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HUMAN RIGHTS COMMITTEE

**REPLIES BY THE GOVERNMENT OF THE CZECH REPUBLIC TO  
THE LIST OF ISSUES (CCPR/C/CZE/Q/2) TO BE  
TAKEN UP IN CONNECTION WITH THE CONSIDERATION  
OF THE SECOND PERIODIC REPORT OF THE CZECH REPUBLIC  
(CCPR/C/CZE/2)\***

[4 July 2007]

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\* In accordance with the information transmitted to States parties regarding the processing of their reports, the present document was not formally edited before being sent to the United Nations translation services.

**Constitutional and legal framework within which the Covenant is implemented  
(article 2)**

**1. Please indicate what actions the State party has taken to give effect to the Committee's Views with regard to communications No. 823/1998, Czernin; No. 857/1999, Blazek et al.; No.945/2000, Marik; No. 946/2000, L.P.; No. 1054/2002 Kříž. Please also provide an update on the follow-up to the following communications in terms of remedies provided to the victims: No.516/1992, Simunek et al; No.586/1994, Adam; No.765/1997, Fábryová; No. 747/1997, Des Fours Walderode; and No. 757/1997, Pezoldova.**

The Government of the Czech Republic last provided written comments on the implementation of the Committee's opinions in its observations of 20 March 2007, which we hereby refer to.<sup>1</sup>

**2. Please comment on the information before the Committee about the existence of considerable delays for the judiciary in dealing with both civil and criminal cases. Please provide disaggregated statistics in this regard. What are the developments in relation to the judicial reform, in particular of the management of courts? At what stage is the reform of the administrative court mentioned in paragraph 431 of the report?**

**Length of proceedings**

The average length of court proceedings in civil actions was affected by the reform of the commercial judiciary, which as of 1 January 2002 discontinued specialized commercial courts and incorporated the civil agenda into the system of ordinary courts. Given the standard complexity of commercial litigation, the average length of civil proceedings increased accordingly in 2002. As the attached table and graph show, the average length of civil proceedings has reported a downward trend since 2002; in 2006, the values were even lower than in the period before the above-mentioned reform.

The length of criminal proceedings has followed a path of gentle decline since 2002. In 2006, it recorded its lowest value since 1998.

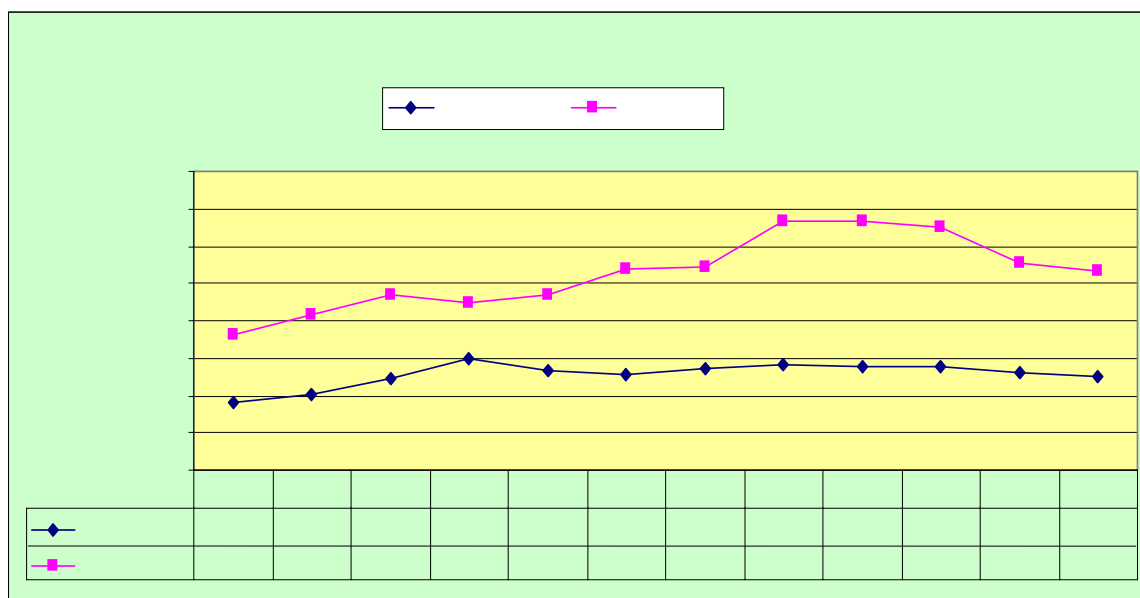
**Average length of proceedings in days**

District and Regional Courts	1995	1996	1997	1998	1999	2000	2001	2002*	2003	2004	2005	2006
City of Prague	196	217	237	262	246	239	239	229	240	231	207	211
Central Bohemia	166	185	203	232	204	168	185	189	188	183	178	157
Southern Bohemia	187	202	254	240	198	194	210	203	209	198	202	164
Western Bohemia	259	267	308	378	348	366	370	386	370	348	325	282
Northern Bohemia	223	247	321	469	437	393	441	434	412	400	399	394

<sup>1</sup> As the Committee's questions for discussion in relation to the Second Periodic Report are dated 27 March 2007, the Government of the Czech Republic presumes that its written material from the second half of March 2007 has probably not been taken into account in these questions. The observations are attached as an annex to this document.

Eastern Bohemia	123	148	196	221	194	160	178	167	167	173	157	156
Southern Moravia	158	169	201	249	214	223	227	267	262	269	278	276
Northern Moravia	168	199	237	257	230	234	254	282	274	279	251	228
<b>Criminal agenda</b>	<b>184</b>	<b>203</b>	<b>243</b>	<b>296</b>	<b>268</b>	<b>256</b>	<b>272</b>	<b>284</b>	<b>278</b>	<b>275</b>	<b>263</b>	<b>250</b>
City of Prague	410	465	525	442	416	623	615	740	695	752	454	448
Central Bohemia	305	348	424	400	375	383	407	341	356	365	354	358
Southern Bohemia	326	364	386	365	367	325	305	345	320	295	288	254
Western Bohemia	304	346	348	329	357	345	353	544	460	431	390	365
Northern Bohemia	464	556	679	724	787	806	818	982	1062	928	920	886
Eastern Bohemia	318	333	353	345	368	383	391	484	447	478	515	422
Southern Moravia	380	408	448	478	547	553	550	734	770	748	725	710
Northern Moravia	340	396	420	397	451	440	455	594	583	557	528	518
<b>Civil agenda</b>	<b>365</b>	<b>416</b>	<b>469</b>	<b>448</b>	<b>471</b>	<b>541</b>	<b>545</b>	<b>668</b>	<b>667</b>	<b>651</b>	<b>554</b>	<b>531</b>

\* Since 2002 commercial litigation before regional courts has been included in the civil agenda.



### Latest developments in the reform of the judiciary

The Czech Republic is fully committed to streamlining the administration of justice. One of the areas into which these efforts are channelled is the gradual amendment of rules of procedure. The Rules of Civil Procedure were amended significantly by act No. 59/2005, which significantly changed appellate proceedings. Until then the existing legislation contained an incomplete system of appeal, where the appeal court, in its review of a contested judgment and proceedings preceding the delivery of the judgment, did not have the authority to take account of new circumstances and fresh evidence (with narrowly defined specific exceptions). The practical effect of this legislation was a high number of annulment decisions and a situation where litigation often passed repeatedly through the individual instances – the ruling of the court of first instance was annulled by the appeal court once or twice before it was confirmed. If an appeal on a point of law was submitted in a case, it was not uncommon to find that rulings were made three or four times in a case and then annulled. This resulted in an unjustifiable length of proceedings in numerous cases.

To redress this situation, act No. 59/2005 was adopted with a view to reducing the length of proceedings. The fundamental principle of this legislation is that the case being decided on should, as a matter of principle, pass through each instance of the judicial system just once (with a very limited range of exceptions). Therefore, in appellate proceedings the appeal court generally only corroborates or changes the ruling of the court of first instance but cannot annul it (except in specifically cited cases). In this respect, the appeal court is a fully-fledged instance in its own right in that it not only examines the procedure of the court of first instance, but also, if it finds that the court of first instance proceeded incorrectly for one reason or another, it arranges for the presentation of evidence so that it can deliver a final ruling in the matter. The principle where parties to the litigation cannot allege new facts before the appeal court or propose new evidence remains in place; however, the range of exceptions to this rule has been expanded to include situations where new facts and evidence cannot be proposed before the court of first instance as a result of its incorrect procedure.

In the administration of criminal justice, it is necessary to mention the institution of 'diversions in criminal proceedings'. This *de facto* allows for out-of-court settlement of a criminal action before the court delivers a judgment on the guilt and punishment of the accused, thus giving judges more room to make their own decisions. The significance and use of individual forms of diversion is rising fast, as illustrated by the following statistics. On a national scale, criminal orders were issued in respect of 48,881 prosecuted persons in 2004, 50,652 persons in 2005, and 55,213 persons in 2006. In 2006, a total of 69,445 persons were convicted, which means that in 2006 79.5 per cent of convicted persons received a criminal order.

Work is currently under way on new rules of civil procedure and rules of criminal procedure which will fully reflect modern trends in procedural law as manifested in stable democracies. These new procedural codes are expected to bolster the trend of reduced lengths of judicial proceedings.

In previous years, an increase in the number of judges has been selected as a means of streamlining the administration of justice. At present, the reform of the judiciary is focusing on relieving judges of their administrative burden. Expert work, whether based on powers laid down by law or based on the instructions of presidents of chambers, is carried out by clerks, judges' assistants and trainee judges, who have passed a professional examination and whose employment has been extended for an indefinite term. Numerous tasks, especially in criminal enforcement procedure, have been taken over from the courts by other entities, notably the Probation and Mediation Service (*Probační a mediační služba*). It should also be noted that a new law on clerks is being prepared, in which almost complete removal of the administrative burden from judges is proposed. The new legislation currently being prepared is the culmination of a gradual expansion in the competence of clerks. There are also plans to transfer the probate agenda to notaries and redistribute tasks implemented in enforcement proceedings by the court and bailiff. A new law is in the pipeline on mediation in non-criminal actions and the application of such mediation before the start of proceedings.

