



## Convention on the Rights of Persons with Disabilities

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### Committee on the Rights of Persons with Disabilities

#### List of issues in relation to the initial report of the Czech Republic\*

##### A. Purpose and general obligations (arts. 1–4)

1. When does the State party plan to ratify the Optional Protocol to the Convention on the Rights of Persons with Disabilities?

##### **Purpose (art. 1)**

2. Please clarify the criteria used in determining whether an individual qualifies for disability of the first, second or third degree.

##### **General obligations (art. 4)**

3. Please provide information on the development of a strategy to promote the rights of persons with disabilities amongst the Roma people.
4. How does the State party fully implement its obligations under article 4, paragraph 3, of the Convention and ensure the effective participation of persons with disabilities and their representative organizations in the development and implementation of disability-relevant legislation and policies?

##### B. Specific rights

##### **Equality and non-discrimination (art. 5)**

5. Please explain why the definition of reasonable accommodation is limited to employment and what sanctions are in place in the event of breaches?
6. Please describe the legal remedies available to persons with disabilities who have been subjected to discrimination.
7. What measures are being taken to address multiple, intersectional discrimination against women and girls with disabilities, and members of ethnic minorities with disabilities?

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\* Adopted by the pre-sessional working group at its second session (7–10 October 2014).



**Women with disabilities (art. 6)**

8. Please describe how disability is mainstreamed in the different acts on the protection of the rights of women and girls, such as the National Plan of Action for the Prevention of Domestic Violence 2011–2014 and the Departmental Methodology Regarding Domestic Violence of the Ministry of Health. Please provide updated information on the results of the survey on the situation of women with disabilities in the Czech Republic.

**Children with disabilities (art. 7)**

9. Please provide data on the number of families with children with disabilities and the number of boys and girls with disabilities who are using different services that enable them to effectively enjoy the rights provided for under the Convention and under the Convention on the Rights of the Child. Please also provide information on the measures taken by the State party to prevent the institutionalization of children with disabilities.

**Accessibility (art. 9)**

10. Please provide information on the progress made by the Building and Construction Authority in implementing the Building Act, including any data on the number of construction companies which have been ordered to ensure barrier-free accessibility to buildings, and on sanctions imposed on those not complying with the provisions of the Building Act.

11. Please inform the Committee about accessibility of information and communication for persons with all types of impairments that would enable them to move in buildings and public spaces and to use public transport without barriers.

12. Please inform the Committee about the accessibility of public transport for persons with disabilities, including in rural areas.

**Situations of risk and humanitarian emergencies (art. 11)**

13. How are public warnings about natural disasters and emergencies (e.g., floods and fires) broadcast on television and are they also made available in sign language?

**Equal recognition before the law (art. 12)**

14. Please update the Committee on how the new Civil Code has been harmonized with the Convention, in particular with regard to replacing the guardianship system with a supported decision-making system.

15. Please inform the Committee about the measures taken to ensure the equal right of all persons with disabilities to own or inherit property, control their own financial affairs and have equal access to bank loans, mortgages and other forms of financial credit, in line with article 12, paragraph 5, of the Convention.

**Access to justice (art. 13)**

16. Please provide information on the progress made in implementing the amended Rules of Administrative Procedure to ensure that persons with disabilities have full and equal access to justice. In particular, please provide information on the measures taken to enable persons with intellectual and/or psychosocial disabilities to access justice.

**Liberty and security of the person (art. 14)**

17. Please provide information on the progress made by the expert working group of the Ministry of Justice towards the full harmonization of legislation on deprivation of liberty in the State party with the provisions of article 14 of the Convention.

**Freedom from torture or cruel, inhuman or degrading treatment or punishment (art. 15)**

18. What specific measures are being taken to ensure the protection of persons with disabilities in psychiatric institutions from torture or cruel, inhuman or degrading treatment? In particular, please provide information on the measures taken to abolish the use of cage beds, seclusion rooms and physical and chemical restraints.

**Freedom from exploitation, violence and abuse (art. 16)**

19. Please provide data on violence and abuse against persons with disabilities, particularly women and children with disabilities. Please inform the Committee about the measures taken to ensure that persons with disabilities who have been victims of violence and exploitation have access to effective recovery, rehabilitation and social reintegration services and programmes.

20. What measures are being taken to ensure that all services and programmes designed to serve persons with disabilities are effectively monitored by independent authorities in order to, inter alia, prevent violence and abuse, in line with article 16, paragraph 3, of the Convention?

**Protecting the integrity of the person (art.17)**

21. Please provide information on the specific measures taken by the State party to prevent forced sterilization of persons with disabilities.

**Living independently and being included in the community (art. 19)**

22. Please explain why subsidies invested in institutions for persons with disabilities (CZK 1,289,884,000) are comparably much higher than subsidies invested in personal assistance (CZK108,729,000) (CRPD/C/CZE/1, para. 185).

23. Please provide information on concrete and targeted steps taken by the State party to ensure that the de-institutionalization process is sustainable and ensures the inclusion of persons with disabilities in their communities within a reasonable timeframe.

24. Please provide statistics on the number of persons with intellectual disabilities residing in psychiatric institutions.

**Freedom of expression and opinion, and access to information (art. 21)**

25. Please provide information on concrete and targeted steps taken by the State party to ensure the enforcement of Act No. 155/1998 Coll., as amended by Act No. 384/2008 Coll.

**Education (art. 24)**

26. Please provide detailed information on the measures taken to increase the inclusion of students with disabilities into mainstream education at all levels, including data on financial resources invested in the removal of architectural and information barriers and the engagement of pedagogical assistants for students with disabilities in the provision of reasonable accommodation.

**Health (art. 25)**

27. What concrete measures have been taken, including funds allocated and number of interpreters and readers engaged, to make information on health care accessible to persons with sensory and/or intellectual disabilities?

28. Have capacity-building initiatives for health-care professionals, which focus on the Convention and on the human rights of persons with disabilities, been undertaken by the State party?

**Work and employment (art. 27)**

29. Please provide updated information on the result of the overall review of the system of employment support for persons with disabilities (CRPD/C/CZE/1, paras. 27 (a) and 369). Please provide information on the measures taken to increase the employment of persons with disabilities.

30. Please provide information on the number of persons with disabilities employed in the open labour market and the incentives and funds used to subsidize employers who employ them.

**Adequate standard of living and social protection (art. 28)**

31. Please provide information on the disproportionate effects of austerity measures, especially with regard to social protection payments, on persons with disabilities.

32. What is the State party doing to address the issue that “the network of social services is not distributed evenly over the territory of the Czech Republic” (CRPD/C/CZE/1, para. 181)?

33. Please provide up-to-date data on the poverty levels of persons with disabilities compared to persons without disabilities.

**Participation in political and public life (art. 29)**

34. Please provide information about the measures taken to enable citizens with disabilities whose legal capacity had been restricted in the past to fully exercise their right to vote.

**Participation in cultural life, recreation, leisure and sport (art. 30)**

35. Please inform the Committee about any measures taken for the expeditious signing and ratification of the Marrakesh Treaty to Facilitate Access to Published Works for Persons Who Are Blind, Visually Impaired, or Otherwise Print Disabled.

36. Please provide information on any plans to increase the accessibility of libraries for all persons with disabilities, including those with intellectual and/or psychosocial impairments.

**C. Special obligations**

**National implementation and monitoring (art. 33)**

37. Please provide information on any progress made to designate or establish an independent mechanism to monitor the implementation of the Convention, and on consultation with civil society for proposals.