-Semitism, trafficking in persons, particularly labor trafficking and exploitation, and discrimination against labor unions and migrant workers.

The government took steps to prosecute and punish officials who committed abuses, both in the security services and elsewhere in the government, but pockets of impunity existed.

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

a. Arbitrary or Unlawful Deprivation of Life

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

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 during the year that government officials employed them.

Although the government abolished the use of net and cage beds in long-term care facilities in 2004, they were still used in psychiatric hospitals. In January a mental institution patient committed suicide by hanging herself from a net bed.

The human rights commissioner estimated two to three imprisoned sex offenders per year were surgically castrated. In April a new 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, castrations can only be performed with a person's written application and the agreement of an expert committee. The new law also states that undergoing surgical castration would not qualify an imprisoned sex offender for release. In January the Ministry of Health and the human rights commissioner submitted a report to the government on the practice that recommended continued monitoring and evaluation of the situation for the next three years. In February 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. The majority of women eligible for compensation were Romani. The country has a three-year statute of limitations on filing lawsuits in such cases. The council recommended compensating women who did not have a reasonable opportunity to seek redress through the courts. The human rights commissioner recommended that the health ministry draft legislation providing for a compensation mechanism, based upon the justice ministry's analysis of compensation options.

Prison and Detention Center Conditions

Overcrowding and insufficient staff were the main problems in the prison system and led to poor sanitary conditions and security risks. The Czech Helsinki Committee found continued prison overcrowding to be a problem, although three new prison facilities opened, providing some additional capacity.

Physical Conditions: In mid-August the total prison population was 23,201, or 111 percent of the intended capacity of 20,844 inmates. Facilities that held detainees

prior to sentencing were at 98 percent of intended capacity. Facilities for holding prisoners serving their sentences were at 113 percent of intended capacity. High recidivism rates, especially among those committing petty crimes, exacerbated prison overcrowding.

Of the persons in the country's detention and prison facilities as of mid-August, 469 were women and 170 were juveniles. Pretrial detainees of both sexes, held separately, constituted 10 percent of the total. Juveniles were not housed with adults. There were no reports of worse prison conditions for women than for men.

In the first seven months of the year, there were five deaths in prisons and one in a detention facility. The deaths were reportedly all due to natural causes. Prisoners had access to potable water, but limited access to hot water was a sanitation problem, since only prisoners who worked were permitted daily hot showers. All other prisoners were allowed hot showers only once a week.

The Czech Helsinki Committee reported an increased number of complaints regarding access to healthcare. Prisoners must pay a fee of 30 koruna (\$1.60) for every doctor's appointment and each prescription, in addition to insurance fees. According to the committee, in some cases in which prisoners did not pay the fee, prison doctors refused to treat them.

Administration: There were no reports of inadequate recordkeeping in the prison system. The law allows house arrest and alternative sentencing as measures to alleviate prison overcrowding. As of August house arrest was used in 132 cases. The Ministry of Justice was testing new electronic bracelets for house arrestees with the intent of increasing the use of the devices in alternative sentencing in the future. Individual prisons did not have ombudsmen, but the Office of the Ombudsman investigates prisoner complaints throughout the system.

Prisoners and detainees had reasonable access to visitors (three hours per week) and were allowed to attend religious services. Authorities permitted prisoners and detainees to submit complaints to the Office of the Ombudsman without censorship, and the ombudsman investigated credible allegations of inhumane conditions in addition to his routine prison visits. In the first six months of the year, representatives of the ombudsman visited 16 facilities, including five prisons and one police station, to monitor conditions. The Ministry of Justice, which oversees the prison system, also inspected prisons throughout the year.

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, and the media.

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 the law and maintaining public order. The newly established General Inspectorate of Security Forces in the Offices of the Prime Minister oversees the police, customs, and prison service, and is responsible for investigating allegations of misconduct. As of September, 335 inspectors worked across the country. Inspectors investigate allegations of misconduct, as well as carry out "responsibility tests," or sting operations, in order to catch violators in action.

Corruption remained a problem among law enforcement bodies. According to the new inspectorate, the most common type of corruption in the internal security forces was simple bribery, such as traffic officers soliciting bribes at traffic stops. On August 13, former police officers from Southern Moravia were charged with blackmailing businesses in Brno. They allegedly participated in an extortion ring that forced local businesses to pay protection money by using the threat of violence and false criminal proceedings.

In April 2011 the Ministry of Interior created the position of the police ombudsman in accordance with the governmental strategy to combat corruption for 2011 and 2012. The new ombudsman serves as a mediator within the ministry, and all police officers and firefighters employed by the ministry can approach the ombudsman with suspicions of possible wrongdoing or improper activities. In practice the office has been used only to settle internal disputes, such as disagreements over wages or complaints about improper hiring and firing practices.

