

annual report 2009

league of human rights



LIGA LIDSKÝCH PRÁV

## The League of Human Rights

about the organization

*"We want to see a society where human rights are respected in a daily life, and if they are violated, then individuals can effectively defend themselves."*

We are an independent non-profit organization that focuses on human rights and their observation in the Czech Republic. Since 2002 we have worked on projects that would promote fair and honourable conditions for all children, patients, people with mental disorders or disabilities, as well as for victims of police violence, and victims of racially motivated and violent crimes. We have created a space for freedom of choice in the areas of health care, justice and protection of children's rights.

We have won legal disputes in cases where human rights were violated. We have been successful at enforcing modifications of outdated laws. Every day we help people orientate themselves in the jungle of acts, articles and paragraphs. We cooperate with judges, doctors, teachers and police officers and help them improve their attitude towards people. We publish expert analyses and policy papers as well as legal guides for the general public.

We are the only member organization of the International Federation for Human Rights (FIDH) in central Europe.

Thanks to the enthusiasm and expert skills of our team we have achieved considerable success.

You can find all information at [www.llp.cz/en](http://www.llp.cz/en).

# twenty years later

## introduction

In 2009 Czech society celebrated the twentieth anniversary of the fall of communism. The attempts to control the citizens started already in maternity hospitals where all children were taken away from their mothers. The education towards a single correct opinion continued at schools; some children were placed in special schools right away. If the teacher did not make an individual part of the crowd, this was achieved by the police and obedient judges who had the subject matter ready, for example in the Act on Protection of Democratic People's Republic.

It is not a coincidence that health care, education, police and justice are the main areas of Liga's interest. Obviously, in the past twenty years many changes for the better have taken place both in legislation and in practice. Nevertheless, we learn again and again that the hardest thing is to change the way people think. Our training programs for health care workers show that some doctors would not even shake hands with their patients. We, therefore, shouldn't wonder that the freedom of choice on the part of patients is not respected in the area of health care.

In order to help break down the totalitarian prejudices deep-rooted in the minds of police officers, judges, teachers and doctors we represented citizens in courts and obtained compensation for victims of basic rights violations. We also supported examples worthy of following. We awarded the first schools ever with the Fair School Certificate which provide equal opportunities for minority children, and thus break lasting segregation stereotypes.

And last but not least, there is one personal change. By the end of 2009 Liga said goodbye to its founder Jiří Kopal, the winner of the Alice Garrigue Masaryk Award. I wish him all the best in anything he undertakes to do and I proudly continue in the work he started doing in the area of human rights here in the Czech Republic ten years ago.

David Zahumenský, chair

# circle of friends

In 2009 we founded the Liga's People Club for all those who support us, thus helping us defend human rights and improve the quality of life of all people in the Czech Republic. All you have to do to become a member of Liga's People Club is to support the League of Human Rights activities by a regular monthly contribution of 100 CZK.

The Club members get regular information on Liga's activities, the EXTRA League Papers (EXTRA Ligové noviny) twice a year, the annual report, any new publications and little presents. We meet Liga's People at social events; we invite them to public discussions, seminars and other events concerning human rights.

If you want to learn more about Liga's People and their activities, you can visit [www.lidiligy.cz](http://www.lidiligy.cz) and browse through discussions, videos, images, or information on events. And you can join them too.

Thanks to public support we are able to enforce many important changes and continue with well functioning projects.

## Liga's people

*I contribute to the non-profit sector in general because I think that it is necessary to share and help. I support the League of Human Rights because I think that the Fair School project is especially important. I am convinced that some problems can be solved only through education, especially the problems of the Roma. That is why I always wish my contribution would go to education.*  
Bohdana Špondrová (55), businesswoman

*I support the League because their activities are praiseworthy, especially considering that the League focuses on problems no one else in the Czech Republic does. Very often they stand up for minority opinions, which find support only with difficulties here.*

Ľubomír Majerčík (30), lawyer, academic at the Faculty of Social Studies of Masaryk University

# rights of children

## to good education

*"I think that the Fair School project helps spread the idea of an equal and open educational system. Every child deserves to be fully supported in the development of their potential and to be safely accepted by the school they go to. The schools participating in the Fair School project show that fair attitude is not only right but also highly efficient for all people concerned."*