Concurrently with these steps, the judiciary is also being modernized in terms of technical equipment used by the courts and the introduction of cutting-edge technology. The e-justice project envisages the establishment of an electronic registry, the possibility of electronic communication with parties to the proceedings, electronic file-keeping, electronic service of documents and the digitization of the commercial register.

In the field of court administration, an amendment to the law on courts and judges is being prepared which, with a view to enhancing the efficiency of judicial proceedings, should permit the removal of court officials. This power will be placed in the hands of the Minister for Justice, although any such decision will be reviewable by the disciplinary panel of the Supreme Court. The new legislation should also facilitate the assignment of beginner judges to courts with insufficient numbers of judges.

### **Reform of the administrative judiciary**

In connection with the reform of the administrative judiciary, there is a reference to paragraph 431 of the second periodic report in the list of questions. However, there is no mention of administrative judiciary reform in this paragraph. The only mention of the reform of the administrative judiciary can be found in paragraph 450 of the second periodic report, which discusses the regulation of the right of assembly. This mention is made in a footnote by means of a reference to paragraphs 20 to 25, which provide a detailed description of the new system of the administrative judiciary implemented as of 1 January 2003. The second periodic report also discusses the administrative judiciary on a general level in paragraph 259; numerous references to rulings of the Supreme Administrative Court can be found throughout the report.

Bearing in mind these circumstances, we do not feel compelled to note any more than the fact that the reform of the administrative judiciary is conceptually complete. Act No. 150/2002, the Rules of Administrative Procedure, introduced a new system of the administrative judiciary into the Czech Republic whereby the administrative courts review the decisions and other measures of the administrative authorities within the scope of full jurisdiction, i.e. not just in terms of legality. The administrative courts also provide protection from the inactivity of administrative authorities and have jurisdiction in matters related to elections and political parties and movements. Administrative boards have been set up at regional courts and the Supreme Administrative Court has been established.

The administrative judiciary in the Czech Republic is generally viewed as a functioning system and only minor changes are being made. In this respect, we note, for example, the expansion – under act No. 127/2005, effective as of 1 May 2005 – in judicial review to include general measures of administrative authorities, and the tightening of conditions for the admissibility of an appeal in cassation in cases concerning the granting of international protection, which was implemented by act No. 350/2005 (effective as of 13 October 2005) due to the excess burden faced by the Supreme Administrative Court in handling large numbers of unjustified complaints.

### **Counter-terrorism measures and respect of Covenant guarantees**

**3. Please provide information on the compatibility with the Covenant of existing or proposed counter-terrorism related laws in the State party. Information should include, inter alia, the definition of terrorism, as well as any derogation from ordinary law enacted in the existing or proposed counter-terrorism legislation.**

The Czech Republic is actively involved in the global efforts to combat terrorism. The Czech Republic is party to all thirteen universal anti-terrorism Conventions and protocols, and to the European Convention on the suppression of terrorism (an instrument of the Council of

Europe). The Czech Republic is also a State party to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (143/1988) and the Optional Protocol to the Convention (78/2006).

Since 2004, the Czech Republic has been a member of the European Union and therefore also meets the obligations imposed on it by membership (the implementation of adopted documents in the struggle against terrorism, the discussion and acceptance of new proposals in this field).

Czech law currently enables the full breadth of terrorist activities to be prosecuted. Specifically, according to Section 95 of act No. 140/1961 of the Criminal Code which regulates the substance of a terrorist attack, an act of terrorism is not just the carrying-out of concrete attacks, but also – expressly – any logistical support for terrorist activities, including their financing. The wording of this definition and the criminal penalties for terrorism are in full conformity with the requirements of international documents (including EU documents). Czech law does not offer a separate definition of terrorism. Other provisions of the Criminal Code may also touch on issues related to the struggle against terrorism. The procedures of State authorities responsible for security are strictly governed by the relevant laws, in particular act No. 283/1991 on the Police Force of the Czech Republic, act No. 141/1961 on criminal proceedings, and act No. 153/1994 on the intelligence services of the Czech Republic, etc.

In addition, Czech law duly regulates protection, compensation and assistance for victims of terrorism, and the protection of witnesses and other persons involved in criminal proceedings, including cases related to terrorism.

The situation (including examples drawing on developments and regulations abroad) regarding the possibility of further legislative changes that would make the struggle against terrorism more effective is constantly monitored. The authorization of the security corps has been reviewed so that they are able to respond to the threat of terrorism not only at national level, but also on the international stage. No special anti-terrorism law is currently being prepared; any changes to the legislation would be made in the form of amendments to specific laws. Potential amendments are the subject of internal discussion.

Current legislation regarding the struggle against terrorism is fully in keeping with the Czech Republic's obligations under the International Covenant on Civil and Political Rights, in particular Article 3 (equal rights of men and women) and Article 7 (the prohibition of torture, cruel, inhuman or degrading treatment, subjection to medical or scientific experimentation without free consent).

The Criminal Code also regulates the criminal penalty imposed on any person who, in connection with the exercise of the powers of a State authority, local authority or court, subjects another person to physical or psychological suffering by torture or other inhuman and cruel treatment (section 259a of the Criminal Code).

**Principles of gender equality and non-discrimination and freedom from torture and cruel, inhuman or degrading treatment (arts. 3 and 7)**

**4. Please provide information on the measures taken to improve the representation of women in senior governmental positions as well as in Parliament (previous concluding observations, para.12, and report, paras. 45-59).**

In 1988, the Czech Government adopted a national action plan for the promotion of equality among women and men called “Priorities and Procedures of the Government in Promoting the Equality of Men and Women”. This programming document contains 45 measures, the fulfilment of which is evaluated every year by the Government; these measures are updated annually.

In the interests of improving the share of women in senior positions, a measure has been adopted entitled “Active support, through specific measures, for the selection of suitable women candidates for positions in government bodies and senior positions in ministries, and in their subordinate administrative authorities and institutions. Evaluate the measures adopted to achieve the balanced representation of women and men in senior positions and work teams”. The filling of senior positions in the State administration is statistically monitored and assessed.

To increase the proportion of women in senior government office and in the Chamber of Deputies, it is the electorate that needs to be educated rather than the political parties. In this respect, a measure was adopted called “Continue the public debate on equal opportunities for women and men with the aim of informing the Czech public about the national policy on equal opportunities for women and men and its objectives”. A public debate is under way, notably in the form of publicity campaigns, lectures, seminars and conferences. In addition, publications clarifying government policy for the equal opportunities of women and men are being disseminated.

**5. It is reported that there have been cases of women subjected to coercive sterilization without their consent. Has the State party conducted any impartial and effective investigations and with what results? Have the victims been compensated? Has the State party undertaken any measures to amend the existing laws and procedures in order to avoid that such practices recur?**

The ombudsman registered 86 cases of women exposed to forcible sterilization without their consent, which he investigated in conjunction with the Ministry of Health. The Ministry of Health advisory body set up to investigate complaints stated that errors occurred in sterilization but that this was by no means a national or racially or ethnically conditioned policy; instead, it was carried out on a case-by-case basis. In the overwhelming majority of cases, the key problem regarding sterilization among both women and men was that errors were made relating to the method used to obtain the informed consent of the patient before the operation.

The victims did not receive compensation. Out-of-court settlements are possible under Section 78 of act No. 20/1966 on human health care, as amended, only in exceptional cases worthy of special attention – spurious action in the performance of sterilization is not such a case.

Decree No. 385/2006 on healthcare documentation, as amended by decree No. 479/2007 (effective as of 1 April 2007) defines the particulars recorded in healthcare documentation, including the particulars of informed consent. Informed consent for sterilization must now respect the requirements laid down in the decree.

The Ministry of Health is currently preparing the general principle of a new bill on health services, which is where sterilization belongs, given its nature. Act No. 20/1966 on human health care was recently amended to cover the need for patients' informed consent.

**Freedom from torture and cruel, inhuman or degrading treatment; treatment of prisoners and other detainees, liberty and security of a person, expulsion of aliens and the right to a fair trial (arts. 7, 9, 10, 13 and 14)**

**6. Please provide information on the criminalization of domestic violence, including the number of complaints, inquiries, prosecutions and sentences imposed, as well as information on the assistance or remedies provided to the victims during the reporting period (previous concluding observations para. 14, and report, paras. 72-74).**

Effective as of 1 June 2004, act No. 91/2004 introduced a new substantive issue into the Criminal Code – cruelty to a person living in a shared dwelling.<sup>2</sup> The following table contains the data monitored:

<b>Year</b>	<b>Prosecuted</b>	<b>Accused</b>	<b>Convicted</b>
<b>2004</b>	0	0	0
<b>2005</b>	396	368	134
<b>2006</b>	476	437	225
<b>first quarter 2007</b>	95	90	49

A significant instrument in the fight against domestic violence is the new institution of ordering perpetrators from their home, introduced by act No. 135/2006 amending certain laws concerning protection from domestic violence. With effect as of 1 January 2007, this act expanded the powers of the Czech police force in cases of domestic violence. Police officers are authorized to order a violent person from a shared dwelling (a shared flat or house) for a period of ten days. Agreement with this procedure is not required from the person at risk; the police proceed in these cases in accordance with their official duty. Violent persons are obliged to leave the shared dwelling immediately and are not permitted to enter it over the set

<sup>2</sup> Section 215a: Cruelty to a person living in a shared dwelling

(1) Any person who acts cruelly towards a closely related person or another person living with him in a flat or house shall be punished with imprisonment of up to three years.

