

INTERNATIONAL  
CONVENTION  
ON THE ELIMINATION  
OF ALL FORMS OF  
RACIAL DISCRIMINATION



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COMMITTEE ON THE ELIMINATION  
OF RACIAL DISCRIMINATION

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES  
UNDER ARTICLE 9 OF THE CONVENTION

Tenth periodic reports of States parties due in 1988

Addendum

CZECHOSLOVAKIA \*/

[5 May 1988]

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\*/ For previous reports submitted by the Government of Czechoslovakia,  
and the summary records of meetings at which such reports were considered, see:

Initial report - CERD/C/R.3/Add.2 and Add.51 (CERD/C/SR.31, SR.32,  
SR.56 and SR.63);  
Second periodic report - CERD/C/R.30/Add.15 (CERD/C/SR.135);  
Third periodic report - CERD/C/R.70/Add.32 (CERD/C/SR.240-SR.241);  
Fourth periodic report - CERD/C/R.90/Add.27 (CERD/C/SR.323-SR.324);  
Fifth periodic report - CERD/C/20/Add.12 (CERD/C/SR.396);  
Sixth periodic report - CERD/C/66/Add.8 (CERD/C/SR.480-SR.481);  
Seventh periodic report - CERD/C/91/Add.14 (CERD/C/SR.584);  
Eighth periodic report - CERD/C/118/Add.18 (CERD/C/SR.717);  
Ninth periodic report - CERD/C/149/Add.2 (CERD/C/SR.785).

## PART I - GENERAL

1. The Czechoslovak Socialist Republic was one of the first States to ratify the International Convention on the Elimination of All Forms of Racial Discrimination adopted by the United Nations General Assembly on 21 December 1965, doing so as early as 29 December 1966. This fact by itself shows what a great importance the Government of the Czechoslovak Socialist Republic attaches to the elimination of all forms of racial discrimination from the life of the society, in full harmony with the Charter of the United Nations. Further enhancement and consistent observance of the principle of equality of all citizens is one of the features of the ongoing process of enhancement of socialist democracy. In view of the fact that the Czechoslovak Socialist Republic regularly submits reports on the fulfilment of the obligations laid down in the Convention, we consider it justified to confine ourselves with reference to the earlier reports, to supplying additional data and information on changes noted during the period covered by the present report.

2. With reference to the Revised General Guidelines concerning the Form and Contents of Reports by States parties of 6 December 1983, we wish to add that citizens of the Czechoslovak Socialist Republic cannot cite before courts or administrative authorities the provisions of the Convention directly. The obligations assumed by the Czechoslovak Socialist Republic under the Convention are put into practice through Czechoslovak internal regulations.

3. As far as the ethnic composition of the population of Czechoslovakia is concerned, we are submitting herewith the following data taken from the Statistical Yearbooks for 1984, 1985, 1986 and 1987:

Nationality (in thousands)	1982	1983	1984	1985
Czech	9 805	9 804	9 805	9 805
Slovak	4 769	4 809	4 849	4 888
Ukrainian	48	47	48	47
Russian	8	8	8	7
Polish	70	71	71	72
Hungarian	585	588	590	593
German	59	58	56	56
Other or unspecified	51	51	51	51

4. As was already mentioned in the previous reports, the Czechoslovak Socialist Republic is a federal State of two nations, possessing equal rights, the Czechs and the Slovaks (see Article 1 of the Constitutional Act on the Czechoslovak Federation published in the Collection of Laws under No. 143/1968). The Czechoslovak Socialist Republic is founded, as is stated in the Constitution, on a voluntary union of the national States of the Czech and the Slovak nations, both possessing equal rights, which is based on the right of each of them to self-determination.

5. Together with Constitutional Act No. 143/1968 on the Czechoslovak Federation, a Constitutional Act on the position of nationalities in the Czechoslovak Socialist Republic was adopted. The latter Act, published in the Collection of Laws under No. 144/1968, has substantially enhanced the

guarantees of the democratic status of all the nationalities living in the Czechoslovak Socialist Republic, especially in respect of the right to education in their mother tongues, all-round cultural development, the right to use the native language of a nationality in intercourse with official authorities in the areas inhabited by that nationality, the right of nationalities to association in cultural organizations and the right to press and information in the languages of nationalities. This Act enshrines constitutional guarantees of equality of all nationalities in political and economic life as well as in the other spheres of the life of the Czechoslovak socialist society (the text of Act No. 144/1968 in English was enclosed with the ninth report of the Czechoslovak Socialist Republic on the fulfilment of the obligations laid down in the International Convention on the Elimination of All Forms of Racial Discrimination of 1965 (CERD/C/149/Add.2)).