Arrest Procedures and Treatment While in Detention

In most cases, police use judicial warrants to arrest persons accused of criminal acts. Warrantless arrests are permitted when police believe a prosecutable offense has been committed, when an arrest is deemed 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 turn over to a court within 24 hours a person arrested on a warrant. A judge then has an additional 24 hours to decide whether to continue to hold the individual. Suspects arrested without a warrant must be informed promptly of the reason for their arrest, questioned, and either released within 48 hours or turned over to a court. If police turn the detainee over to a court, a judge must decide within an additional 24 hours whether to charge the individual. Only a person who has been charged with a crime may be held for a longer period.

The law provides for bail except for serious crimes 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 respected these rights in practice.

Pretrial Detention: Under the 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. The average length of pretrial detention in 2011 was 100 days.

Amnesty: The president granted amnesty for humanitarian reasons to 24 persons in 2011 and to 13 persons in the first seven months of 2012.

e. Denial of Fair Public Trial

The law provides for an independent judiciary, and the government generally respected judicial independence in practice. The quality of judicial proceedings has improved and the average length of investigations and prosecutions has decreased. In the first half of the year, prosecutors typically required an average of 47 days at the district level to determine whether to take a case to trial, and 314 days at the regional level. In the first half of the year, the average length of court proceedings was 192 days at the district level and 687 days at the regional level.

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 be informed promptly and in detail of 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 on 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; the government provides an attorney without charge to defendants who cannot afford one. Defendants have the right to be present at trial, confront witnesses of the prosecution, and present witnesses and evidence on their own behalf. 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. Plaintiffs may appeal unfavorable rulings to the European Court of Human Rights (ECHR). Administrative remedies are also available.

Regional Human Rights Court Decisions

In the first eight months of the year, the ECHR entered five judgments against the government. The country complied with most, but not all, ECHR judgments.

In July 2011 the Committee of Ministers of the Council of Europe, which oversees implementation of ECHR rulings, issued the *Third Opinion of the Advisory Committee on the Czech Republic*. The opinion called for an immediate increased

effort to combat all forms of intolerance, racism, and xenophobia and for taking further legislative measures and policies to combat racist manifestations, in particular against Roma, including in the media and the political arena. It also called for the immediate elimination of practices that lead to the continued segregation of Roma children at school and a redoubling of efforts to remedy all shortcomings faced by Roma children in education. It called for the establishment of local committees for national minorities in the municipalities, where conditions permit.

Property Restitution

Several laws approved between 1990 and 2000 provided for restitution of private properties 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 has expired.

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

The law prohibits such actions, and the government generally respected these prohibitions in practice.

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 ensure freedom of speech and of the press. However, the law provides for some exceptions to this freedom, for example, 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 Nazi Holocaust. Speech considered to incite hatred based on race, religion, class, nationality, or other group affiliation is also illegal and carries a sentence of up to three years in prison.

In January the Brno Regional Court mitigated the sentences of six members of the now-banned Workers’ Party (DS), who were convicted of using “hate speech” at a

May Day rally in 2009. The judge stated the fines levied against the six had been at variance with the law, but upheld their suspended sentences.

In August the Supreme Court rejected an appeal of a controversial verdict imposed on bus driver Roman Smetana, who was arrested in 2010 for defacing more than 30 campaign posters on city buses in the run-up to general elections. The court concluded that Smetana's action exceeded the limits of free speech, constituted property damage, and sentenced him to a fine and 100 hours of community service. Smetana refused to perform the community service, leading the court to impose a 100-day jail sentence. The case caught the attention of media nationwide, and a number of NGOs and public officials claimed the sentence was overly harsh and possibly politically motivated. The case led to a large-scale public discussion of the meaning of free speech and the influence of politics on the decisions of the courts.

Freedom of Press: The independent media were active and expressed a wide variety of views without restriction.

In January police fined the weekly news magazine *Respekt* 10,000 koruna (\$500) for refusing to reveal the source of documents related to a corruption investigation involving a former minister of the environment. The magazine filed a complaint against the fine.

In September the Constitutional Court ruled a military police raid on the offices of Czech Television News in March 2011 was unconstitutional. Masked military police officers searched the offices for an intelligence file linked to the controversial departure of a former intelligence chief. The court ruled that because the officers had not exhausted other means of securing the file, the search of the news office was unconstitutional.

Internet Freedom

There were no government restrictions on access to the Internet or credible reports the government monitored e-mail or Internet chat rooms without judicial oversight. Individuals and groups could engage in the free expression of views via the Internet, including by e-mail. According to the Czech Statistical Office, approximately 70 percent of individuals in the country used the Internet during the year.

Academic Freedom and Cultural Events

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

b. Freedom of Peaceful Assembly and Association

The law provides for freedom of assembly and association, and the government generally respected these rights in practice.

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, that promote hatred or intolerance, advocate suppressing individual rights, or jeopardize the safety of participants. Protesters are required to have permits for demonstrations, but police generally did not interfere with spontaneous, peaceful demonstrations.

Under the law religious groups may assemble without the prior permission of authorities. Such gatherings occurred several times during the year as counterprotests to already permitted demonstrations. Although the law does not indicate which gathering takes precedence when two or more occur simultaneously, there were no major disputes regarding this issue during the year.