(2) Imprisonment of between two and eight years shall be imposed on a perpetrator:

a) who perpetrates the action referred to in paragraph (1) in a particularly brutal manner or on more than one person

b) who continues to perpetrate this action over an extended period.



period. Within three days, the police run a check to ensure that the violent person is abiding by the decision. If violent persons do not respect the ban, this infringement is treated as a misdemeanour; if they seriously or repeatedly breach the ban they will be subject to criminal prosecution. The police notify an intervention centre of their action; the intervention centre must contact victims within 48 hours and provide them with psychological and social assistance and with legal advice. This institution of removing people from shared dwellings is a preventive measure, it is not a criminal penalty. The aim is to prevent further attacks by a violent person and to ensure the exposed person has a period of respite, during which they are offered professional help.

At the same time, since 1 January 2007 exposed persons have been entitled to petition the courts in civil proceedings for an injunction to prohibit violent persons from entering their shared dwelling and from contacting or meeting the exposed person, this time for a period of 30 days. If exposed persons submit a petition in the case itself within this time limit, i.e. if they seek a divorce, a settlement on child maintenance arrangements, etc., the court-imposed ban may be extended for a maximum period of one year.

In the first three months since the new law entered into effect, police ordered 253 violent persons from shared dwellings. The new tool in the fight against domestic violence has proven its worth.

**7. Please provide comments on information to the effect that the investigation of allegations of police misconduct by the Inspectorate of the Interior Ministry is neither independent nor effective. What is the current status of the reform of the Law on Police Service?**

The Czech Republic, within the scope of police reform, is gearing up for changes in the system of police inspections, i.e. both as regards internal checks and as regards external checks conducted by the Inspectorate of the Minister of the Interior.

Considering the doubts some entities have about the independence of the Inspectorate of the Minister of the Interior, as part of the general discussions on police reform held *inter alia* by the competent parliamentary committee, individual solutions concerning the new status of the Inspectorate have been debated to ensure greater independence in external police inspections.

The act on the service of members of the security corps entered into effect on 1 January 2007. As this legislation contains numerous problem areas, following an examination of the ramifications of their impacts the Czech Republic will draw up an amendment (if necessary).

In the reform, the new act on the police force of the Czech Republic will be drawn up and is envisaged to enter into effect as of 1 January 2009. This should be one of the legislative instruments behind the implementation of the reform.

**8. Please provide information on the status of the amendment to the binding guidelines of the Police President on police cells, whereby a police officer must inform detained persons of their rights, including the right to submit a written communication to a State authority (report, para. 161).**

On 30 March 2007, the new binding guideline of the Police President, No. 42/2007 on police cells was issued and will enter into effect as of 1 August 2007. This guideline responds as much as possible to the ombudsman's findings from his investigation; stimuli from the Committee against Torture (Government Council for Human Rights); the conclusions of the Report on the visit to the Czech Republic carried out by the European Committee for the Prevention of Torture (CPT); and other international recommendations and stimuli. A text entitled "Advice for persons detained in a cell" is an annex to this guideline. Point I (e) of this text explains the right to file a complaint against police conduct or procedure, and describes in detail the ways that a complaint can be lodged. As at the date of effect of the guideline, the advice will be available at police stations in several language versions.

**9. Please give further information on the status and implementation of the amendment to the Foreigners Act of September 2005, providing for a new set of regulations on the conditions and regimes applicable to detention facilities for foreigners, aimed at bringing them in line with international standards. Please provide statistics on incidents in asylum-related detentions.**

**Situation regarding the implementation of the new Foreigners Act, containing a set of rules on the conditions and regime of detention facilities for foreign nationals**

The additional information provided in respect of the individual points of the text of the second periodic report is based on legislation in force in the Czech Republic:

133. We draw attention to the fact that, pursuant to the amendment to act No. 326/1999 on the stay of foreign nationals on the territory of the Czech Republic (the Foreigners Act), changes were made as described in point 186 (see below).

134. According to Section 125 of the Foreigners Act, the length of detention of a foreign national under the age of 18 must not be more than 90 days. Unescorted minor foreign nationals are appointed a guardian and an authority for the social law protection of the child is notified.

180. We provide additional information concerning the latest conditions for the detention of foreign nationals in a strict regime in accordance with Section 135 of the Foreigners Act. These are cases where the foreign national is aggressive or requires extra surveillance for other serious reasons, the foreign national repeatedly and seriously violates the facility's internal rules, or the foreign national repeatedly and seriously breaches an obligation or prohibition under the Foreigners Act.

Foreign nationals may be placed in a strict regime section for as long as is necessary, but for no more than 30 days. During such time, the police will determine whether the reasons for the foreign national being placed in a strict regime section continue to exist. If the reasons for extra surveillance continue, this may be extended by 30 days; otherwise the foreign national is placed in the lenient regime section without undue delay.

186. Based on an amendment to the Foreigners Act, the conditions in detention facilities for foreigners have been modified, so that detention facilities for foreigners now have an internal regime comparable to refugee reception facilities.

217 + 218. Under the current Foreigners Act, foreign nationals may apply for permanent residence after five years of uninterrupted stay (regardless of whether they are EU citizens or nationals of third countries). For EU citizens, there is the possibility of submitting an application earlier – in specifically listed cases (see Section 87 (g) of the Foreigners Act). The possibility of permitting permanent residence without the condition of a preceding uninterrupted stay in the Czech Republic by the foreign national has been preserved in cases incorporating humanitarian or other reasons worthy of special consideration (section 66 of the Foreigners Act).

228. Under section 92 of the Foreigners Act, foreign nationals generally make their way out of the Czech Republic voluntarily, but they may also be expelled. In cases of expulsion, foreign nationals may travel out of the country of their own accord with a departure certificate, or they may be escorted. In specified cases, the police may prevent foreign nationals from leaving.

232. We draw attention to the fact that the detention of foreign nationals in facilities for the detention of foreigners designed for administrative expulsion means that they are deprived of their personal liberty and freedom of movement.

251. Compared to the situation in the past, it should be noted that, in accordance with act No. 165/2006 amending the Asylum Act and certain other laws, the existence of an obstacle in departure from the country is a compulsory part of proceedings on administrative expulsion under section 120a. Section 120a reads: “The police force, within the scope of the decision-making on administrative expulsion in accordance with Sections 119 and 120, is required to demand a binding opinion of the Ministry of the Interior as to whether the foreign national’s departure is possible (Section 179)”.

### **Statistics on incidents related to asylum detentions**

These statistics are based on information supplied by the Refugee Facilities Authority of the Ministry of the Interior of the Czech Republic.

In 2006, no distinction was made between the seriousness and type of violations perpetrated by clients placed in detention centres. Information was only maintained on the placement of persons in strict regime facilities, i.e. relocation in cases where clients committed the most serious manifestations of aggression and breaches of rules.

<b>Detention facility for foreign nationals</b>	<b>Number of cases in 2006</b>
Velké Přílepy	4
Frýdek-Místek	15
Bělá-Jezová	13
Poštorná	38
Total	70

For 2007, more detailed statistics have been kept and breaches of the rules are divided into three categories:

- Category I – most serious violations (e.g. mass escapes, mass hunger strikes)

- Category II – medium violations (e.g. hunger strike by an individual, physical attacks on employees or on other clients)
- Category III – least serious violations (e.g. verbal attacks on employees or other clients).

Besides this classification, the statistics also include concomitant extraordinary events (EE); the main EE is pivotal for the classification and a parallel EE occurs at the same time as the main EE and accompanies it.

January 2007	Category I EE		Category II EE		Category III EE		total
	main	concomitant	main	concomitant	main	concomitant	
Bělá-Jezová facility			2		3		6
Poštorná facility			11	4	4		20
Frýdek-Místek facility			2				3
Velké Přílepy facility	1						1
<b>Total</b>	<b>1</b>	<b>0</b>	<b>15</b>	<b>4</b>	<b>7</b>	<b>0</b>	<b>27</b>

February 2007	Category I EE		Category II EE		Category III EE		total
	main	concomitant	main	concomitant	main	concomitant	
Bělá-Jezová facility			4		3		7
Poštorná facility			6	4	3		13
Frýdek-Místek facility			1		1		2
Velké Přílepy facility							0
<b>Total</b>	<b>0</b>	<b>0</b>	<b>11</b>	<b>4</b>	<b>7</b>	<b>0</b>	<b>22</b>

March 2007	Category I EE		Category II EE		Category III EE		total
	main	concomitant	main	concomitant	main	concomitant	
Bělá-Jezová facility	1		3		6		10
Poštorná facility			2		4		6
Frýdek-Místek facility			1		11		12
Velké Přílepy facility							0
<b>Total</b>	<b>1</b>	<b>0</b>	<b>6</b>	<b>0</b>	<b>21</b>	<b>0</b>	<b>28</b>

April 2007	Category I EE		Category II EE		Category III EE		total
	main	concomitant	main	concomitant	main	concomitant	

Bělá-Jezová facility			6	2	4		12
Poštorná facility			1	1	7		9
Frýdek-Místek facility					28		28
Velké Přílepy facility			1				1
<b>Total</b>	<b>0</b>	<b>0</b>	<b>8</b>	<b>3</b>	<b>39</b>	<b>0</b>	<b>50</b>

**10. Please explain whether the amendment of the rules of confinement has contributed to reducing the overcrowding of prisons (previous concluding observations, para. 19, and report, para. 179).**

The amendment to the rules of confinement and the rules of remand, which has resulted in a reduction in the minimum accommodation space per prisoner in a room intended for permanent accommodation from 4.5 to 4.0 m<sup>2</sup>, has been reflected positively in the capacity of prison facilities.

As at 31 July 2001, there were 21,357 persons in prisons in the Czech Republic, of whom 5,769 were remand prisoners and 15,608 were sentenced prisoners. Over the rest of 2001, the number of prisoners gradually fell to 19,320. Since 31 December 2001, the development in the numbers of prisoners has been as follows:

Date	Remand prisoners	Sentenced prisoners	Total
31. 12. 2001	4,583	14,737	19,320
31. 12. 2002	3,384	12,829	16,213
31. 12. 2003	3,409	13,868	17,277
31. 12. 2004	3,269	15,074	18,343
31. 12. 2005	2,860	16,077	18,937
31. 12. 2006	2,399	16,179	18,578
23. 5. 2007	2,441	16,707	19,148

It is evident from the table that the Czech Republic currently has 2,209 prisoners fewer than on 31 July 2001.