Klára Laurenčíková, Deputy Minister of Social Programmes in Education Section, the Ministry of Education, Youth and Sports

In October we awarded the Fair School Certificate to the first four elementary schools. The teachers are able to provide education to all children regardless of their physical, intellectual, social, linguistic or other handicaps. They approach every child in such a way as to help develop each child's personality. The number of schools participating in the Fair School project is more than 20 and it still increases. We offer the schools advice, concerning the implementation of cross-sectional topics, and counselling in the area of didactics, school legislation and discrimination. We also offer cooperation in finding educational assistants, in communication with the authorities and in organization of workshops for students dealing with the topics of human rights, discrimination, prejudices and others. Within the Multicultural School project we provide education for both teachers and students. The teachers should employ multicultural education and newly also ethical education to teach their pupils mutual respect and tolerance. We organize seminars where we help the teachers understand the significance of these topics and we offer them many inspiring suggestions for lessons.

## institutionalized children

In the court we represented parents whose children were taken away from them due to temporarily inadequate housing, and were consigned to foster care. The unlawfulness of the authorities' proceedings was already pointed out by the Public Defender of Rights. Because the father of the children suddenly fell severely ill, we helped the parents get at least a court approved agreement that they can see their children on a regular basis.



# health care

## patients' rights

*Hello, I've been browsing your great website all day where one can learn everything one needs. Thank you for creating this place where people can turn to when they need it.*

Gabriela B.

The website [www.ferovanemocnice.cz](http://www.ferovanemocnice.cz) was visited by 38,694 people. We answered more than 500 questions concerning health law. Most often they regarded medical malpractice or entitlement to sickness or maternity allowance. We represented a woman whose healthy ovaries were removed without her consent. The court confirmed that the doctor performed the surgery against the law and it awarded our client compensation of 80,000 CZK. We appealed to the High Court in Prague which increased the compensation to 150,000 CZK. We prepared a new interactive course on law for public entitled LEGAL LAYETTE FOR MATERNITY HOSPITAL AND ELSEWHERE. In a fun and simple way it helps parents and expectant mothers learn about the issues of ambulant birth, birth plans, and compulsory vaccination or about what to do if they do not agree with any treatment during the birth.

## unlawful sterilizations

In the cases of three sterilized women we represented, the courts held that the sterilisation was unlawful. Nevertheless, two of the women have been denied the right to compensation due to the fact that they appealed to the court three years after the sterilisation. We consider such an attitude to be unlawful and therefore we filed an application to the European Court of Human Rights. The government merely expressed a cautious regret that any unlawful sterilisations occurred. The only one who will get compensation will probably be our client from Northern Bohemia who was awarded compensation of 200,000 CZK by the High Court in Prague in November 2009.



# rights of people

## with disabilities

The Czech Republic ratified the Convention on the Rights of Persons with Disabilities, the importance of which we were constantly pointing out. In our country, just like in other Eastern European countries, old laws are still valid that discriminate against disabled people and inhibit the development of their potential. Now it is time for the Czech Republic to reform these laws. For example, it is necessary to change the system for restricting the legal capacity of disabled people and the system of social services and education.

The League of Human Rights and the Mental Disability Advocacy Center (MDAC) issued a new policy paper which points out the violation of human rights of mentally disabled people in proceedings concerning legal capacity. The policy paper points to bad legislation and work of Czech courts, provides a detailed analysis of proceedings concerning legal capacity, defines deficiencies and offers sixteen particular provisions for changes in the Czech legislation which would prevent the violation of human rights of disabled people.

A client of Liga and MDAC got compensation of 36,000 CZK for being unlawfully hospitalized for sixty days. The courts ordered the Czech Republic to pay the woman 600 CZK for each day of her unfounded involuntary hospitalization in a psychiatric hospital. The review of involuntary hospitalizations is a mere formality in the Czech Republic. We believe that the obligation to pay compensation will motivate the courts to consider the reasons for hospitalization more cautiously.