Freedom of Association

The constitution and law provide for freedom of association, and while the government generally respected this right in practice, the law required organizations, associations, foundations, and political parties to register with the Ministry of Interior. Groups that incite hatred based on race, religion, class, nationality, or other group affiliation or use prohibited symbols can be dissolved or banned by the courts or refused registration by the Ministry of Interior.

The small Muslim communities in Hradec Kralove and Brno continued to encounter opposition from local government officials to their plans to establish or expand their mosques. The Islamic Foundation of Brno reported that local officials from the Christian Democratic Party had opposed in opinion editorials the organization's planned expansion.

c. Freedom of Religion

See the Department of State's *International Religious Freedom Report* at www.state.gov/j/drl/irf/rpt.

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 internally displaced persons, 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 refugee status, and the government has established a system for providing protection to refugees. However, some NGOs reported problems with the length of asylum procedures and the quality of some decisions.

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. Such applications usually are refused, but authorities review all cases individually and may approve exceptional cases. The government applies the Dublin II regulations in determining which EU member state is responsible for examining an asylum application. During the year there were no reports or complaints regarding the safe country of origin or transit policy.

Refugee Abuse: The law allows the government to detain asylum applicants who attempt to enter the country via an international airport for up to 120 days. This provision particularly affected applicants lacking identity documents.

Durable Solutions: A resettlement program involving the government and UNHCR continued on an ad hoc basis. At the end of August the resettlement of 30 Burmese refugees from Malaysia was in process.

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 a real risk of serious harm. Under EU guidelines, individuals granted subsidiary protection are supposed to be entitled to temporary

residence permits, travel documents, access to employment, and equal access to health care and housing. Authorities granted subsidiary protection to 78 persons during the first half of the year. In 2011 subsidiary protection was granted to 270 persons. Temporary protection, which is also available based on EU laws, was granted to 261 individuals in 2011 and 95 in the first seven months of the year.

The ministries of health, interior, defense, and foreign affairs continued to operate a joint medical evacuation program, providing for the medical treatment of civilians, mainly children, from conflict zones or other areas where adequate medical care was not available. During the year civilians from Burma, Syria, Libya, and Japan received treatment in the country.

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

The constitution and law provide citizens the right to change their government peacefully, and citizens exercised this right in practice through periodic, free, and fair elections based on universal suffrage.

Elections and Political Participation

Recent Elections: In 2010 the country held elections for seats in the Chamber of Deputies. In October elections were held for one-third of the seats in the Senate and for municipal government positions. Local and international observers considered both elections free and fair.

Participation of Women and Minorities: There were 44 women in the 200-seat Chamber of Deputies, including the speaker, and 14 women in the 81-seat Senate. There were two women in the 15-member cabinet. Sixty-one percent of all judges were women, including four women on the 15-member Constitutional Court (two seats were vacant). Two of the 13 regional governors were women.

One justice of the Constitutional Court was an ethnic Slovak. Few of the country's estimated 200,000 Roma were integrated into political life. No Roma were members of parliament, had cabinet portfolios, or sat on the Supreme Court. Some Roma were appointed to national and regional advisory councils dealing with Romani affairs.

Representatives from the 12 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. However, the government did not always implement the law effectively, and officials sometimes engaged in corrupt practices with impunity.

Factors contributing to the infrequent prosecution of high-level corruption included inadequate legislation concerning disclosure of sources of assets, the use of anonymous bearer bonds, weak rules governing the financing and lobbying activities of campaigns and parties, a lack of rules to protect whistleblowers and civil servants from political pressure, and the limited number of experienced investigators at regional levels.

During the year the government took several steps to prevent and combat corruption. The 2011-12 National Strategy to Combat Corruption obligates the government to present legislation to address the shortcomings identified above, although progress was uneven in fulfilling the goals of the strategy. The government also passed significant reforms to public procurement rules designed to improve the transparency of public tenders, widen the scope of the law's application, and reduce the threshold for tender rules to apply. However, an amendment introduced in parliament removed certain state-owned enterprises from the scope of the law. Legislation introducing corporate criminal liability entered into effect on January 1.

A police anticorruption unit investigated corruption allegations against high-level officials and major regional and local perpetrators, as well as some 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 83 bribery cases (60 for offering a bribe, 17 for receiving a bribe, and six for indirect bribery) and investigated 36 public officials for abuse of authority, an increase from the previous year. According to the Ministry of Justice, courts convicted 37 public officials for abuse of power, including two who were sentenced to prison, 33 released on probation, and two fined. Of 60 public officials convicted of bribery-related offenses (11 for receiving a bribe, 45 for offering a bribe, and four for indirect bribery), five were sentenced to prison, and 48 were released on probation. The remainder were fined or barred from future public service. From January through July, the specialized anticorruption police unit,

which has responsibility for high-profile corruption cases, investigated 79 cases of public corruption. Investigators completed 12 cases, which involved 46 individuals, and forwarded them for prosecution. They also seized 335 million koruna (\$17,980,000) in assets.

The press continued to report allegations of corruption.