The capacity of prison facilities has developed as follows:

Date	Floor area	Capacity
31. 12. 2000	3.5 m <sup>2</sup> /person	20,244
31. 12. 2001	3.5 m <sup>2</sup> /person	20,122
31. 12. 2002	4.0 m <sup>2</sup> /person	17,625
31. 12. 2003	4.5 m <sup>2</sup> /person	15,407
31. 12. 2004	4.0 m <sup>2</sup> /person	18,405
31. 12. 2005	4.0 m <sup>2</sup> /person	18,784
31. 12. 2006	4.0 m <sup>2</sup> /person	18,896

23. 5. 2007	4.0 m <sup>2</sup> /person	18,889
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The level of occupation of prison facilities has developed as follows:

Date	Level of occupation of prison facilities
31. 12. 2001	96.01 %
31. 12. 2002	91.99 %
31. 12. 2003	112.14 %
31. 12. 2004	99.66 %
31. 12. 2005	100.81 %
31. 12. 2006	98.32 %
23. 5. 2007	101.37 %

These statistics indicate that the level of prison overcrowding is low (just 1.37 per cent).

**11. Please indicate whether the State party has abolished the use of cage-beds and net-beds as a means of managing patients in a state of agitation in psychiatric hospitals. What concrete actions have been taken, or are proposed, to address the problems identified in paragraph 86 of the report?**

Cage-beds are not used at health-care facilities. Net beds are used at health-care facilities to protect agitated and disoriented patients, especially at geronto-psychiatric stations, and there are no plans to discontinue them entirely.

Means of restraint may be used only as a last resort and use thereof is gradually being reduced. Means of restraint may be used only when strictly necessary and only on serious medical – not educative – grounds.

Very confused or demented patients in particular are placed in net beds overnight as this is safer and more humane for them – there is no need to use other means of restraint. As a result, there are no complications caused in particular by fractures of the neck or the femur, which can prove fatal.

The absolute discontinuance of means of restraint is not feasible because some psychotic states connected with agitation, aggression, suicidal tendencies, and unpredictable conduct under the influence of delusions and hallucinations can represent a threat not only to other patients and staff, but also to the patient him/herself.

The application of means of restraint must be recorded and justified in health-care documentation. In the use of means of restraint, psychiatric hospitals respect the methodological guideline “Use of means of restraint for patients in psychiatric hospitals in the Czech Republic”, which was published in the Journal of the Ministry of Health No. 1/2005.

**12. Please elaborate on measures to eliminate difficulties faced by victims of discrimination in obtaining legal aid (previous concluding observations, para. 21).**

The right to legal assistance is enshrined directly in the constitutional architecture of the Czech Republic. Article 37(2) of the Charter of Fundamental Rights and Freedoms

guarantees the constitutional right of every person to legal assistance in proceedings before courts, other State institutions, and public administration authorities from the commencement of proceedings. Under article 40(3) of the Charter of Fundamental Rights and Freedoms, all those accused of a criminal offence are entitled to defend themselves or be defended by a defence counsel. If they do not choose a defence counsel, even though they are required to have one under the law, the court will assign a counsel to him. The law lays down the cases in which the accused has a right to free legal assistance; these cases are regulated primarily by the Rules of Criminal Procedure.

Lawyers provide legal assistance free of charge, in accordance with legislation in force following their appointment by a court to represent or defend a person in the relevant proceedings, or if they are designated to provide such legal services by the Czech Bar Chamber. Access to this assistance is the same for all persons who can demonstrate the conditions are in place for the provision of legal assistance.

Free legal representation or a free defence counsel or representation, or a defence counsel for a reduced fee, following the appointment of a lawyer by a court, is primarily regulated by precepts of procedure, i.e. the Rules of Civil Procedure (especially sections 30, 31, 138, 140(2), 149(2)), the Rules of Administrative Procedure (especially section 36(3)) and the Rules of Criminal Procedure (especially sections 33(2) and (3), 51a and 151). In these cases the State covers the lawyer's fee and expenses. The coverage, by the State, of costs connected with representation is also facilitated by act No. 182/1993 on the Constitutional Court in cases where the complainant is in proceedings regarding a constitutional complaint (section 83). Further, under act No. 218/2003 on the judiciary in cases of young people, the State covers the fee, expenses and reimbursement for loss of time of the lawyer appointed as a child's guardian.

Provisions on legal services rendered free of charge or for a reduced fee by a lawyer designated by the Czech Bar Chamber are also contained directly in the Legal Practice Act. Under the current wording of section 18 (2) of the Legal Practice Act, any person who fails to comply with the conditions for the appointment of a lawyer by the court in accordance with separate legal regulations and who is unable to afford the provision of legal services by other means is entitled to have a lawyer assigned to him by the Czech Bar Chamber, provided that a timely request is made.

In cases specifically related to discrimination, under the Anti-discrimination Act the ombudsman should assist the victims of discrimination (see the reply to question 15 and point 543 of the report).

In the Czech Republic, there are numerous non-governmental organizations that provide guidance to victims of discrimination free of charge. Some of them even represent victims before the court. In Czech law, there are now myriad provisions that victims of discrimination can refer to before a court. They include:

- (a) The Employment Act (435/2004) which imposes on the parties to legal relations<sup>3</sup> the obligation to ensure the equal treatment of all individuals exercising the right to employment.

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<sup>3</sup> The Czech Republic represented by the Ministry and employment offices; employers; the organizational units of a foreign legal person or a foreign natural person authorized to carry on business activities on the territory of the Czech Republic in accordance with separate legal regulations shall also be considered employers; legal and natural persons and other entities under separate legislation carrying on activities in accordance with this Act.

It prohibits direct and indirect discrimination on numerous grounds, including sex. Conduct including incitement, aiding and abetting, or coercion aimed at discrimination are also considered discrimination;

(b) The Act on the Service of Members of Security Corps (361/2003), which directly prohibits discrimination in service relations and defines terms connected with discrimination; it also prohibits conduct by the security corps that discriminates against persons not directly but by implication. Any instruction to discriminate shall also be deemed to be such conduct. Neither the security corps nor a security corps member may misuse the exercise of rights and obligations under a service relationship to the detriment of another person in a service relationship or impair the dignity of another person in a service relationship. In a service relationship, direct and indirect discrimination on numerous grounds, including sex, is also prohibited. Harassment and sexual harassment shall be considered a form of discrimination; conduct including incitement, aiding and abetting, or coercion aimed at discrimination are also considered discrimination;

(c) The Service Act (218/2002)<sup>4</sup> regulates the legal relations of employees performing State administration in administrative authorities as a service provided by the Czech Republic to the public. This act lays down the principle of the equal treatment of all State employees as regards their conditions of service, remuneration and other considerations in kind, training and the opportunity of promotion within the service. The act prohibits discrimination in service relations on numerous grounds, including sex. Conduct discriminating not directly, but in its consequences, is also prohibited. No persons may misuse the exercise of rights and obligations under a service relationship to the detriment of another State employee, or to impair the human dignity of another State employee, or to the detriment of others. Sexual conduct which is unwelcome, improper or offensive, or which could justifiably be perceived by another State employee as a condition affecting the exercise of rights and obligations under a service relationship, shall be deemed an impairment of the human dignity of a State employee. The act has not yet entered into effect;

(d) The Professional Soldiers Act (221/1999) regulates the establishment, change, discontinuance and content of the service relationships of professional soldiers. It lays down the obligation of service authorities to guarantee an equal approach to and equal treatment of all candidates seeking to be called up, and of all soldiers in the terms and conditions for the performance of their duties, in particular as regards vocational training and promotion, remuneration, other monetary considerations and considerations in kind. It prohibits the discrimination of candidates and soldiers on numerous grounds, including sex<sup>5</sup>. The conduct of service authorities discriminating not directly, but indirectly as a consequence, is also prohibited. Impairment of the dignity of a soldier defines as undesirable not only conduct of a sexual nature, but also all forms of non-sexual harassment which are aimed at violating the dignity of a soldier, creating an intimidating, hostile, degrading, humiliating or offensive atmosphere, and which are unwelcome, improper or could be justifiably perceived by another

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<sup>4</sup> Act on the service of civil servants in administrative authorities and on the remuneration of such civil servants and other employees in administrative authorities

<sup>5</sup> Discrimination on grounds of race, colour, sex, sexual orientation, faith and religion, nationality, ethnic or social origin, property, marital and family status and family duties, pregnancy or maternity, or because a female soldier is breastfeeding, is prohibited.



soldier as affecting the exercise of rights and obligations stemming from the service relationship. Any instruction to discriminate shall also be deemed to be such conduct;

(e) The Schools Act (561/2004)<sup>6</sup> defines the rights and obligations of natural persons and legal persons in education and lays down the competence of authorities undertaking State administration and self-government in the education system. Pupils and students are entitled to equal access to education without any discrimination on numerous grounds, including sex. The Schools Act contains special provisions on the education of national minorities, the teaching of religion, the education of pupils with special educational needs, and exceptionally gifted pupils. Further to the Act on the Rights of Members of National Minorities (273/2001) it regulates the conditions of ‘minority education’;

(f) The Radio and Television Broadcasting Act (231/2001) imposes the obligation on broadcasters not to include in their broadcasting commercials and teleshopping that attack faith and religion or political or other beliefs, or teleshopping that contains discrimination on grounds of sex, race, colour, national language, national or social origin or membership of a national or ethnic minority;

(g) The Advertising Regulation Act (40/1995) prohibits advertising in contravention of good morals. In particular, advertising must not contain any discrimination on grounds of sex, race or nationality, or attack religious or national sentiment, endanger morals in a generally unacceptable manner, impair human dignity, contain elements of pornography, violence, or elements using the motif of fear, and must not attack political beliefs;

(h) In general, it is possible to seek protection against discrimination by means of an action for libel in accordance with the Civil Code (40/1964).<sup>7</sup> However, a libel action does not provide court protection against violation of the right to equal treatment and protection against discrimination, but court protection solely against those manifestations which can be related to the protection of the personality;

(i) The Labour Inspectorate Act (251/2005), effective as of 1 July 2005, lays down a mechanism for inspections of breaches of labour-law regulations. A natural person perpetrates a misdemeanour in the field of equal treatment under Section 11 of the Labour Inspectorate Act and a legal person under Section 24 of the Labour Inspectorate Act by:

- i) Failing to ensure equal treatment for all employees in terms of their working conditions, remuneration for work and the provision of other monetary considerations and considerations of monetary value, and vocational training and the opportunity to achieve promotion or other professional advancement;
- ii) Discriminating against employees (Section 16 of the Labour Code);
- iii) Penalizing employees or putting employees at a disadvantage because they seek the exercise of their rights and entitlements stemming from labour law relations in a legal manner;

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<sup>6</sup> Act on Preschool, Primary, Secondary, Further Vocational, and Other Education

<sup>7</sup> See sections 11 to 13 of the Civil Code

- iv) Failing to discuss with an employee or, at his request, with employee representatives a complaint of the employee regarding the exercise of rights and discharge of obligations stemming from labour-law relations.

