

## **Calendar of the most important dates for democracy building and the rule of law crisis in Czech Republic**

### **November to December 1989 - The Velvet Revolution**

The non-violent transition from the Communist dictatorship to the democratic system with guarantees of rule of law and protection of human rights. It marked a break with the former oppressive regime.

### **January 1993 - Dissolution of Czechoslovakia**

The Czech Republic became an independent country after the dissolution of Czechoslovakia. The Constitution of the Czech Republic, the supreme law of the country, entered into force, covering the fundamental constitutional principles: the principle of popular sovereignty and the principle of separation of powers into the legislative, executive and judicial branches of government.

### **Early and mid 1990s - The quick transformation of the economy**

The quick transformation of the economy pushed by Václav Klaus, the leader of conservative Civic Democratic Party (ODS), was characterised by radical liberalisation of the economy, privatisation and a strong pro-market driven approach. Privatisation of enormous state-owned enterprises took place before the new legal system was ready. Many used legal loopholes and non-existing regulations for their own massive and rapid enrichment, to the detriment of the Czech state and ordinary citizens.

### **1998 to 2002 - The Opposition Agreement era**

Miloš Zeman, the leader of the Czech Social Democratic Party (ČSSD), who introduced harsh rhetoric into political discourse – painting a horrific vision of Czech lands suffering from economic reforms implemented by the governments of Václav Klaus – became Prime Minister and made a political agreement with Klaus on the distribution of power. The fact that the biggest political parties – one left-wing, one right-wing – came to this agreement diminished the traditional political dynamics of a ruling coalition and an opposition party and instead created a space for clientelism and abuse of power.

### **End of 2000 to February 2001 - Public service media crisis**

After the dismissal of the Director General of Czech TV and the appointment of a new one, Czech TV reporters and various citizen associations were in uproar, fearing the newly appointed leadership was too connected to major political parties and would intervene in

the independence of reporting. Mass civil society protests, a battle for control of the airwaves – which included jamming and accusations of censorship – and political controversies followed. In the end, the independence of Czech TV was preserved.

### **2002 to 2006 - One Government, three Prime Ministers**

ČSSD formed a coalition government with KDU-ČSL (Christian Democrats) and US (Freedom Union). The Prime Minister was replaced twice during the election period. The last, Jiří Paroubek, who took office after his predecessor resigned (he was unable to convincingly explain the origins of a loan used to buy a flat), was known for his populist, strong rhetoric (e.g., regarding violent police action against a free rave in 2005).

### **July 2009 - The “Tuscany affair”**

Photographs of top politicians, businessmen and other influential figures on holiday in Monte Argentario, Tuscany, were published in major daily newspapers. They included former Prime Minister Mirek Topolánek, a infamous aide, and an influential Social Democrat lawmaker, along with the CEO of ČEZ (Czech SOE, a conglomerate specialising in the generation, distribution, trade, and sales of electricity, heating and natural gas, and coal extraction). The affair strengthened suspicion about the influence of businesses, and particularly ČEZ, on Czech politics.

### **2010 to 2012 - Important personnel changes in top prosecutorial positions**

The credibility of public prosecutor's offices suffered several blows over the period due to allegations of abuse of power, and mishandling or not properly investigating politically sensitive cases, including certain cases of economic criminality, where business interests overlapped with the political ones. A controversial Prosecutor General, who was even accused by her predecessor of membership of a “judiciary mafia”, was dismissed and replaced by a respected prosecutor. This was followed by the removal of another controversial figure from the office of High Prosecutor in Prague, who had an infamous nickname – “sweeper of cases”.

### **June 2013 - Fall of the Petr Nečas Government**

The Police Unit for Combating Organized Crime raided the Office of the Government and arrested some Prime Minister Petr Nečas' closest advisors and collaborators, including Managing Director of the Section of the Prime Minister, who was also the Prime Minister's mistress, and the former head of the Military Intelligence Service. They were accused of abuse of power and corruption. Nečas accepted responsibility and resigned.

### **July 2013 - Zeman's problematic interpretation of the constitution**

Miloš Zeman, the first directly elected president, ignored the political majority in the

Chamber of Deputies and appointed a government of his allies, led by his friend and long-term ally Jiří Rusnok. Despite the no-confidence vote (7 August 2013), Zeman let the caretaker government rule unusually long - until January 2014, after the new government was formed based on the October 2013 elections. It was the first major signal that Zeman would use his own problematic interpretation of the constitution for political ends.

### **October 2013 - The rise of populist parties**

During the parliamentary elections, traditional political parties had to face new populist movements which were challenging the system. The most successful one was led by Andrej Babiš, CEO and owner of the Agrofert Group (a conglomerate operating agriculture, food, chemical, construction, logistics, forestry, energy and mass media industries - including the popular daily newspapers MF DNES and Lidové noviny and the Impuls radio station). His populist political movement ANO 2011 ran an effective campaign, running on an anti-corruption platform promising a political, managerial approach to government and ended up narrowly second behind ČSSD. Babiš became the Minister of Finance.