There were several arrests and convictions involving EU funds, and distribution of EU funds was suspended in June because of accounting problems. In July the former director of the Northwest Regional Council, the entity responsible for distributing EU funds in the Liberec and Usti nad Labem regions, was convicted and sentenced to seven-and-a-half years in prison and a 750,000 koruna (\$40,000) fine for taking bribes in connection with the granting of EU funds. Six others were convicted on similar charges.

In May police arrested the governor of Central Bohemia, David Rath, while he was in possession of an alleged seven million koruna (\$380,000) bribe carried in a wine box. Rath, a member of parliament and former minister of health, had allegedly received the bribe in connection with the granting of a tender for the reconstruction of a chateau. The Chamber of Deputies voted to strip Rath of his immunity in June, and Rath remained in detention awaiting trial.

In April the only anticorruption hotline for citizens to report allegations was discontinued. The hotline was funded by the Ministry of Interior and run by the NGO watchdog group Oziveni. Ministry officials claimed the hotline was ineffective and was eliminated as a budget measure. NGOs protested the move, asserting there was little political will on the part of the current government to fight corruption.

Credible allegations of corruption in the judiciary persisted, particularly in connection with proceedings concerning bankruptcy and financial crime.

The law provides for public access to government information, and the government usually provided such access to citizens and noncitizens, including foreign media. However, NGOs reported an increasing number of denials, especially of requests for information on salaries of public officials, public tenders, and other uses of public finances. Several cases involving access to public information reached the courts during the year, and courts were generally receptive to the plaintiffs' positions. However, court decisions were implemented only when specific

institutions were required to provide specific information, and were generally not implemented in the case of nonspecific rulings.

The law obliges legislators, members of the cabinet, and other selected public officials to declare their assets annually. A central Web site was introduced in 2011 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 lack detail. Only assets gained after taking public office must be reported. The Supreme Audit Office is responsible for auditing executive branch disclosures, although in practice declarations were rarely verified. Asset declarations for legislators are under the jurisdiction of parliament and, in practice, were not verified.

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 considered effective. In the first six months of the year, the ombudsman received 4,185 complaints--160 regarding the prison, police, and military services. Of the total, 61 percent fell within the office's mandate. During the same period, the information hotline received 2,765 requests for advice. In 2011 the ombudsman opened 856 inquiries in response to complaints and 49 cases on the office's own initiative.

NGOs continued to criticize the government's 2010 decision to downgrade the position of the human rights minister to human rights commissioner, claiming that it reflected a lack of government concern for human rights problems. Government contacts confirmed the position was weak and underresourced.

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.

Women

Rape and Domestic Violence: The law prohibits rape, including spousal rape, and carries a penalty of two to 15 years in prison. 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, 382 rapes were reported, of which 209 were investigated. Courts convicted 104 offenders, 49 of whom received prison sentences. The remainder received suspended sentences. In 2011, 675 rapes were reported. Authorities investigated 405 of those cases, and 181 offenders were convicted. There were 99 prison sentences, while the rest of the offenders received suspended sentences.

Experts believed that 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 that violence against women was especially underreported in immigrant communities, where victims often feared losing their immigration status or lived in different cultural environments. The underreporting of violence against women was especially frequent in the Ukrainian, Azerbaijani, Lithuanian, and Mongolian communities. NGOs also reported an increasing number of cases of violence against seniors, which also tended to be underreported.

Domestic violence is punishable by up to three years in prison, with longer sentences if there were aggravated circumstances. Police have the authority to remove violent abusers from their homes for 10 days. In the first seven months of the year, the NGO White Circle of Safety reported that police removed 881 offenders (some of them women) from the home. There were 1,430 police removals in 2011.

In the first six months of the year, Interior Ministry statistics reported 661 cases of domestic violence, and police investigated 485 cases, nearly twice as many as in

2011. During the same period 150 individuals were convicted of domestic violence, of whom 52 received prison sentences, 95 were given suspended sentences, and three received community service sentences.

The Ministry of Interior approved 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. The plan called for a study on the economic impact of domestic violence. The NGO ProFem published such a study in October. The NGO's research indicated approximately 40 percent of women experienced domestic violence during their lifetimes and that approximately 400,000 women experienced domestic violence annually. During 2010, 343 cases of violence were prosecuted, which corresponded to approximately 2 percent of the number of incidents estimated in the ProFem report. During 2010 the total societal cost of domestic violence was estimated at 1.3 billion koruna (\$69.8 million), including the costs of law enforcement, prosecution, social services, health care, and unemployment and sick leave benefits.

NGOs reported too few police officers were trained in domestic violence problems. The majority of officers continued to receive little to no training in this area. Police continued to work with social service agencies. Several hotlines and crisis centers offered psychological counseling to victims of rape and domestic abuse. In the first eight months of the year, the Dona hotline received 2,748 calls related to domestic violence, compared with 4,244 during the whole of 2011.

Sexual Harassment: The antidiscrimination law prohibits sexual harassment and treats it as a form of direct discrimination. The harassed person can seek justice through the court and request compensation for possible harm caused. The burden of proof is on the accused party, who has to prove that he/she did not discriminate against the accuser. Those convicted can be fined up to 70,000 koruna (\$3,800), dismissed from work, or sentenced to prison. However, cases of sexual harassment were rarely investigated. Police often deferred investigations until more serious crimes, such as sexual coercion, rape, or physical assault, were committed.