For these breaches of the law, a fine of up to CZK 400,000 may be imposed.

The Rules of Civil Procedure (99/1963) regulate the principle of reversed burden of proof in labour matters for cases of discrimination on numerous grounds, including sex. The principle of reversed burden of proof means that the onus of proof lies with the respondent, i.e. the party which is alleged to have practised discrimination must prove that he is not guilty of such conduct. This principle is also incorporated into some of the above-mentioned service laws.

### **Elimination of slavery and servitude (arts. 8 and 24)**

**13. Has the Act on the Regulation of Prostitution entered into force? If so, please provide information on its legal scope and its impact in practice, including information with regard to its role in the identification of victims of trafficking (previous concluding observations, para. 13, and report, paras. 99 and 106).**

The Prostitution Regulation Act has not entered into effect. Under resolution No. 387 of 28 April 2004, the Government approved the general principle of the prostitution regulation and tasked the Minister of the Interior to draw up and present to the Government, by 29 April 2005, a bill on the regulation of prostitution. As the Czech Republic is bound by the 1951 Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others, which the general principle contravenes, the resolution included the task of drawing up and presenting to the Government, by 30 September 2004, a proposal to serve notice on this Convention. At the beginning of 2006, the bill was submitted to the Chamber of Deputies of the Parliament of the Czech Republic along with the proposal to serve notice on the Convention. The Chamber of Deputies rejected the proposal to serve notice on the Convention and therefore there was no need to debate the bill.

**14. Please provide information on measures taken to combat sexual abuse of children, including child pornography and child trafficking, measures for the rehabilitation of abused children as well as, in general, measures aimed at ensuring the respect of the human rights of all victims of trafficking (see in part, previous concluding observations, para. 23).**

#### **Measures adopted in the struggle against the sexual abuse of children, including child pornography and child trafficking, measures to rehabilitate abused children**

Since 2000, the Ministry of the Interior has drawn up a national plan at regular two-year intervals to combat the commercial sexual abuse of children. The current plan in force is the National Plan to Combat the Commercial Sexual Abuse of Children 2006-2008, which was approved by the Government under resolution No. 949 of 16 August 2006.

As of 2008, the current plan will be replaced by the National Plan to Combat Violence against Children, which will address all forms of violence against children, including the sexual abuse of children without a commercial aspect, and cruelty and other child abuse.

Two years ago, the Ministry of the Interior set up a permanent discussion platform for this issue, i.e. roundtables, which are regularly attended by representatives of State organizations and institutions, by representatives of the non-governmental sector and the academic community.

The following activities are implemented in the fulfilment of the national plan:

(a) The Ministry of Education, Youth and Sports is working on the legislative regulation of conditions for work with children and young people, which should contain inter alia measures to prevent persons who have been convicted of a premeditated crime (ascertained by the obligation to present a record from the crime register) from working with children and young people, and to require that persons seeking such work undergo psychological tests to identify any personal traits incompatible for work with children and young people;

(b) The draft of the new Criminal Code introduces the crime of possessing child pornography;

(c) This year, the public administration portal will include a separate section devoted to free-time activities, which should inter alia contain an overview of free-time activities operated by individual entities (schools, non-governmental organizations, etc.), an overview of grants and programmes from which financial resources can be drawn for their implementation (forms for downloading and specimen forms for projects with simple comments on how to fill them in, the conditions under which the resources will be disbursed, the group of eligible persons, etc.). The creation of this separate section will be accompanied by a campaign designed to raise awareness of this new development among the general public;

(d) The Ministry of the Interior, in cooperation with interested partners, this year plans to run a media campaign in a selected locality which is the most affected by classic prostitution. The form of the campaign is still being discussed. Within the scope of the campaign, discussions are also being held on the possibility of setting up a website intended primarily for men who have identified paedophilic tendencies in their behaviour or thinking, with the offer of possible one-on-one or group outpatient therapy – anonymous, voluntary and free of charge, by telephone or e-mail. A similar mechanism has been set up in Germany;

(e) The Ministry of the Interior has commissioned a study to determine the feasibility of a Centre for Missing and Abused Children, which should contribute to the greater protection of children against all forms of violence. In the Czech Republic, there is currently no central organization specializing in the identification (either nationally or regionally) of the causes and circumstances of all forms of violence against children. This study will be forwarded to interested partners and the competent non-governmental organizations for comments and suggestions and for a specification, in particular, of the competencies and status required to determine how to proceed in establishing the centre;

(f) In April 2006, the Committee on the Rights of the Child of the Czech Government Council for Human Rights pointed out the need to introduce clear legislative protection for child victims of crime that would prevent the publication of information which could be used

to identify them, in a similar manner to the protection provided to minor offenders under act No. 218/2003 on the judiciary in cases of young people, as amended;

(g) The Czech Republic is also working on the introduction of a system of free assistance services for children (psychological, legal and social) who appear as witnesses or victims in criminal proceedings. These services should help children cope with the demands of criminal proceedings and raise awareness of the possibilities they have of exercising their rights. A draft system of follow-up care for children who leave institutional care establishments is being prepared. This document will be completed by the end of the year;

(h) This year, the Ministry of the Interior has created a project which should result in the gradual formation of a network of special interrogation rooms for traumatized victims (especially children and women);

(i) To improve the protection of children and make it more effective, it is necessary to set up an institution in the Czech Republic that will comprehensively handle issues related to vulnerable children. At present, this area of competence is split between the Ministry of Labour and Social Affairs, the Ministry of Education, Youth and Sports, the Ministry of Health and in part the Ministry of the Interior and the Ministry of Justice. The Ministry of Health is the coordinator responsible for ensuring the operation of infant care facilities and children's homes for children up to the age of three; the Ministry of Education, Youth and Sports is responsible for children's homes, diagnostic institutions and care institutions for children between 3 and 18; and the Ministry of Labour and Social Affairs coordinates foster care. The existing system where these competencies are widely distributed is also unsatisfactory for the individual central State administration authorities, as it does not give them a comprehensive grasp of the system for the social law protection of children in connection with foster care and institutional care, it only lets them handle subtasks and deficiencies within their competence. This distribution of competencies prevents change to the system of replacement care as a whole.

### **Trafficking in human beings – measures defending the rights of victims**

The issue of trafficking in human beings is regulated in Czech law under section 232a of act No. 140/1961 of the Criminal Code, as amended. This provision applies to all forms of human trafficking, i.e. including cases of forced labour and sexual exploitation. A number of the measures adopted target all forms of trafficking in human beings. Therefore the information below applies both to trafficking in human beings and to forced labour.

The Czech Republic has adopted a plan of tasks to produce basic conceptual material addressing the issue of trafficking in human beings – the National Strategy to Combat Trafficking in Human Beings (2005-2007). The strategy's third update is currently being prepared. In terms of the protection of human rights, there is major support, protection and care for the victims of trafficking in human beings, as laid down in the Programme of the Support and Protection of Victims of Trafficking in Human Beings (the Programme) as described below.

The Programme is approved and implemented within the scope of the Crime Prevention Strategy 2004-2007; it is also a pillar of the above-mentioned National Strategy to Combat Trafficking in Human Beings. The Programme offers assistance to victims of trafficking and motivates them to cooperate with law enforcement agencies in order to help

punish the perpetrators of this particularly serious crime. Trafficking victims are offered emergency psycho-social or health care, accommodation and support in their integration into normal life. For foreign nationals, there is also a change in their residential status. If victims of trafficking in human beings decide to return to their country of origin, this is arranged by the International Organization for Migration (IOM Prague).

State, intergovernmental and, pursuant to a cooperation agreement with the Ministry of the Interior, non-governmental organizations are involved in the coordination mechanism; they help persons from a prostitution background, support identified victims of human trafficking and carry out preventive activities related to the issue.

The Programme is financed by means of grants to non-governmental organizations. . An amendment to act No. 326/1999 on the stay of foreign nationals on the territory of the Czech Republic introduced the institution of long-term stays for the purpose of protection, which provides numerous new rights to victims of trafficking who cooperate with law enforcement agencies. In cases worthy of special attention, and at the request of a victim, the aliens police may grant a foreign victim permanent residence on humanitarian grounds.

In the period since the launch of the Programme, it has helped 56 victims of trafficking (14 victims in 2006), who mainly come from Bulgaria, the Czech Republic, Moldova, Romania, Slovakia, Ukraine and Vietnam. Most of those placed in the Programme were victims of trafficking for sexual exploitation; only four were identified as victims of trafficking for forced labour.

In criminal proceedings, victims are entitled to compensation (as the claimant in criminal proceedings), legal assistance and representation before a court. They may also seek financial assistance. As witnesses in criminal proceedings, they are also entitled to special protection in accordance with act No. 137/2001.

An extensive file of information about the phenomenon of trafficking in human beings and currently adopted measures is available on the website of the Ministry of Interior at [www.mvcr.cz](http://www.mvcr.cz) (in the section on safety and prevention, trafficking in human beings).

