

Czech MPs want direct presidential elections

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The lower house of the Czech parliament on 14 December adopted the governmental constitution amendment introducing direct presidential elections. This was supported by both coalition and opposition MPs. The decision to relinquish the election of the president by parliament is yet to be approved by the Senate. President Václav Klaus is opposed to the amendment, but he has no right to veto constitutional laws.

The amendment adopted by the Chamber of Deputies restricts the president's immunity to the period of the president's term in office (at present it is lifelong) and the president's right to interfere with criminal proceedings (to block or interrupt proceedings), making a decision of this kind dependent on countersignature by the prime minister or the relevant minister. Pursuant to the amendment, the president will be able to be indicted in front of the Constitutional Court not only for treason (which is referred to as for example "actions aimed against sovereignty" in the amendment) but also for violating the basic law.

The constitutional law adopted by the Chamber of Deputies does not offer the opportunity for the incumbent president to seek re-election (this is his second term in office). The new regulations will apply to President Klaus's successor, who will be elected in 2013.

Commentary

- Although the amendments adopted by the Chamber of Deputies strengthen the political legitimacy of the future president, they still do not offer any additional powers and in fact weaken the president's position with regard to the government and parliament. The key competences of the president will still be: the exclusive right to decide on the management of the Czech national bank and the weak right of veto (which the Chamber of Deputies can overrule by an ordinary majority of the statutory number of MPs). The president will still be deprived of legislative initiative. However, the president will continue to play an essential role during government crises, given the president's exclusive right to designate a candidate for prime minister.
- The change in the way the president will be elected will make the new president strongly dependent on political parties, which will organise and finance his or her electoral campaign. The procedure applicable so far required a broader compromise in parliament. The successor of Václav Havel and Václav Klaus, who have enjoyed strong prestige and in fact have played a greater role in the Czech political system than the formal prerogatives of the president provide, is likely to be a party leader who will have significantly less power to influence the domestic political scene. The only official

candidate so far is Karel Schwarzenberg, deputy prime minister and foreign minister, the head of the coalition party, TOP 09, and the former head of Václav Havel's presidential administration.

- The compromise on the president's competences achieved in the Chamber of Deputies is also likely to be retained in the Senate, which will allow the discussion on the way the president is elected to be brought to an end; it has been ongoing since the 1990s. The key political parties have been in agreement for years that it is necessary to introduce general presidential elections. However, a dispute over the competences of the president was preventing a compromise being reached. By granting citizens the right to elect their president, Czech MPs want to improve public interest in political life and give voters the sense of having a stronger influence on the shape of the political scene. At the same time, the parties are offering themselves an additional opportunity to promote party leaders.