The trial of a doctor and hospital owner in Prague who allegedly sexually coerced and raped several of his employees began in September. The prosecutor requested a 12-year prison sentence.

Offenders convicted of stalking can be sentenced to up to three years in prison. In the first half of the year, 535 cases of stalking were reported to police, who

transferred 380 to prosecutors for further investigation. Courts convicted 110 individuals of stalking in the first half of the year, of whom 12 received prison sentences and 87 suspended sentences. In 2011 courts convicted 217 individuals, giving prison sentences to 24 and suspended sentences to 164. Twenty-four individuals received other forms of punishment and five received no punishment.

Reproductive Rights: Couples and individuals generally had the right to decide freely and responsibly the number, spacing, and timing of their children and had the information and means to do so without discrimination, coercion, or 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 2011 data from the Czech Statistical Office, 7.9 percent of women were unemployed, compared with a rate of 5.8 percent for men. In 2011 women constituted 43.6 percent of the nonagricultural workforce. Women's salaries lagged behind men's by approximately 21 percent, and women were more likely to work in less well paid professions than men. The Council for Equal Opportunities for Men and Women monitored gender problems and advised the government on enforcing equal gender rights.

Women's rights groups reported the 2012 social reforms and subsequent cuts to social welfare benefits, including childcare subsidies, maternity leave benefits, and unemployment benefits, may disproportionately affect women.

Children

Birth Registration: Children derive their citizenship from their parents. Any child with at least one citizen parent is automatically a citizen. Births are registered immediately.

Child Abuse: Although illegal, child abuse remained a problem. A minor is defined as any person under the age of 18. According to a continuing 15-year study conducted by sexologists at the medical school of Charles University in Prague, 10 percent of children in the country have experienced sexual abuse, 7 percent were sexually abused at least once, while 3 percent experienced such abuse repeatedly.

Prison sentences for those found guilty of child abuse range up to five years, or to 12 years in the case of the death of a child. The Ministries of Interior and Justice implemented use of special interviewing rooms for child victims and witnesses. 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).

In April 2011 two brothers (two and three years old) were discovered in an apartment in poor physical and mental health. Investigators determined the children were born in the apartment and never left it. Their births were never registered, they were not vaccinated, and they had never received any medical care. Neither of the boys knew how to talk and their chewing reflexes were underdeveloped. In July the father of the “wolf children,” as they became known, was sentenced to eight years in prison. The mother received a suspended sentence and was sent for psychiatric treatment.

Child Marriage: The minimum legal age for marriage is 18. Some members of the Romani community married before reaching legal age--in 2011, 21 individuals did so. The law allows for marriage at the age of 16 in some situations, but no marriages were reported under the age of 16.

Sexual Exploitation of Children: Sexual relations with a child younger than age 15 is punishable by a prison term 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 33 cases of commercial sexual exploitation of children in the first six months of the year, compared with 98 cases in all of 2011. There were also reports that some children engaged in prostitution without apparent third-party involvement.

In the first six months of the year, the Ministry of Justice reported that courts convicted 48 individuals for the production or handling of child pornography. Four of the individuals were sentenced to prison terms, while 44 were given suspended sentences. Ten individuals were convicted of misuse of a child for production of pornography, and three of them received prison sentences.

During the year the police participated in the investigation of a child pornography ring as part of the international operation ICARUS led by EUROPOL. The operation uncovered a network of child pornography distributors in 22 countries and identified 269 suspects. Czech police identified 20 individuals who allegedly played a role in the network.

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 www.travel.state.gov/abduction/country/country_3781.html.

Anti-Semitism

Although estimates varied, the country's Jewish population was believed to be 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 2011 the Ministry of Interior recorded 18 criminal offenses with an anti-Semitic motive. During the same period, the Federation of Jewish Communities reported 17 anti-Semitic incidents, including damage to property, spray-painting of anti-Semitic remarks and Nazi symbols, threats, and intrusions.

In January unknown vandals damaged 10 tombstones at the Jewish cemetery in Puklice, near Jihlava. Police were investigating the case. In September police discovered 26 tombstones knocked over, and some of them broken, in a Jewish cemetery in the village of Prudice.

In February a well known anti-Semite blogger, Adam Bartos, published an article accusing Jews of conspiracy and manipulation of the media. Representatives of the Federation of Jewish Communities, the Jewish Museum, and the Shoah Legacy Institute condemned the article in a joint statement. The chairman of the Green Party, Ondrej Liska, filed a criminal complaint based on alleged incitement to racial hatred. The Prague Municipal Prosecution Office rejected the complaint. Bartos had links to anti-Semitic, anti-Roma, racist, and far-right organizations. Some observers expressed their concern that some right-wing politicians tacitly approved Bartos' views.

Trafficking in Persons

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

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. A number of children with disabilities were placed in special schools, or practical schools, which were 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. It was not uncommon for mainstream schools to refuse admittance to students with disabilities.

