



# CZECH REPUBLIC

## BIAS-MOTIVATED SPEECH

There was a sharp increase in bias-motivated speech against LGBT+ people this year, including by politicians. A spokesman of the Czech President, Jiří Ovčáček, stated that “the ideologies of ‘climatism’, LGBT or ‘genderism’ are totalitarian”. Chairman of the Senate, Mr. Kubera, made similar statements. Anti-LGBTI sentiments are one of the key drivers of the new ultra conservative party Trikolora, founded this year.

Several religious leaders also spoke out against the rights of LGBTI people or “gender ideology”. In August, the Archbishop of Prague, Cardinal Dominik Duka, released a communiqué in support of the Polish clergy, agreeing that “LGBT ideologists” represent totalitarianism.

Civil society organisations actively working against the rights of LGBTI people, such as the Alliance for Family and Pro-Life Movement, also became increasingly active.

A criminal complaint filed last year against the Roman Catholic clergyman, Mr Piřha, for hate speech, was dismissed by the police.

## DATA COLLECTION

In April, the Ombudsperson in cooperation with Prague Pride, launched the groundbreaking report Being LGBT+ in the Czech Republic, on the basis of a survey, answered by almost 2,000 LGBT+ people. The survey focused on experiences of prejudice, discrimination, harassment and violence in the community (see under **Equality and non-discrimination and Legal gender recognition**).

NGO Trans\*parent presented its report The Hopes and Fears of Trans People based on survey responses from almost 400 trans people. One-third said they did not feel good in the country, listing almost 300 reasons.

## DIVERSITY

One of the grand marshals of Prague Pride this year was David Tiřer, a well-known Roma LGBT activist. The Roma LGBT community was also represented by a Pride float called ARA, in reference to the ARA ART organisation. Pride was broadcast by ROMEA TV.

## EDUCATION

The lack of information on LGBTI rights and the discrimination experienced by LGBTI people in school continued to be a serious issue this year, and efforts to remedy this were met with resistance. For instance, a primary school invited a sexologist to talk to a class about being trans, because a trans student was in the process of socially transitioning. A parent complained about the session and in cooperation with the NGO Alliance for Family, filed a complaint to the Czech School Inspectorate. The Inspectorate agreed that there are grounds for complaint. Leading Czech sexologists issued a statement to support the school and the sexologist.

## EQUALITY AND NON-DISCRIMINATION

The Ombudsperson’s report (see under **Data collection**) found that more than a third of LGBT+ people had experienced discrimination in the past five year, which is more than three times than in the general population. The rate was significantly higher, 86 per cent, among trans people. Discrimination was most common in education and employment. The study further found that the vast majority of victims of violence and threats did not report to the police, a fifth because they did not trust them.

The Ombudsperson recommended the government to ensure that LGBT+ people are protected from discrimination, including in employment, healthcare and education; that SOGI grounds are included in the hate crime legislation; that the blood donation ban on LGB people is lifted; among others.

## FAMILY

The equal marriage bill was filed in June 2018, but remained stalled in Parliament this year. On 26 March, the House of Representatives held its second debate on the bill, but after four hours of discussion, there was no time left for a vote. The Parliament has spent a total of seven hours debating. More than half of this time was taken up by opposing statements, primarily by the Christian Democrats (KDU+CSL), the conservative Civic Democrats (ODS) and the far-right SPD.

In the beginning of the year, Isme Fer asked mayors to publicly support same-sex marriage and many did.



On 12 June, the first anniversary of the bill being tabled, Jsme Fer held a rally and called on the Prime Minister and parliament to move the process along.

## FREEDOM OF ASSEMBLY

The annual Prague Pride took place in August, attracting 30,000 participants, slightly lower than last year. Counter-protesters attempted to disrupt the parade, but the police intervened quickly and successfully. During Pride week, a rainbow flag close to the Pride Village was set on fire and someone shot roman candles at people in the Village. On the night before the final Pride march, 20 litres of cooking oil were poured on the steps of Letná Park, the parade's end point. No one was hurt, and the police did not identify the perpetrators in either case. A Taiwanese delegation joined the parade, Taiwan being the first Asian country to introduce same-sex marriage. For the first time, the Prague City Hall flew a rainbow flag throughout Pride Week.

On 17 August, the first Pride March was held in the third largest city Ostrava, joined by approximately 300 people. Police kept counter-protesters away from the march.

## LEGAL GENDER RECOGNITION

NGO Trans\*parent launched the Jsme Trans/We are Trans campaign to increase the visibility of trans people and make sure legal gender recognition (LGR) is available on the basis of self-determination. Currently, the requirements of LGR include a psychiatric diagnosis, hormone therapy, surgery and sterilisation, and divorce.

*"[This] still reinforces the position of the doctors here, which is not very desirable for trans people. They misuse and abuse their position toward [...] in applying diagnostic treatments and inquiries that are traumatising to trans people, inhumane and abusive."* - Viktor Heumann, Director of Trans\*parent to the Bay Area Reporter

In her report (see under **Data collection** and **Equality and non-discrimination**), the Ombudsperson called on the government to ensure that LGR does not require trans people to undergo surgeries or sterilisation.

The Ministry of Justice prepared a bill to end mandatory sterilisation, in line with European Court of Human Rights jurisprudence. Although trans rights organisations advocated

for the self-determination model, the bill retained the mandatory diagnosis requirement. However, the bill was set aside due to the resistance of the Ministry of Interior and the Catholic Church, who want to keep the sterility requirement.

A complaint to the Constitutional Court, by a trans person, T.H., challenging mandatory sterilisation is pending. Previously, the Supreme Administrative Court dismissed the case, arguing that maintaining the gender binary is essential to protect society.

## PUBLIC OPINION

Surveys conducted this year showed that more than half of the population is in support of equal marriage, but there was a slight decrease compared to the past two years.