



Czech Republic



Family issues, namely whether or not same-sex couples should be granted access to the adoption system, were firmly on the agenda in 2015. Politicians began to debate the issue but had not reached a conclusion by the end of the year; while one couple continued to fight multiple court cases, resulting in the first decision by a Czech court concerning foreign adoption by same-sex couples. Victims of homophobic bullying in schools received mentoring advice from LGBT NGOs and several public opinion polls revealed moderate to strong support for equality issues such as equal marriage and second parent adoption.

Education

- LGBT NGO Prague Pride launched an online support service in February. The *S barvou ven* advisory centre links young people who are victims of homophobic bullying at school with mentors who can provide confidential information and advice.

Family

- A gay couple who were refused permission to adopt under existing legislation initiated a legal challenge in April. The City Court referred the question to the Constitutional Court, making it the first time that the issue of same-sex exclusion from the adoption process would be addressed by the Constitutional Court. The case was on-going at the end of the year.
- On 28 April, the Chamber of Deputies began debating a proposal to introduce second parent adoption for same-sex couples. At the end of 2015, the proposal was still listed in the Chamber of Deputies' programme.
- A gay couple filed an administrative action in the Municipal Court in Prague over the delay in recognising their adopted children's Czech citizenship. The couple adopted two children in the USA in 2005. Despite Czech law stating that adopted children receive Czech citizenship on the day that a Czech court recognises the adoption, the civil registry had refused and said that adoption by same-sex couples is against public order. The administrative case was still pending at the end of the year but the same couple had also filed a district court case. In October, the Prostějov District Court acknowledged the original Californian court's adoption decision, meaning that the adoption is legally binding in the Czech Republic. This is the first time that a Czech court has ruled on the recognition of a foreign adoption by a same-sex couple.

Health

- The government proposed an amendment to the Czech Public Health Protection Act (Act No. 258/2000 Coll.) in July 2014. This original proposal contained mandatory HIV testing for particular groups, including men who have sex with men (MSM). The Czech AIDS Help

society, supported by the Czech Public Defender of Rights, Czech Data Protection Office and other organisations, challenged the amendments, arguing that mandatory HIV testing is contrary to WHO best practice.

- The government subsequently accepted these arguments and on 1 December, a redrafted amendment, omitting mandatory testing for certain groups, came into effect.

Public opinion

- Polling company CVVM released survey results in May which showed that 49% of those questioned supported equal marriage and 47% opposed the idea. 44% supported the idea of allowing same-sex couples to access the joint adoption system (up from 19% in 2005). 59% of people supported equal access to second-parent adoption procedures.
- According to Eurobarometer 2015, 30% of people surveyed in the Czech Republic believe that discrimination on the basis of sexual orientation is widespread (EU28 average was 58%). When asked about gender identity, 26% felt discrimination on this ground was widespread (EU 28 average was 56%). 62% totally agreed with the statement that LGB people should have the same rights as heterosexual people (EU 28 average was 71%). When asked to grade how comfortable they would be with certain scenarios on a scale of 1 (not comfortable at all) - 10 (totally comfortable), 56% said they would be comfortable or moderately comfortable with an LGB work colleague (EU28 average was 72%). When asked about a potential trans work colleague, 46% said they would be comfortable or moderately comfortable (EU28 average was 67%).