Of Prague’s 54 subway stations, 32 were accessible to persons with disabilities, including five of the 15 major stations in the city center. A majority of buses and new tramcars had low-floor entry doors to accommodate passengers with disabilities. The subway, bus, and tram systems provided stop announcements and equipment for visually impaired riders.

The ombudsman is required to visit regularly all governmental and private workplaces of persons with physical restrictions to examine conditions, ensure that fundamental rights are respected, and advocate for improved protection against mistreatment. The office made these visits throughout the year.

The government continued its program to aid persons with disabilities, Mobility for All, which focuses on removing access barriers to public buildings in towns and villages, as well as increasing the accessibility of public transportation.

National/Racial/Ethnic Minorities

Minority groups in the country included Bulgarians, Croats, Hungarians, Germans, Greeks, Poles, Roma, Ruthenians, Russians, Slovaks, Serbs, Ukrainians, and Vietnamese. The Czech Council for National Minorities does not include newer immigrant communities, such as the sizeable Vietnamese population, which is estimated at approximately 58,000.

Roma, who numbered an estimated 200,000, experienced high levels of poverty, unemployment, and illiteracy, and faced varying levels of discrimination in

education, employment, and housing. Societal prejudice against the country's Romani population at times resulted in violence. Some human rights organizations criticized the government's response to discrimination against Roma as inadequate. On March 1, the European Roma Rights Center (ERRC), Amnesty International, and the Hate is No Solution Coalition issued a letter calling on authorities to act against anti-Roma violence. The ERRC noted media reports of 23 violent attacks on Roma in the preceding six months that resulted in three deaths. In addition the ERRC stated that 16 anti-Roma rallies had taken place over the preceding year and that it was aware of 11 arson attacks against the homes of Romani families "in recent years."

The Workers' Party, which was conspicuous for its hostility to Roma and other minorities, was banned in 2010, but the Workers' Party for Social Justice (DSSS) soon replaced it, with virtually the same membership and leadership. The DSSS held rallies in the northern Bohemian towns of Varnsdorf, Rumburk, and Sluknov on September 15, marking the one-year anniversary of the area's large-scale demonstrations in 2011. However, few persons appeared at the Rumburk and Sluknov events; approximately 250 participated in the Varnsdorf rally, as compared with up to 2,000 at some events in 2011.

On September 26, the Prague Regional Court handed down a guilty verdict on four men accused of a July 2011 arson attack against a Romani family in the town of Bychory in Central Bohemia. Vojtech Vyhnánek, who threw a lit torch through an open window of the family's home, was sentenced to four years in prison without possibility of parole for making a racially motivated attempt to inflict grievous bodily harm. The other three, who were charged as accomplices and received suspended sentences of two to three years, shouted racial epithets during the attack. The Romani family moved out of Bychory the day after the attack and refused to testify in the presence of the accused. The four men expressed regret for their actions, but continued to deny they were racially motivated.

The national media gave disproportionate coverage to crime and acts of violence committed by Roma compared with similar behavior on the part of the majority population or other minorities. Several media stories proved to be untrue and based upon false allegations. In one case, a 15-year-old boy in the town of Breclav reported in April a group of Romani youths brutally attacked him when he refused to give them a cigarette. The story was major national news for weeks and led to large-scale demonstrations against "Romani criminality." However, the police investigation eventually revealed that the boy had fabricated the story and had actually injured himself when attempting an acrobatic trick on an eighth-story

balcony. In December a court sentenced the boy to 20 hours of community service and one year of probation on charges of giving false testimony. The court stated that the boy's age and lack of previous criminal record was reflected in its decision.

In September the Czech Council for Radio and Television Broadcasting undertook a study to evaluate how the television station TV Nova reported events in January and February that involved Romani communities. Based on the analysis, the council determined that the station repeatedly presented information about members of the Romani minority that had been selected and written in such a way as to violate the operator's obligation not to include in its programming material that reinforces stereotypical prejudices about ethnic or racial minorities. The study continued.

Some politicians, particularly at the municipal level, were outspoken in their criticism of Romani communities, often vilifying the Romani minority, blaming it for community problems, and assigning collective guilt for crimes. On June 5, the Chamber of Deputies passed a law providing municipalities with authority to expel residents who had repeatedly committed misdemeanor offenses, such as prostitution, begging, and drinking alcohol in prohibited locations. Critics saw the amendment as a thinly veiled attempt to target Roma. President Klaus vetoed the legislation, returning it to parliament where a simple majority in the Chamber of Deputies can override the veto.

As of January 1, the Ministry of Interior provided funding for 87 "crime prevention assistants," who worked with municipal police forces in 26 cities and towns throughout the country. More than half of the assistants were Romani. The assistants act as mediators in disputes between Roma and other communities before they escalate. The EU funded 50 of the positions, while the Ministry of Interior paid for the remainder.