**Principle of equality and non-discrimination, rights of persons belonging to minorities, and rights of the child (arts. 2, 24, 26 and 27)**

**15. Please provide further information on the current status of the anti-discrimination law (report, paras. 517-523). What measures have been taken to ensure its effective implementation?**

The report describes the situation up to the end of 2004. The anti-discrimination bill was approved by the Government under resolution No. 1193 of 1 December 2004. The bill was presented to the Chamber of Deputies on 21 January 2005. The Chamber of Deputies approved the bill on 7 December 2005. The Senate debated the anti-discrimination bill and on 26 January 2006 rejected it. The Chamber of Deputies held a vote on the bill on 23 May 2006; 83 members of Parliament were in favour, 45 against. Therefore the bill did not receive the 101 votes (i.e. an absolute majority) required to vote down the rejection delivered by the upper house of the Czech Parliament.

The anti-discrimination bill has been reworked taking into consideration legislative developments, which have occurred since the submission of the original version of the bill, and certain fundamental amendment proposals made in the debate on the original bill in both chambers of Parliament. The Governmental Legislative Council has discussed the new bill, which should be debated by the Czech Government in the next few weeks.

The current form of the bill limits the prohibition of discrimination to several fundamental reasons stemming from community law. These grounds are race or ethnic origin, nationality, sex, sexual orientation, disability, religion or faith, and age. As regards the definition of terms such as direct and indirect discrimination, harassment, sexual harassment, victimization, etc., the bill is essentially the same as the previous bill, as referred to in the report. The ombudsman should remain the body responsible for ensuring the protection of equal treatment. The report has already discussed in detail the powers that should be exercised by the ombudsman. The current bill does not include mediation among the forms of assistance available to victims. However, this does not mean that victims of discrimination will not be able to use this mechanism independently of the ombudsman.

**16. Has the National Strategy for Police Work with National and Ethnic Minorities proven effective in reducing cases of ill-treatment by the police of members of national and ethnic minorities, including those cases leading to death in custody? Were the perpetrators of such acts prosecuted, and was any compensation granted to the victims or their families (previous concluding observations, para.15 and report, paras. 92-95.)?**

The strategy for the work of the police force of the Czech Republic in relation to minorities in the 2006-2007 period was adopted by the Government on 11 January 2006 under resolution No. 49. The strategy follows up on a previous document, the National Strategy for the Work of the Czech Police Force in Relation to National and Ethnic Minorities, approved in 2003, and its objective is to streamline the work of the police in relation to members of national and ethnic minorities, communities of foreign nationals, and socially disadvantaged groups of the population.

In 2006, liaison officers for minorities appointed to regional police authorities and their working parties continued to develop their activities. The project of providing an assistant to the police to cover work in socially excluded localities was expanded; the purpose is to support victims of crime in a setting of social exclusion and to streamline the identification of latent crime in these localities. The first part of a publicity campaign focusing on the admission of members of minorities to the police was implemented, the aim of which is to inform members of minorities of the possibilities and conditions of working for the police. A supervision pilot project was launched at the Municipal Directorate of the police in Brno; the idea is to study the opportunities of applying supervision as a tool in HR work within the police. The Ministry of the Interior is continuing its research aimed at mapping crime in socially excluded localities. Activities geared towards training and better awareness within the police in this area are continuing.

The strategy for the work of the police in relation to minorities is assessed and updated on a regular basis. The impacts of adopted measures are rated positively by the police officers who contribute to their implementation and by the representatives of non-governmental organizations specializing in the protection of minority rights in the Czech Republic.

**17. Please indicate what concrete measures the State party has taken to combat discrimination against the Roma, in particular in the fields of employment, education, health care and housing. Please elaborate further on the development, implementation and impact of recent and current awareness-raising campaigns aimed at reducing discriminatory practices against the Roma minority (previous concluding observations, para. 8).**

### **Employment**

With effect from 1 October 2004, when act No. 435/2004 on employment, as amended, entered into force, employment offices have been able – in accordance with section 120 of this act – to handle the labour market situation in a given region by means of targeted programmes designed to find solutions for employment. A targeted employment programme is a set of measures geared towards an increase in the career prospects of individuals or their groups. Where necessary, this group may be job-seekers from a different socio-cultural background. This is an initiative complementing the active employment policy and programmes of the European Social Fund.

### **Education**

The issue of preventing manifestations of racism, xenophobia and intolerance is incorporated into the Prevention Plan for Nursery and Primary Schools and Educational Establishments, and is also contained in the document of the Ministry of Education, Youth and Sports entitled “Strategy for the Prevention of Socio-Pathological phenomena in Children and Young People in the Competence of the Ministry of Education, Youth and Sports 2005-2008”. The Czech Republic supports the projects of non-profit organizations aimed at supporting education against racism, extremism, xenophobia and Islamophobia.

Head teachers may establish the position of teaching assistant for socio-culturally disadvantaged children. Teaching assistants help pupils adapt to the school setting and assist teaching staff in their educative and educational activities. They may also play a role in communication with pupils and in cooperation with the legal guardians and community the pupil comes from.

Local public administration authorities (municipalities, associations of municipalities, and regions) may open primary school preparatory classes for socially disadvantaged children in the final grade before they commence compulsory full-time schooling, where it is anticipated that placement in a preparatory class will bring them up to the required stage of development. A project to monitor the effectiveness of preparatory classes revealed that the preparatory years make a strong improvement in the relationship that Roma children form with school. Participation in the preparatory year reduces absence by 20 to 40 lessons. Roma children who undergo the preparatory year therefore feel more at home at school and the teaching is not such a stress for them.

### **Health care**

Since September 2005, a project called health and social assistants in excluded localities (SASTIPEN CR) has been under way. The implementer of the project is the Drom Roma Centre and the project is financed from the Human Resources Development Operational Programme of the European Social Fund. The aim of the project is to create and

test a network of health and social assistants for Roma at risk of social exclusion, especially in terms of their health. The activities of the health and social assistants began in January 2006 and, in accordance with the project, will end in May 2007. These activities can be split into several groups: awareness of a healthy lifestyle (healthy eating, cutting back on smoking, etc.); help in addressing health problems and their prevention (vaccinations, preventive examinations, visits to the doctor, help in arranging for the necessary examinations, escort, explanations of information, motivation to seek treatment, etc.); mediation of information from the field of health and contact details for health-care institutions (registration with a doctor, issues related to health insurance companies, assistance in the provision of assistive technology, etc.); assistance in addressing social problems (housing, help in finding furniture or clothing, etc.).

### **Housing**

Within the scope of the Joint Regional Operational Programme (JROP), measure 3.2 (support of social integration in the regions), financed from the European Social Fund. The Roma minority is one of the target groups and the JROP Managing Authority regularly monitors Roma-related projects which are submitted and implemented within the scope of this measure.

Under the integrated operational programme, which is being prepared for the 2007-2013 programming period, there are two areas of intervention which address the integration of socially excluded Roma communities:

a) Area of intervention 2.1: services in the field of social integration. One of the objectives is to address the problems of the worst-off areas, stemming from an analysis of socially excluded Roma localities and communities. The assistance will be geared towards the establishment of social services and centres that will help municipalities and regions successfully tackle problems and analyse identified socially excluded Roma localities, and will thus enable the users of these services to return to the labour market and society;

b) Area of intervention 3.3: improvement in the environment of problem housing estates. One of the activities (in the form of several pilot projects) will be the probing of the possibility of linking up the regeneration of buildings in problem housing estates, inhabited in part by socially excluded Roma households, to activities in the field of social integration, human resources and employment.

### **Publicity campaigns**

Publicity campaigns aimed at eliminating racism and prejudice in relation to the Roma community continued in 2005 and 2006. In 2006, the Czech Government supported projects intended to reinforce tolerance and understanding between ethnic minorities and the majority. CZK 4,000,000 was earmarked for this purpose. As in previous years, the following activities were carried out:

a) A promotional project to encourage understanding and tolerance towards ethnic minorities and other cultures via a public relations communication strategy;

b) An awareness/educational and awareness/art project focusing on nurturing tolerance towards ethnic minorities and other cultures;



- c) A European campaign to promote equal opportunities for everyone in the Czech Republic.

**18. What steps has the State party taken to promote equality of non-citizens and citizens, including in the areas of housing, employment and social security? In general, what measures are in place to ensure that non-citizens are not discriminated against in their enjoyment of Covenant rights?**

**The elimination of obstacles to housing suffered by specific groups of foreign nationals granted asylum on the territory of the Czech Republic**

Since 1994, through the State Assistance (Integration) Programme in Refugee Housing, the Government of the Czech Republic has released financial resources every year to provide rental housing to persons granted asylum (refugees), as one of the key conditions for their successful integration into society.

Measures to support refugee housing are implemented by the Ministry of the Interior and are responsive to the problems and handicaps of refugees as they try to find a place to live – especially because of language and cultural barriers, ignorance of the property market, and limited financial resources.

There are currently three possible ways to support the housing of refugees:

- Version I: The Ministry of the Interior makes a contribution from the national budget to a municipality which provides housing to a refugee, in order to cover the repair of the dwelling, and as a contribution to the municipality's infrastructure development;
- Version II: refugees can be provided with a financial contribution to cover rent (or to cover the costs in a social service facility) and the municipality receives a contribution for the development of its infrastructure;
- Version III: refugees may obtain housing under the programme Support for the Construction of Rental Apartments, which has been advertised since 2005. Municipalities that receive a grant to construct rental apartment are obliged to offer some of the apartments built to refugees to rent. The Ministry of the Interior provides a contribution to the municipality for the development of its infrastructure.

In 2004, 38 apartments were provided to refugees, in 2005, 40 apartments, and in 2006 subsidies were released for 55 apartments for refugees.

**The elimination of obstacles to housing suffered by specific groups of foreign nationals – members of selected Czech minorities after relocating from abroad:**

The Czech Republic organizes a programme in which it provides assistance to members of selected Czech minorities abroad as they seek to relocate back to the Czech Republic. This programme is currently focusing exclusively on the Czech minority from Kazakhstan (compatriots).