6. No changes concerning the legal status of nationalities or citizens in their capacity as members of nationalities have been made in the Czechoslovak law during the period covered by this report. The rights of nationalities, as set forth in Constitutional Act No. 144/1968, have been exercised in practice on a broad scale. In addition to the existence of national, cultural and social organizations maintained by nationalities, nationalities are represented, commensurately to the number of their members, in the elected State Authorities at all levels.

7. In the elections to the representative bodies that took place in 1986 almost 8,000 deputies of Hungarian nationality, almost 1,750 deputies of Ukrainian nationality, 481 deputies of German nationality and 433 deputies of Polish nationality were elected to National committees. Hungarian and Ukrainian deputies constituted, respectively, 13.3 per cent and 2.9 per cent of all deputies of National Committees elected in the Slovak Socialist Republic; German and Polish deputies made up, respectively, 0.35 per cent and 0.21 per cent of the deputies of National Committees elected in the Czech Socialist Republic. In the case of Hungarian nationality, the aforesaid percentage approximately corresponds to the share of that nationality in the population, in the case of the Ukrainian nationality it is higher and in the case of the German and Polish nationalities lower in comparison to the share of those nationalities in the population. The above differences are not caused by any political differentiation between nationalities, they have resulted from differences in the ethnic composition of the population in individual areas. Citizens of German nationality are widely scattered. With the exception of one district, the percentage of the German population in individual districts is never higher than 4 per cent and rarely exceeds 2 per cent. This fact limits to some extent the representation of those of German nationality in representative bodies. In terms of the total number of deputies in National Committees at higher levels, such differences are smaller because differences in the ethnic structure play here, in view of the comparability in order of the sizes of districts and regions, a lesser role. The representation of citizens of the Hungarian, Ukrainian, Polish and German nationalities in the Federal Assembly and the National Councils corresponds to the share of these nationalities in the population of the Czechoslovak Socialist Republic and the Czech and the Slovak Socialist Republics, respectively.

8. The nationality of minor children is determined by their parents. Most children of Hungarian and Polish nationality and about a half of the children of Ukrainian nationality attend primary schools where their respective native languages are used as languages of instruction. Altogether, primary schools with the Hungarian, Ukrainian and Polish languages of instruction are attended, respectively, by 50,178, 1,800 and 3,710 pupils. \*/

9. The great dispersion of the German population and its age structure, marked by a notable predominance of people of more advanced age, do not make it possible to establish primary schools with German as the language of instruction. However, special training in German is provided. In 1985/1986 such special classes were attended by 338 pupils of German nationality. The press, provides information in the languages of nationalities (in Hungarian there is even a daily) and extensive opportunities for cultural self-realization are offered to their members in various cultural institutions (theatres, libraries, museums, art ensembles, etc.).

10. In view of the interest shown by the Committee on the Elimination of Racial Discrimination during the discussion on the ninth report of the Czechoslovak Socialist Republic on the fulfilment of the obligations laid down in the Convention regarding both the legal arrangements and the practical situation concerning the gypsy population in Czechoslovakia, we wish to supplement the information provided on that subject in the previous report with the data given below.

11. Towards the end of 1986 about 372,000 gypsy citizens were registered in Czechoslovakia, constituting 2.4 per cent of Czechoslovakia's population. The density of the gypsy population varies in individual parts of the country. According to the records of the National Committee, 137,000 gypsy citizens live in the Czech Socialist Republic (where they constitute 1.3 per cent of the population) and 235,000 gypsy citizens reside in the Slovak Socialist Republic (where they constitute 4.5 per cent of the population).

12. The number of gypsy citizens has been growing as a result of the above-average birth rate (almost twice as high as the average) and the increase in the number of people of more advanced age. The extension of life is the fruit of consistent health care and social welfare efforts and the higher standard of living of this group of the country's population.