Although the law prohibits employment discrimination based on ethnicity, Roma continued to face discrimination in employment, access to housing, and in schools. Some employers refused to hire Roma and requested that local labor offices not send them Romani applicants. There were few prosecutions under the law during the year. An estimated 60-70 percent of Roma were unemployed. In areas with a high percentage of Romani residents, unemployment among Roma was close to 90 percent, according to the Agency for Social Inclusion in Romani Localities.

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. According to some organizations there was evidence of skimming by landlords 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 did for public housing.

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. Beyond housing discrimination, reasons for the growth in Roma-dominated ghettos included urban gentrification and rent increases.

Romani children were enrolled at disproportionately high rates in remedial schools, known as “practical” schools, which effectively segregated them into a substandard educational system. According to a report from the Ombudsman’s Office during the year, approximately one-third of Romani children attended practical schools, leaving them little opportunity to continue to higher levels of education. In regular schools, Romani children were often segregated from the majority population due to their place of residence (often in a Roma-majority neighborhood) or because officials in regular schools separated Romani children for remedial instruction. The final decision to place a child in a practical school is made by a judge based on a social worker’s recommendation. Beginning in 2012, parents must sign an informed consent agreement before their children can be placed in a practical school. However, experts expressed fear that parents would acquiesce to signing such agreements if they believed their children would experience less discrimination in practical schools than in mainstream schools.

Although the law permits Romani curricula, no elementary school in the country used such curricula. The Romani language was taught as a foreign language at two secondary schools and several universities.

On July 25, the cabinet extended the mandate of the Agency for Social Inclusion in Romani Localities by three years, to the end of 2015. The “in Romani Localities” portion of the agency’s name was dropped to signal a policy shift to more broadly based inclusion efforts. The agency is tasked with 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.

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

The government did not keep statistics regarding incidents of violence directed at individuals because of their sexual orientation or gender identity. A report by a governmental working group on problems involving sexual minorities indicated that physical and verbal attacks occurred but were rarely reported.

There were some reported instances of discrimination against persons based on sexual orientation or gender identity. For example, lesbian, gay, bisexual, and transgender (LGBT) couples may not adopt a child, nor may a gay or a lesbian in a partnership adopt his or her partner's biological child, although single LGBT individuals may adopt. Antidiscrimination and hate-crime legislation exists, but does not specifically cover LGBT individuals.

While there were no impediments to LGBT organizations or to the annual Prague Pride Festival, a few officials in the Office of the President did speak out against the parade, calling it a "repugnant farce" and a "recruiting event for homosexuality."

Other Societal Violence or Discrimination

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 related to healthcare and dental care access and wrongful termination. The government took no action in most cases, because individuals with HIV/AIDS often preferred to keep their status confidential rather than file complaints.

HIV/AIDS patients who suddenly became ill and required immediate medical attention faced significant challenges. Most often, this was due to their inability to access a physician or the refusal of auxiliary medical staff to allow such access. Even at hospitals with specialized HIV/AIDS clinics, only one physician often treated patients on certain days of the week. The CSAP reported cases of individuals in need of emergency care who were told to come back another day when the dedicated HIV/AIDS doctor would be available, or to wait until all other patients had been seen first.

According to the CSAP, a police officer was terminated after his superiors learned he had HIV/AIDS. The officer's termination resulted from an internal regulation of the Ministry of Interior requiring the termination of active-duty police officers or firefighters found to have certain illnesses, including HIV/AIDS and leukemia, among others.

Section 7. Worker Rights

a. Freedom of Association and the Right to Collective Bargaining

The law, including related regulations and statutory instruments, protects 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. Workers in most occupations have the legal right to strike if mediation efforts fail. Strikes can be restricted or prohibited in essential service sectors that include hospitals, electricity and water supply services, air traffic control, the nuclear energy sector, and the oil and natural gas sector. Members of the armed forces, prosecutors, and judges are prohibited from forming or joining trade unions and are not permitted to strike.

The right to strike is regulated by the Act on Collective Bargaining. The law provides for collective bargaining, which generally was carried out by unions and employers on the company level. The law prohibits antiunion discrimination and does not recognize union activity as a valid reason for dismissal.

The scope for collective bargaining was more limited for civil servants, whose wages are 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. The strike must be announced 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. Unions expressed concerns that amendments to the Labor Code that took effect during the year may negatively affect the ability of employees of small enterprises to maintain union rights. The same amendments reportedly end the requirement that employers consult with unions on matters related to individuals or seek mutual agreement on some workplace problems.

The law protects union officials from dismissal by an employer during their term of union service and for 12 months after its completion. In order to dismiss a union official, an employer must first seek prior consent from the employee's unit within the union. If the union does not grant consent, a dismissal order is invalid.

Workers, including some foreign and migrant workers, generally exercised the right to organize and join labor unions, to strike, and to bargain collectively. This right 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 citizen employees. According to the Czech Moravian Federation of Trade Unions (CMKOS), the number of violations of labor law and trade union rules remained unchanged during the year. CMKOS reported a number of violations and cases of discrimination, including administrative obstacles to the collective bargaining process, unauthorized unilateral wage changes, and threats of dismissal if employees did not terminate their union activities or if they attempted to form unions. Employees, both union and nonunion, were often unwilling to file formal complaints or to testify against their employers due to fear of losing their jobs, having their wages reduced, or being subjected to poorer working conditions. According to CMKOS, employees usually filed complaints only if their jobs were immediately threatened or after a job loss. CMKOS also reported cases of employers not allowing union members sufficient paid time off to fulfill their union responsibilities.