As a part of the Medical Fair in Brno the League of Human Rights and MDAC held a conference on legal capacity. Among those who participated in the conference were leading experts on rights of disabled people who are part of the non-profit sector and of the legal and medical area. Lectures were given by Petra Zdražilová from the Public Defender of Rights office, Lucie Rybová from the Czech organization for mental health and professor and practising psychiatrist Georg Hoyer from the University of Troms, Norway.

# justice and police

## soudnictví

Twenty years of free justice: Unresolved Issues, this is the name of a working seminar we organized on 18th November in Brno. The seminar was held under the auspices of J. Baxa, President of the Supreme Administrative Court and was attended by forty judges. Background materials for the seminar were prepared by judges J. Sváček, E. Wagnerová, Z. Kühn and by legal expert D. Kosař. We published an analysis which deals with deficiencies in compensating for delays and proposes solutions. Citizens should be able to have more efficient means for preventing delays and better information on how to get compensation. We supported the proposition that the courts be obliged to disclose even those judgements that are not final so that the public has the opportunity to follow the development of socially significant cases.

## police and victims' rights

We filed an application to the ECHR, because the police and the public prosecutors refused to properly investigate the reasons why the municipal police officers did not administer first aid to a drowning young man. We undertook to represent several people who were arrested after police intervention in an unused building in Prague's district of Albertov. The police officers violated the people's right to personal freedom and mistreated them. We filed a petition for apology and compensation. For years we have been pointing to the absence of an independent authority which would investigate complaints against police officers. Now the government has passed an act on general inspection which will enforce independent investigation if it is passed also by the Parliament. We continue to represent the victims of the brutal police intervention at CzechTek in 2005 as well as other victims of violent crimes. We are trying to get fair compensation for a young Roma woman who has been raped by her gynecologist.

## actions

### international

As part of a project focusing on the exchange of experience in the field of justice between the Czech Republic and the Ukraine a meeting took place at Easter in the Ukraine. It was attended by representatives of the Czech Union of Judges and of the Liga and by Ukrainian lawyers, non-governmental organizations and judges. Whereas lawyers and representatives of the non-governmental organizations were interested mainly in the issues of independent justice, Ukrainian lawyers, prosecutors and academics discussed the questions of the overload and lack of financial assurance of courts and the public trust. In May Liga organized a visit of twenty Ukrainian judges to the Czech Republic. At the beginning of the summer Jiří Kopal took part in seminars given for representatives of non-governmental organizations and state authorities in Kazakhstan and Tajikistan. The European Commission organized the two seminars to canvas the opinions of human rights workers for inclusion in the official dialogue regularly held between the EU and 30 countries of the world. The main topics of the seminars in Almaty and Dushanbe were the functioning of all elements of justice and the conditions in places where freedom is restricted, with emphasis being put on torture prevention. In July 2009 after years of effort the Rome Statute of the International Criminal Court was eventually ratified. President Václav Klaus finally signed the Statute and the Czech Republic thus became the last EU country to conclude the ratification process. By the end of October the new Liga chair David Zahumenský participated in an international conference organized in Lvov, the Ukraine. The aim of the conference was to contribute to the establishment of an authority which would inspect whether the people who are deprived of their personal freedom in the Ukraine are not subjected to torture or other inhumane and degrading treatment. In Budapest in November 2009 at the Pro Bono Forum the Liga chair met representatives of law firms that provide free services, i.e. pro bono services, for non-governmental organizations and the public.