13. Gypsy citizens (Roms) are not regarded in the Czechoslovak Socialist Republic as a nationality but as an ethnic group and, as such, are not covered as an entity by the regulations governing the rights of nationalities. They enjoy, to the full extent, all the rights and have all the obligations ensuing from Czechoslovak citizenship, like all the other citizens. However, their specific ethnic features are taken into consideration in the society's all-round care for their social, cultural and educational advancement and a higher standard of living as well as in the efforts to ensure their full social integration. All activities of the institutions involved therein are co-ordinated through a special system of commissions charged to deal with issues relating to the gypsy population. Such commissions are attached both to the Governments of the Czech and the Slovak Socialist Republics and to

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\*/ All these data reflect the situation in the school year 1985/1986. No major changes have occurred since then.

National Committees at all levels. Within that system qualified professionals provide for direct contacts with and care for gypsy citizens. In general, care for gypsy citizens has been governed by the universal programme approved by the Federal Government in 1972.

14. At present, gypsy citizens are spread, rather unevenly, all over the territory of Czechoslovakia. Their share in the population varies from district to district, ranging from minute percentages to 17 per cent. Gypsy citizens can select their place of residence freely; they move to places where job opportunities are available, preferring those locations where both a job and an apartment can be obtained. Housing problems are resolved by gypsies in the same way as by other citizens, i.e., by acquisition of a State- or co-operative-owned apartment, by purchase or by building a house. The construction of family houses is heavily subsidized by the State.

15. As far as school attendance is concerned, it is compulsory for all Czechoslovak children under 16 years of age (i.e., for 10 years) and free of charge. It is a fact that gypsy children are less successful at school; the reasons include poorer command of the language of instruction, insufficient encouragement and assistance on the part of the family, certain qualities relating to volition and an insufficient measure of persistence and concentration. Therefore, educational authorities have been seeking, on a long-term basis, effective forms of improving the situation. Gypsy children are given priority in admission to pre-school facilities - kindergartens where they may develop the needed habits (75 per cent of all children between 3 and 5 years of age attend kindergartens). At school, additional instruction, patronage arrangements, special and equalizing classes are organized for them. Good results are achieved in those cases where the co-operation and assistance of the family is obtained.

16. It is true that in comparison to the rest of the population gypsies have a higher percentage of retarded children who have to be placed in special schools or social welfare institutions. Certain negative socio-pathological phenomena within the gypsy population have resulted in the fact that the percentage of children who are placed in children's homes because their families failed to give them proper care or because they need institutional care in view of their handicaps is higher among gypsy children than among other children.

17. Health care is provided to gypsy citizens, just as to other citizens, free of charge. Gypsy families, children and mothers receive increased attention, for example in the spheres of health education, prevention, family planning, child care, healthy nutrition, etc. This is done because of the fact that the life-style of a certain part of the gypsy population does not provide sufficient guarantees that a proper way of living and the needed mother-and-child care (including care for women during pregnancy) will be fully ensured. Due to intensive efforts to that end the state of health of the gypsy population has been constantly improving, slightly differing from the average only in certain respects.

18. There is no unemployment in Czechoslovakia; on the contrary, in view of the specific nature of the development of the country's national economy, a labour shortage has occurred constantly. Enterprises as well as National Committees organize recruitment and grant the employees recruited on that basis certain benefits, including housing facilities. Gypsy citizens, too,

make use of such opportunities. It is true that in view of the fact that their professional qualifications are usually at lower levels they are mostly engaged in workers' professions and occupations which do not require high professional skills. The society's interest in having gypsy citizens obtain higher professional qualifications conflicts with the attitude, rather widespread among gypsy families, that all family members should enter as soon as possible a gainful occupation, even if it means that the children fail to get trained for skilled work. Therefore, education is channelled in this direction, too.

19. The society aims at integrating gypsy citizens gradually in the whole social structure of our society and having them perform skilled work and demanding professions, too. This will enhance both their social mobility and their prestige.

20. As to the position of foreign workers in Czechoslovakia, we wish to supplement below the information contained in previous reports.

21. The employment and professional training of foreign nationals are arranged in Czechoslovakia in accordance with the adopted concept of scientific, technological and economic co-operation between countries of the socialist community and developing countries with a socialist orientation. The terms of such co-operation are laid down in inter-state instruments, e.g., government agreements, understandings and operational protocols. In practice, such arrangements do not amount to the employment of foreign staff in the literal sense of the word, i.e., import of a work-force; they constitute a form of professional training of workers for the developing branches of the national economies of their home countries.

22. At the present time, about 37,000 foreign nationals are employed in Czechoslovakia. In addition to that number, some 4.4 thousand foreign apprentices, especially from the Socialist Republic of Viet Nam, are being trained for workers' professions at secondary level training centres attached to Czechoslovak organizations.