Following the establishment of a local union branch of OS KOVO (Czech Metalworkers' Federation) in 2010, the management of an international company in Brno began pressuring union members to withdraw and nonmembers to refrain from joining. The management of the company urged workers to join instead an established work council comprised of employees loyal to management. The union chairman's contract was downgraded and he was shifted into a manual labor position. Management attempted to dissolve the union, but the national OS KOVO union intervened.

While unions are officially independent of political parties, there was a traditional ideological partnership between the Czech Social Democratic Party (CSSD) and trade unions. The key goals of trade unions often matched the political platform of social democrats, and the CSSD often publicly supported strike plans and other actions conducted by trade unions. Two former chairmen of the CMKOS, the leading union federation of 30 independent trade unions, continued their post-union careers in the Senate and the European Parliament as nominees or members of the CSSD.

b. Prohibition of Forced or Compulsory Labor

The law prohibits all forms of forced or compulsory labor, and the government effectively enforced these prohibitions. Courts issued their first final decisions under specific labor trafficking provisions of the penal code during the year, with sentences ranging from three to eight years' imprisonment.

The government implemented new legislation tightening the regulations on potentially abusive labor agencies by raising barriers to entry into the labor agency market, levying fines for illegal employment, and putting limits on the temporary employment of foreign nationals. The overall number of labor agencies decreased by 30 percent in the wake of passage of the new regulations. In January the Ministry of Labor and Social Affairs hired additional inspectors specially trained to recognize indicators of labor trafficking.

However, there were reports that men and women, including migrant workers, were subject to conditions of forced labor in the country typically through debt bondage and, in isolated cases, forced domestic servitude. Labor trafficking victims were often recruited abroad via deceptive practices by private labor agencies. For example, labor inspectors in the Plzen region of western Bohemia identified a group of Romanian trafficking victims working for a florist company, who were surviving in poor conditions below those called for in their signed contracts.

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

c. Prohibition of Child Labor and Minimum Age for Employment

The minimum age for employment is 15. Employment of children between the ages 15 and 18 was subject to strict standards of safety, limitations on hours of work, and the requirement that work not interfere with education. Infringement of child labor rules is subject to fines of up to two million koruna (\$107,000). The State Bureau for Labor Inspections (SBLI) effectively enforced these regulations. During the year the SBLI did not report any cases of child labor law violations.

d. Acceptable Conditions of Work

The Ministry of Labor and Social Affairs establishes and enforces minimum wage standards. During the year the national minimum wage was 8,000 koruna (\$430) per month. By comparison, the “minimum subsistence cost,” described as the minimum amount needed to satisfy the basic needs of a working-age adult for a month, was 2,200 koruna (\$118). Enforcement of the minimum wage was one of the primary objectives of SBLI inspections. The law requires equal pay for equal work.

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, which is equal to at least 125 percent of the average earnings.

During the year SBLI inspectors conducted 5,628 labor code enforcement checks. The SBLI imposed fines totaling 38.5 million koruna (approximately \$2.07 million) for substantial violations of the code involving contracts, working environment conditions, wages, overtime pay, and rest periods. In 2011 there were 336 labor inspectors in the country. SBLI’s labor inspection plan gave special emphasis to those sectors typically presenting risky working conditions such as construction, heavy industry, agriculture, and forestry. Labor inspectors prioritized inspections for illicit employment in the lodging/catering, retail, and construction industries. SBLI inspectors often acted in conjunction with the Labor Office, Social Insurance Bureau, Foreign Police, Customs Office, and other government authorities.

According to the International Organization for Migration, the standard work conditions were not always observed 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. According to trade unions and NGOs, migrants sometimes worked under substandard conditions and were subject to inhumane treatment by these agencies. Most commonly, salaries were paid to the agencies, which then garnished wages, 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 undertook regular inspections and dealt with accusations of labor infringements. During the year it inspected 60 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. Although the SBLI did not establish 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.

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. The SBLI effectively enforced health and safety standards. Laws requiring acceptable conditions of work cover all workers equally in all sectors. During the year, 2,805 SBLI checks focused on health and safety standards, primarily in construction, catering and lodging services, manufacturing, transport, food processing, and heavy machine industries. The inspections occurred both proactively and in response to complaints. Fines in excess of 10.3 million koruna (\$553,000) were imposed in cases where infringement of the law was substantial. In 2011 the number of registered injuries in the workplace dropped by 4.8 percent from 2010, but the injuries in the workplace categorized as serious increased by 60 percent in the same period. Fatal accidents increased by 1.5 percent during 2011. The vast majority of injuries and deaths occurred in the construction industry. Employees of small- and medium-sized companies often declined to use protective gear even though the employer provided it. Injuries often occurred when employees underestimated risks or employers failed to exercise consistent control or supervision of the workplace.