## cooperation

### domestic

Together with fourteen Czech and international organizations we formed a coalition called Together to School! and we commented on significant documents and changes to legal enactments in order to promote inclusive education at Czech schools. We cooperated with the Pedagogical Faculty of Masaryk University on research concerning the teacher-student relationship. We focused mainly on the way the teacher's idea of a "perfect" student affects their evaluation of real students. Liga significantly helped carry out analysis concerning assurance of safety and law enforcement at local level. The paper entitled "Safety and law at local level: Legislative prerequisites and enforcement of community policing after change of Act on the Police of the Czech Republic" was published by the ProPolice centre. With a view to opening an expert discussion that would lead to a better enforcement of patients' rights and to fair compensation for interventions with patients' health and dignity, we organized a seminar on compensation for patients in Austria at the Ministry of Health. We cooperated with the Public Interest Lawyers Association on the enforcement of pro bono help for the poor, on the preparation of the Human Rights School program, on the improvement of the system of compensations for delays in court proceedings, and on a seminar organized on the occasion of the 20th anniversary of independent justice. We helped the Faculty of Law of Palacký University in Olomouc and the Faculty of Law of Masaryk University in Brno to extend the practical ways of educating students, including internships in the League of Human Rights. We cooperated with Nesehnutí and Amnesty International on the preparation of the Human Rights Week festival; we cooperated with the Active Motherhood Movement, the Czech Midwives Association and others on the preparation of the World Respected Childbirth Week. We participated in the Active Parenthood Conference organized by Nesehnutí. On a long term basis we cooperate with the Environmental Law Service, the Association of Involuntarily Sterilized Women, MDAC, and Rozálio association.

# economy

## expenses

Office stationery, literature, office overheads	170,746	4%
Communication costs	198,437	4%
Office rental	317,066	7%
Printing costs, typesetting, advertising	274,996	6%
Travel expenses	140,132	3%
Legal services and fees	723,899	15%
Expert services (psychological, financial, translations and interpreting)	152,876	3%
Personnel expenses	1,954,911	41%
National and health insurance	578,361	12%
Seminars, workshops	198,054	4%
Financial expenses (penalties, exchanges losses, charges)	62,864	1%
<b>Total expenses</b>	<b>4,772,342</b>	<b>100%</b>

## income

Own income	50,850	1%
Mental Disability Advocacy Center (MDAC)	738,503	15%
Governmental and EU grants	242,294	5%
Foundation for the Development of Civil Society grants		
EEA and Norwegian financial mechanisms	1,303,049	27%
Other foundations grants	2,334,010	48%
Donations	76,440	2%
Financial income (bank interests, exchange gains, other income)	77,161	2%
<b>Total income</b>	<b>4,822,307</b>	<b>100%</b>

**Economic outcome - profit**

**49,965**

## expenses with regard to topics

Human rights in health care	2,061,010	43%
Children's rights	827,877	17%
Justice and police	1,376,595	29%
Foreign students' and experts' internship	412,474	9%
Other expenses (other materials, services, expenses for presentation and promotion, financial expenses)	94,386	2%
<b>Total expenses</b>	<b>4,772,342</b>	<b>100%</b>

## works published

In 2009 we published four useful guides in the Manuals edition. They are supposed to help both experts and the general public orientate in different areas of the law. All publications including expert articles, analyses and policy papers are available at Liga's website for free download.

### How to give advice to disabled people in matters of legal capacity

What does the deprivation or restriction of legal capacity mean? What to do in the course of proceedings concerning legal capacity? What are the duties and rights of a guardian? Answers to all these questions can be found in this manual. It also contains practical examples and templates.

### How to give good advice to patients

A useful guide for volunteers, interns and counselling centres for patients and other people. The first part of the manual contains advice on how to react in new situations that may occur in legal counselling. The second part focuses on the amendments to the health law and patients' rights. It is complemented by an index of most the frequently used terms concerning health law.

### How to react as a victim of crime

An updated and completed edition of the manual, which contains essential legal advice for victims of crime and guides the readers through many difficult situations. The manual also contains contact numbers and addresses of non-governmental organizations and state authorities that provide help to victims.

### How to be a patient in the Czech Republic and still preserve one's dignity

This manual designed for the general public deals with the rights of women during pregnancy and childbirth, the rights of parents in case their child stays in hospital, the issues of incapacity for work, medical documentation, insurance and informed consent as well as with other topics. Eight chapters of the manual contain answers to nearly sixty questions concerning health law.

## The League of Human Rights

### contacts

The League of Human Rights  
Burešova 6  
602 00 Brno

tel.: +420 545 210 446  
fax: +420 545 240 012  
email: brno@llp.cz

www.llp.cz  
www.lidiligy.cz  
www.ferovaskola.cz  
www.ferovanemocnice.cz  
www.reformaopatrovnictvi.cz

You can find us on Facebook as well.

### imprint

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www.nikolapolackova.com

# sponsors and donors

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## personal contributors

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Alena Charvátová  
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