Under this programme, the Czech Republic (through the Ministry of the Interior) provides assistance to compatriots in handling the administrative conditions of relocation (residence permits) and housing requirements. In cooperation with local authorities,

compatriots relocating to the Czech Republic are provided with municipal rental flats, the use of which is governed by the same rules as are applicable to Czech citizens.

The system for the acquisition of housing for compatriots, based on the provision of State funding to municipalities as a trade for the provision of an apartment, is aimed at eliminating the disadvantages of compatriots, who have little opportunity to secure housing in the Czech Republic while they are still abroad. As regards the conditions of the lease and occupancy of such flats, relocated compatriots are placed on the same footing as Czech citizens.

In general, foreign nationals can enter into leases in the same way as Czech citizens. Further, the protection of the lease of a flat as regulated in the Civil Code does not distinguish between Czech and foreign tenants. Foreign nationals, like Czech citizens, can seek their rights before an independent, impartial court.

Foreign nationals with permanent residence in the Czech Republic and EU nationals with permission to stay may purchase flats and houses just like Czech citizens.

### **Employment of foreign nationals**

Conditions for the employment of foreign nationals in the Czech Republic are laid down in particular by act No. 435/2004 on employment, as amended (the Employment Act). A national of another EU Member State and his family members do not need a work permit to find employment in the Czech Republic. Foreign nationals from third countries may be recruited for jobs and employment provided that:

(a) The foreigner has a valid work permit and visa to stay in the country, issued for the purpose of work, or permission to stay long term for work purposes;

(b) Before issuing a foreign national with a promise of employment, the employer has obtained permission to hire employees from abroad.

Foreigners may be employed in the Czech Republic only if they have a valid work permit. A work permit may be issued by an employment office in cases of a notified vacancy (i.e. a job, the creation or vacating of which has been announced by the employer to the employment office).

There are exceptions to the general procedure above (referred to in sections 97 and 98 of the Employment Act); the obligation to obtain a work permit does not apply, in particular, to foreign nationals granted permanent residence, to refugees, and to foreign nationals in the Czech Republic who have been granted long-term stay permits for the purposes of reconciliation with the family of a foreign national who has been granted permanent residence or asylum. Nor is a work permit required by foreign nationals who are staying in the Czech Republic based on a long-term stay permit for another EU Member State for work purposes, provided that more than 12 months have passed since the issue of the permit.

The employment office issues work permits to certain categories of foreign nationals irrespective of the situation on the labour market, e.g. interns, teaching or academic staff at universities, etc.

The Labour Code (262/2006) lays down the principle of the equal treatment of all employees by an employer as regards working conditions, remuneration for work, vocational training and promotion or other professional advancement. The Employment Act (435/2004) prohibits direct and indirect discrimination in labour-law relations in exercising the right to employment on grounds of sex, sexual orientation, race or ethnic origin, nationality, citizenship, social origin, descent, language, religion or belief, political or other persuasion, property, etc.

Foreign nationals who are employed without a work permit or who perform work in contravention of an issued work permit commit a misdemeanour which is subject to a fine of up to CZK 10,000. Employers (legal or natural persons) who allow a foreign national to perform illegal work may be penalized with a fine of up to CZK 2,000,000.

Inspections of the employment of foreign nationals in accordance with the Employment Act fall within the competence of the inspection activities of employment offices. Inspections of the protection of working relations and working conditions (observance of the provisions of the Labour Code, regulations to ensure work safety, regulations under the Wages and Remuneration Act, regulations concerning working time and respite time, etc.) are conducted by the labour inspectorate, the powers of which are laid down in act No. 251/2005 on the inspection of labour.

### **Social security**

In the field of social security, it is necessary to distinguish whether the citizen in question is a national of an EU Member State or a family member thereof, or a citizen who is not a national of an EU Member State.

In the first instance, the rights of foreign nationals, i.e. EU nationals and their family members are governed by EU legislation, which regulates the principle of non-discrimination based on nationality within the EU. The main piece of legislation in this respect is Council regulation (EC) No. 1408/71 on the application of social security schemes to employed persons and their families moving within the Community, which lays down that the persons to whom this regulation applies have the same rights and obligations under the legislation of any Member State as the citizens of that State. The purpose is to ensure that migrating workers and eligible members of their families are guaranteed that all periods registered for the purposes of establishing and maintaining rights to benefits (and the calculation thereof) in accordance with the laws of Member States are recognized, and that benefits are paid to persons residing in Member States.

As for foreign nationals who are not nationals of an EU Member State, the preservation of social security rights is guaranteed to a defined set of foreigners based on bilateral international treaties. The Czech Republic has concluded bilateral international treaties on social security, respecting the requirements of the *acquis communautaire* and modern principles for the coordination of social security, with the following countries: Bosnia and Herzegovina, Canada, Chile, Croatia, Israel, Moldova, Russia, Serbia and Montenegro, Switzerland, The former Yugoslav Republic of Macedonia, Turkey, Ukraine and the United States of America.

Czech legislation provides Czech citizens and foreign nationals with three social security systems – social insurance, State social aid and social care. These systems form an interlinked, complementary whole.

All employees regardless of their nationality are required to take part in sickness insurance. The self-employed may take part in sickness insurance voluntarily (54/1956 on the sickness insurance of employees does not differentiate between Czech citizens and foreign nationals in this respect).

Pension insurance is compulsory in the Czech Republic and covers all economically active persons.

State social aid benefits are available to those who have permanent residence in the Czech Republic (this covers means-tested benefits and jointly assessed persons). Foreign nationals who have been registered as living in the Czech Republic for a period of longer than 365 days (apart from asylum-seekers accommodated in a centre run by the Ministry of the Interior) are also considered permanent residents for the purposes of act No. 117/1995 on State social aid. State social aid benefits are: parental allowance, foster care benefits, birth allowance, funeral allowance, child allowance, social top-up, housing benefit and the allowance for school equipment.

Social care primarily includes a subsistence allowance, a top-up housing allowance, special immediate assistance and social services. The following persons are entitled to the subsistence allowance, top-up housing allowance and social services: persons registered as permanently resident in the Czech Republic; persons who have been granted asylum or supplementary protection; foreign nationals without permanent residence in the Czech Republic who have this entitlement under an international treaty; nationals of EU Member States and their families, provided they have been registered to stay in the Czech Republic for longer than three months, unless they have an entitlement to social benefits under a directly applicable Community regulation; and foreign nationals who hold a permanent residence permit with the legal status of a long-term EU resident in another EU Member State and their families, provided they reside in the Czech Republic. Special immediate assistance may be provided, in addition to the persons mentioned above, to other persons staying in the Czech Republic.

### **Measures guaranteeing that non-citizens (foreign nationals) do not suffer discrimination in the exercise of their rights under the Convention**

The active policy maintained by the Czech Government in this field includes the implementation of a Concept for the Integration of Foreign Nationals on the Territory of the Czech Republic ('Concept'), which was adopted in 2000 and last updated in 2006 (Government resolution No. 126 of 8 February 2006). The interdepartmental coordination of measures within the Concept is the responsibility of the Ministry of Labour and Social Affairs, where the Interdepartmental Commission of the Minister for Labour and Social Affairs on the Integration of Foreigners (MoLSA Commission) has been set up. Under the Concept, the Ministry of the Interior makes annual financial contributions (grants) to the projects of non-governmental organizations which focus, for example, on the following issues: the provision of free legal consulting to foreign nationals in matters concerning their stay in the Czech Republic and the acquisition of Czech citizenship; the provision of

assistance in negotiations with authorities; analysis and monitoring of the most significant problems of foreign nationals in relation to their legal status in the Czech Republic; the support of activities intended to prevent xenophobia and racism; information programmes for foreign nationals; activities and media projects to promote the integration of foreigners and the development of relations between communities; the implementation of studies and research into communities of foreign nationals, etc.

Foreign nationals who have been granted permanent residence in the Czech Republic have exactly the same status as Czech citizens in the overwhelming majority of areas of life. Permanently resident foreign nationals thus enjoy the same rights as Czech citizens, for example, in the fields of employment, business, social security, health insurance, health care and education.

**19. Please comment on the disparities between statistics on the number of Roma living in the State party provided by official sources and those provided by civil society sources.**

Information about national origin is considered sensitive data, the collection and processing of which is restricted, under act No. 101/2000 on personal data protection. Information about the national fabric of the population is collected only during censuses (most recently in 2001), where persons participating in the census – in accordance with the recommendations and methodology of the United Nations and Eurostat – decide for themselves whether and how to fill in the information concerning their nationality. This information is rendered anonymous and cannot be linked to any specific person. Therefore, there is no official source of information on the nationality of persons leaving the country (including Roma).

At the time of the greater migration of members of Roma communities to Western Europe and Canada, several qualitative expert research programmes were conducted to ascertain the migratory climate and tendencies of Roma in the Czech Republic and Slovakia; estimates as to the number of migrants were obtained from field workers, local authority officials and the members of Roma communities themselves. These surveys were not conducted by the Czech Statistical Office, which is the central authority of State administration responsible for statistics in the Czech Republic.

Therefore, there are no official figures on the numbers of Roma leaving the country. The numbers which have cropped up in various sources of information are therefore estimates, which generally explains any differences. The Czech Republic is unable to address this question in more detail because there is no definition of what specific documents are considered to be sources of official data on the one hand and sources of civic associations on the other.

In this respect, it is also important to note that on the Czech Republic's accession to the EU there was a radical change in the situation in terms of the free movement of persons in this area.

**20. Please provide information on the status and situation of “non-national” minorities within the territory of the State party.**

National minorities are legislatively defined in act No. 273/2001 on the rights of members of national minorities and amending certain laws, as amended. The basic pillars of the definition of a national minority or members of minorities are Czech citizenship, voluntary declaration of a nationality other than Czech, specific cultural features, language, traditional settlements in the country and an expression of the will to be considered a national minority. At present, these criteria are sufficiently fulfilled in the Czech Republic by 12 national minority groups: Bulgarian, Croatian, Greek, Hungarian, German, Polish, Roma, Ruthenian, Russian, Slovak, Serbian, and Ukrainian.