23. The living and working conditions of foreign employees and apprentices are determined in accordance with the Czechoslovak legal and economic regulations applying to Czechoslovak citizens. They are based chiefly on the Labour Code and the relevant regulations which govern the working and living conditions of foreign nationals with respect for their needs. Foreign nationals enjoy certain benefits which are not granted to Czechoslovak employees, such as a higher level of accommodation and catering, free clothing, language training, guaranteed wages during the first six months of work in Czechoslovakia, etc.

PART II - INFORMATION IN RELATION TO ARTICLES 2 to 7 OF THE CONVENTION

Article 3

24. As was stated in the previous Czechoslovak reports, prohibition of racial discrimination permeates the Czechoslovak law as well as the country's domestic and foreign policy. The Czechoslovak Socialist Republic has ratified not only the International Convention on the Elimination of All Forms of Racial Discrimination but also the International Convention on the Suppression and Punishment of the Crime of Apartheid of 1973 - the ratification of the latter Convention was made by Czechoslovakia as early as March 1976, i.e., even before the Convention entered into force. It was already stated in previous reports, and it has to be emphasized again, that the Czechoslovak Socialist Republic does not maintain any contacts to the racist régime of South Africa and fully supports the resolutions of the Security Council and other United Nations organs adopted with a view to making the racist South African régime abandon the criminal policy of apartheid. Czechoslovakia supports the national liberation movement of the people of South Africa.

25. Prohibition of any kind of racial discrimination permeates the whole Czechoslovak law. In this respect, no changes have occurred since the previous report was submitted. As to the valid penal law of the Czechoslovak Socialist Republic, no changes have been made there in this context either during the period covered by the present report. Equality of all citizens before the law, embodied in the sphere of penal law in equal rights of all Czechoslovak citizens as well as aliens in procedures before courts, has remained unchanged during the period covered by the present report as well. It should be added that this feature of the valid penal law is given ever greater emphasis, courts are guided, through decisions of higher courts, in an ever more pronounced manner towards compliance with this principle so that it is justified to say that the application of this feature of the valid penal law has been further enhanced in Czechoslovakia lately.

26. The wording of the valid provisions of the law have remained unchanged during the period covered by the present report.

27. As was already stated in the previous report, the measures taken by the Czechoslovak State for the purpose of implementing the Convention are so effective that the need to invoke in practice the provisions on criminal prosecution on account of manifestations of racial discrimination arises only very rarely.

Article 4

28. The provisions of the Penal Code referred to in the previous reports have also remained unchanged. It can be only added that propagation of facism or another similar movement is punishable even if it is not carried out publicly; public channels for that purpose is a ground for the imposition of a substantially higher penalty. The term "another similar movement" means a movement based on the same ideological foundations as fascism, i.e., particularly a movement advocating any form of racial discrimination.

29. As was stated in previous reports, equality of all citizens, regardless of nationality or race, is guaranteed by the Constitution of the Czechoslovak Socialist Republic and by other legal regulations and measures. More detailed information was provided in previous reports, especially in the ninth report.

Articles 6 and 7

30. As to Articles 6 and 7, we also wish to call the Committee's attention to the previous reports.

31. In addition to the information given in the ninth Czechoslovak report, and in view of the instructions given in document CERD/C/70/Rev.1, the following may be said: The Czechoslovak Socialist Republic regularly participates in UNESCO activities aimed at maintaining peace and promoting understanding among nations. For example, Czechoslovak representatives took part in the international symposium entitled "Education for International Understanding and Peace" held in Barcelona in November 1986 which was organized by the World Federation of United Nations Associations and UNESCO. Within the framework of Czechoslovakia's participation in the programme for schools co-operating with UNESCO, Czechoslovakia took part in the international youth meeting organized by UNESCO under the motto "UNESCO, Peace and International Understanding" (Paris, November 1986). Within the framework of the projects concerning the schools associated with UNESCO, co-operation continued. Exchange trips of students of two Prague grammar schools (gymnasiums) and their partner schools in the Federal Republic of Germany and Switzerland have taken place. A Czechoslovak representative attended an information seminar for officials from youth and student movements, UNESCO clubs and associated schools (Paris, September 1987); Czechoslovakia also took part in the expert meeting on the contribution of training in foreign languages and literature to international understanding and peace (Kiev, January 1987).