### **2015 - European migrant 'crisis'**

The events of the so-called European migrant crisis or European refugee crisis in 2015 were connected with the spread of disinformation and an anti-immigrant sentiment used by populist politicians in their rhetoric, including the Czech far-right politician and entrepreneur of Moravian and Japanese descent, Tomio Okamura, and President Miloš Zeman.

### **November 2016 - Passage of the Amendment of the Conflict of Interests Act**

The act included provisions making it illegal for a company owned by a Czech minister to receive subsidies, state investment incentives, or public contracts, and to operate television and radio broadcasting and publish periodicals. The measure was passed despite the lack of support by ANO, because it was aimed at tackling the enormous conflict of interest of the then minister Babiš.

### **August 2017 - The 'Stork's Nest' affair**

Andrej Babiš became the subject of a criminal investigation regarding the financing of Stork's Nest, a resort in Central Bohemia, for which Babiš is alleged to have illegally acquired 2 million Euros of EU subsidies meant for small companies.

### **October 2017 - Babiš becomes Prime Minister**

ANO won the 2017 parliamentary elections and Andrej Babiš became Prime Minister, gaining the backing of President Zeman. Babiš was unable to find support for his government until July 12, 2018, when it succeeded in a vote of confidence, after ANO

formed a coalition government with ČSSD and found other support from KSČM (the Communist Party) in the House of Deputies.

### **2019 - Proposed constitutional lawsuit against president Zeman**

The Senate, the upper house of parliament, proposed the filing of a constitutional lawsuit against President Zeman, reproaching him for inactivity in appointing and dismissing ministers, and for public appearances that are counter to the nation's official foreign policy. The House of Deputies, dominated by Zeman's supporters from ANO, ČSSD, KSČM, and Okamura's Freedom and Direct Democracy (SPD), voted down the proposed filing of a lawsuit.

### **March 2020 - Controversial management of the Covid-19 pandemic by the Czech Government**

A large number of governmental measures were invalidated by the courts due to a lack of reasoning or a legal basis. Certain strict measures were temporarily postponed or lifted by the Government based on populist calculations. Additionally, the public rejection of anti-epidemic measures, fueled by disinformation, strengthened radical populist political parties.

### **April 2021 - The European Commission audit**

According to the EC's audit, Prime Minister Andrej Babiš breached conflict of interest rules over his control of trust funds linked to his Agrofert business empire. All EU subsidies awarded to the company after February 2017 (when the Amendment of the Conflict of Interests Act came into force) were considered irregular and should be returned.

### **October 2021 - Parliamentary elections**

Unexpectedly prime minister Babiš was defeated, and moderate center-right parties received a clear parliamentary majority. Even though the era filled with scandals of Mr Babiš may have ended, it does not mean that reforms are not needed anymore. On the contrary, the new government has to pass important changes that would prevent state capture and improve the socio-economic situation of marginalized groups that tend to look up to anti-systemic political voices.

### **February 2022 - Russian invasion in Ukraine**

The evolution of the rule of law in the Czech Republic (as in other European countries) was and still is strongly affected by the Russian invasion in Ukraine. The energy crisis, high inflation rates and other problems associated with this crisis led to a series of anti-government demonstrations and an unsuccessful attempt by opposition parties to pass a vote of no confidence in the government.

### **January 2023 - Presidential elections**

After the ten-year rule of President Miloš Zeman, the Czech Republic elected a new head of state in January 2023. In the second round of the elections, Petr Pavel, a retired army general and former chairman of the NATO military committee, won against former Prime Minister Andrej Babiš.

### **June 2023 - Strengthening the Conflict of Interest Act**

Public officials (now including the president) will not be allowed to operate radio and television stations and publish newspapers. To minimize circumvention of these rules, the ban will apply to the beneficial owner of the media operator, not, as before, to the person in control of them. This change in who the rule will apply to is also extended to companies banned for receiving subsidies and investment incentives, and is aimed at members of the government. Sanctions are also being tightened.

### **July 2023 - Media laws amended to strengthen the independence of public service media (Czech TV and Czech Radio)**

After a long legislative process, which the opposition attempted to disrupt several times, Parliament succeeded in passing the so-called 'small amendment' to the media laws. From now on, both chambers of the Czech Parliament will participate in the election of the members of the media councils of Czech Television and Czech Radio (whereas previously, it was only the lower house which elected all members). The board of a given media outlet can also no longer be dismissed as a whole if the Chamber of Deputies fails to approve its annual report twice in a row. The criteria for organizations to nominate a candidate to the media council have also been tightened.

### **Author:**

Lukas Kraus, Frank Bold Foundation.