Other ethnic but not national minorities within the meaning of the law mentioned above include the Jewish minority, whose members and civic associations participate in programmes supporting the activities of national minorities, even though they do not declare themselves a national minority. There are also other groups of foreign nationals who are immigrants, specifically Armenian, Bosnian, Belarusian, Chechen, Chinese and Vietnamese etc. These communities are gradually establishing formal and informal associations and are striving to develop their activities. Of these groups, the largest is the Vietnamese – as at 31 December 2006 there were 40,835 Vietnamese citizens living legally in the Czech Republic with either a long-term permit or permanent residence (this does not include those who have obtained Czech citizenship). The other communities we have referred to are smaller. For example, as at the same date there were 4,165 Chinese living in the Czech Republic.

The central authority dealing with the integration of these new minorities into Czech society is the Ministry of Labour and Social Affairs. The Ministry and other authorities proceed in accordance with the Government-approved Concept for the Integration of Foreign Nationals, which was last updated in 2006 (Government resolution No. 126 of 8 February 2006).

The competent ministries, i.e. the Ministry of Labour and Social Affairs, the Ministry of Education, Youth and Sport, the Ministry of Culture, the Ministry of the Interior, and regional and local authorities, especially the authorities of chartered cities, have their own separate grant schemes to promote the integration of foreign nationals. These programmes support projects focusing on education, multicultural events, etc. Contact is established by the participation of the representatives of these communities in the activities of national minorities and the participation of staff from the Secretariat of the Government Council for National Minorities in interdepartmental working bodies (grant boards etc.).

It should also be noted that national minorities are not specifically listed in act No. 273/2001; there is only a general definition. Therefore there is no hard and fast border between national minorities and other minorities, and in the longer term we can assume that other minorities may be granted the status of a national minority.

**21. What measures has the State party taken to address the serious concerns of the Committee with regard to the very high number of Roma children placed in special schools designed for children with mental disabilities (previous concluding observations, para. 9)?**

The system of special needs schools and schools for mentally handicapped children was always racially neutral in the Czech Republic in the past. Special needs schools were by no means a type of institution created for members of the Roma or any other ethnic group. The purpose of this type of school was never to segregate Roma children. Special needs

schools were a type of special school, aimed at providing an optimal form of education to pupils with intellectual deficiencies that prevented them from having a successful education at primary schools. Therefore, it was an alternative method of education, not a sub-standard method of education. This fact is evidenced inter alia by the fact that education acquired in special needs schools was legally equal to the education acquired in primary schools. The criteria for the placement of children in special needs schools had nothing to do with racial or ethnic origin. The reasons for the placement of any child in a special needs school were the child's mental predisposition and special educational needs. These were reasonable, objective criteria geared towards an entirely legitimate goal.

An amendment to the Schools Act (19/2000) entered into effect in 2000, whereby all graduates of special needs schools could apply for admission to a secondary school under the same conditions as graduates of normal primary schools.

In the new Schools Act (561/2005) the Czech Republic abolished the institution of special needs schools and replaced it with a single system of primary schools, which completely covers the educational needs of the full range of pupils. This step was not an implicit admission of any discrimination against Roma children, but a measure adopted on the basis of ongoing political and, especially, expert debate. The basis was good faith, supported by scientific research, in the greater effectiveness of the new system in meeting the educational needs of all children, including mentally handicapped children.

In drawing up the new legislation on schools, the Ministry of Education, Youth and Sports (Ministry of Education) studied the concepts in place in EU countries concerning the teaching of children with special educational needs, including children from various ethnic groups. The "practical primary school" is one of the possible solutions. Although this is not an ideal method (there may not be any ideal method), it is one which is legitimately acceptable. These schools exist in some form or other in numerous other countries throughout Europe. Here, too, a similar problem of the higher proportion of children from minority ethnic groups in special schools is being tackled.

Given the situation outlined above, the Czech Republic disagrees with the statement that nothing has changed in the system of education for Roma children and that they continue to be the victims of racial discrimination in the education system. The opposite is true, and the Czech Government is aware that education is one of the most important instruments for the integration of minorities into majority society.

**22. To what extent does the new Criminal Code contribute in practice to reducing racially motivated violence, incitement to hatred, or other forms of intolerance? (previous concluding observations, para. 11, and report, paras. 420-424).**

Bearing in mind that the new Criminal Code has only just taken the form of a bill, it is impossible to study its practical impacts to a sufficient degree. However, we can offer the summary that the draft Criminal Code being prepared has almost the same wording as the current text of the Criminal Code as regards racially motivated and hate crimes. The draft Criminal Code classifies this type of crime in Chapter X (crimes against order in public affairs), Part Five (crimes disrupting the coexistence of people), sections 325-329, and Chapter XIII (crimes against humanity, against peace and war crimes), Part One (crimes against humanity), sections 376-378. Minor changes have been made to the qualified

substance of these crimes, and the crime referred to in section 329, suppression of rights on grounds of racial, ethnic or other groupings, has been added to the Criminal Code. Of the total number of crimes identified, criminal offences with an extremist undertone accounted for 0.1 per cent of crimes in 2005 and 0.07 per cent of crimes in 2006.

### **Extremist crime in the Czech Republic in the longer term, based on police statistics**

YEAR	Crimes registered	Share in total crime (%)	Crimes solved	Persons prosecuted
1996	131	0.03	58	152
1997	159	0.04	132	229
1998	133	0.03	100	184
1999	316	0.07	273	434
2000	364	0.09	327	449
2001	452	0.1	406	506
2002	473	0.1	374	483
2003	335	0.09	265	334
2004	366	0.1	289	401
2005	253	0.1	191	269
2006	248	0.07	196	242
Czech Republic TOTAL	3230	-	2511	3783

### **Dissemination of information relating to the Covenant and the Optional Protocol (art.2)**

**23. Please provide information on training activities for public officials, including teachers, judges, lawyers and police officers, on the rights protected under the Covenant.**

#### **Training activities for judges and lawyers**

In past years, the Judicial Academy in Kroměříž has organized numerous (more than 25) seminars dealing with the rights protected by the Covenant. These seminars concentrated on human rights in general; the prohibition of discrimination; equal rights of men and women; the right to life; the prohibition of capital punishment; torture; forced labour; ensuring personal safety; the regulation of remand proceedings and reasons for remand; issues related to asylum and expulsion; the special approaches adopted towards young people (e.g. a seminar on problems related to asylum-seekers and unaccompanied foreign nationals who are minors); the right of appeal; freedom of expression, thought and religion; the protection of the family and children; trafficking in human beings (e.g. the seminar Moral Crime, Especially Usury and Human Trafficking, a seminar on trafficking in human beings for the purpose of forced labour); protection of the personality (e.g. a seminar concerning the decision-making process involved in libel actions); and extremism. The seminars were intended in particular for judges and public prosecutors; some were open to members of other legal professions.



Besides these special seminars, the issues of rights protected by the Covenant are also covered by seminars for judges and public prosecutors with up to three years' experience and for legal and court trainees. These general seminars discuss international treaties, including the International Covenant on Civil and Political Rights. These seminars for beginner judges are always held at least twice a year for approximately 100 people.

### **Training activities intended for workers in the education system**

In 2005, the Ministry of Education, Youth and Sports supported the project "Training of teaching assistants for socially disadvantaged children, pupils and students", implemented by the Educational and Psychological Counselling Institute. This project researched the position and impact of teaching assistants. In 2006, this project was followed up by training for social workers and Roma advisers. The range of training programmes for 2006 also included training courses on Roma ethnicity, including other training courses.

In 2006, the Educational and Psychological Counselling Institute offered teachers a seminar entitled "Extremism as an education risk – prevention and help", and as part of its summer school the Teaching Faculty of Palacký University in Olomouc prepared a seminar on educating students in citizenship within school curricula, focusing on the combating of racial and national intolerance. In 2006, the Ministry of Education supported the publication, by the Teacher Training Faculty of Charles University, of "Multicultural education in the training of future teachers and further teacher training".

### **Training activities for police officers**

The theme of human rights is part of the concept of lifelong learning for officers and employees of the police force and the Ministry of the Interior and for teaching staff at secondary police schools of the Ministry of the Interior.

In 2006, a pilot course on professional ethics for the lower management of the Czech police force was held at the secondary police school of the Ministry of the Interior in Prague. The programme was compiled on the basis of outputs and conclusions from meetings of the working groups on the project "Inclusion of human rights, respect for minorities and their protection, and professional ethics in the vocational training of the police force of the Czech Republic and the work of the Czech police".

Training activities for police officers, following up on the system of basic professional training, specialization and innovation courses, seminars and instructional and methodological employment, are also being developed in the field of international cooperation. Outputs from international seminars, which in 2005 focused primarily on domestic violence, trafficking in human beings and the commercial sexual abuse of children, were used retrospectively for vocational training and other courses.

Further to the adoption of act No. 135/2006 amending certain laws in the field of protection against domestic violence, 422 police officers were trained in 2006 and further ongoing training is planned in 2007. Training and seminars also take place on equal treatment, discrimination and crime motivated by racial intolerance.

**24. Please indicate what steps the State party has taken to disseminate information on the submission of the present periodic report. Please also indicate steps taken to increase awareness and understanding of the Covenant and the Optional Protocol**

**procedure among the general public, and in particular, ethnic minorities (previous concluding observations, para.25).**

Following its submission to the Committee, the report was published on the website of the Office of the Government, in the section Advisory and Working Bodies – Government Council for Human Rights. All periodic reports on the implementation of international conventions on human rights, drawn up by the Government Commissioner for Human Rights, are published on this website. The final recommendations of the competent committees issued after discussions on these reports are also published. The website is gradually being supplemented with the consolidated texts of these international conventions and most documents are also published in English.