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Human Rights Committee

**Consideration of reports submitted by States parties under
article 40 of the Covenant**

Czech Republic*

**Additional comments of the Czech Republic concerning some of the
recommendations in the concluding observations of the Human Rights
Committee (CCPR/C/CZE/CO/2)**

[1 July 2010]

* 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.

**Activities by the Minister for Human Rights in the “creation of a public information campaign to overcome prejudices against the Roma”
(Additional response to Recommendation No. 16(f))**

Roma integration policy 2010-13

1. The Cabinet Minister for Human Rights is the Government’s coordinator of Roma issues. On 21 December 2009, the Government approved the Roma Integration Policy for the period from 2010 to 2013. This policy focuses on key themes related to the life of the Roma and proposes measures to improve their situation, to equalize their opportunities and to counterbalance the initial disadvantages that prevent them from participating fully in the cultural, social, economic and political life of mainstream society. The document deals with the institutional arrangements for Roma integration and proposes measures intended to facilitate the local implementation of the policies. It also focuses on the situation of Roma communities from the perspective of a national minority and concentrates on meeting their cultural needs. The Czech Government sees the development of Roma culture and the respect for their history and customs not only as a legitimate right of this national minority, but also as a means of emancipating the Roma and improving relations between them and the majority society. The proposed measures aim to promote research and development of theories about Roma culture, language and history, to further the integration of Roma culture into the mainstream culture of Czech society, and to nurture a lasting memory of the victims of the Roma Holocaust. By raising Czech society’s awareness of the Roma culture, language and history, it is possible to shape systematically public attitudes and eliminate stereotypes and prejudices, which are the cause of the symbolic exclusion of the Roma from Czech society. Such prejudices may be the first step to social exclusion and a major obstacle hampering the social inclusion of excluded Roma. In another section, this document deals with the situation faced by that part of the Roma minority suffering from barriers structurally and individually determined by social exclusion. Tackling the social exclusion of the Roma is also of fundamental importance for the society as a whole because this phenomenon threatens social cohesion, exacerbates relations between the majority and the excluded minority, and increases the risk of the spread of extremism in Czech society. The measures proposed in this area focus on key issues determining the quality of life of the Roma, particularly in education, employment, indebtedness, housing, health and welfare. The document also includes recommendations for municipalities, reflecting best practices and examples of good practice that already exist in some localities in the Czech Republic and that are improving the situation of Roma communities. The Minister’s Office is making preparations to submit a Strategy to Combat Social Exclusion to the Government; this is intended to be a new Government plan to address this issue.

Long-term monitoring of the situation of Roma localities

2. In 2006, the Government decided to introduce a regular, systematic and long-term survey of the effectiveness of Roma integration measures and of the efficiency of public spending. In 2009, a Long-term Monitoring of the Situation of Roma Localities in the Czech Republic was implemented in five socially excluded localities in the Czech Republic (Ústí nad Labem, Most, Cheb, Broumov and Šluknovsko - Krásná lípa, Varnsdorf, Česká Kamenice and the surrounding villages), where the Agency for Social Inclusion in Roma Localities is active. The objectives of this research project were to map the initial situation of the local population, to provide a basis for effective activity by local partnerships in the individual locations and to identify and assess the effectiveness of integration measures used in the locations surveyed. The qualitative and quantitative data collected will serve as

a relevant basis for the operations of the Agency for Social Inclusion in Roma Localities, and for the decisions of the bodies of central and local government and other Roma inclusion entities (e.g. social service providers) who wish to draw up and implement measures towards improving the situation of Roma communities.

Roma holocaust monuments

3. The Minister for Human Rights pays significant attention to the Roma Holocaust. He has helped resolve the problem of reverence for the victims of the former Roma labour camps in Lety u Písku and Hodonín u Kunštátu. The Roma Holocaust Memorial in Lety is now managed by the State-sponsored organization Památník Lidice (Lidice Memorial¹), which will ensure dignified and proper professional and financial care. The existing memorial will also be suitably modified and extended. In Hodonín u Kunštátu, an International Education and Conference Centre (Žalov Centre) will be established. This Centre will be managed by the Museum of Roma Culture in Brno, in cooperation with the non-profit organization Centrum Žalov (Žalov Centre), set up by the Ministry of Education, Youth and Sports. The Centre will host lectures and other educational events for professionals and the general public. It will include exhibition space shedding light not only on the history of the labour camp, but also on the life of the Roma community in the history of the Czech Lands. At both memorials, the public will be able to honour the victims of the Roma Holocaust, learn about this still neglected topic of Czech history, and find out more about Roma history and traditional culture, thereby providing a better understanding of the contemporary life and culture of the Roma.

Combating extremism

4. As an important weapon in the fight against racism, the Minister for Human Rights initiated an agreement among constitutional officials (the chairpersons of parties represented in the Chamber of Deputies, members of the Government and both chambers of Parliament) on a common position against right-wing extremism, in which politicians pledged not to abuse populist themes in their election campaigns and to support activities leading to the suppression of racist and extremist positions. The agreement was signed, among others, by the former Czech President Václav Havel.

5. The Minister for Human Rights, jointly with the Minister of the Interior, submitted a draft amendment to the Act on the Right of Assembly which extended the time limit for municipalities to assess whether a notified assembly is in violation of the law from “three days” to “three working days”; this amendment was approved by Parliament². As a result, municipalities are better positioned to consider all the circumstances of a notification of an assembly, and to determine whether it is possible to prohibit the assembly in order to protect other fundamental rights (public safety, human health and life, etc.). The Ministry of the Interior also prepared a “Guide to the Act on the Right of Assembly for Municipalities”, which was sent to all regional authorities for their own use and for distribution to municipalities; the Guide was also provided to the Association of Towns and Municipalities. An electronic version of the Guide is available on the websites of the Ministry of the Interior and the Association of Towns and Municipalities³.

¹ The Lidice Memorial commemorates the destruction of the village of Lidice and the execution of the majority of its population by the Nazis in 1942 (see http://www.lidice-memorial.cz/default_en.aspx)

² Act No 294/2009 amending Act No 84/1990 on the right of assembly, as amended, effective from 19 September 2009.

³ Available from <http://www.mvcr.cz/clanek/extremismus-manual-pro-obce-k-zakonu-o-pravu-shromazdovacim.aspx>

6. In 2009, the Campaign against Racism, which is managed by the Office of the Minister for Human Rights, was backed by a booklet entitled Uninvited Guests (Nezvaní hosté), which was produced as a collaborative effort by the non-profit organizations People in Need, Tolerance and Civil Society, In IUSTITIA, Romea, and the Czech-German Future Fund. The booklet describes the extremist and neo-Nazi scene, deals with experience of gatherings and other events by this society group, and explains the opportunities available to confront the activities of extremist movements. The aim is to raise awareness of the risks associated with racism, extremism, and generally promoting hatred of certain groups, and to explain that the best means of defence against extremism is the strength and unity of civil society. The booklet has been distributed to regional and municipal authorities and is also available online⁴.

7. Another major success in the fight against extremism was the dissolution of the extreme right-wing Workers' Party (Dělnická strana) by the Supreme Administrative Court on 17 February 2010. The Supreme Administrative Court found that, despite the high value of the constitutionally guaranteed right of assembly and the important role played by political parties in a modern democracy, this role cannot be misused to suppress the very foundations of democracy, to violently promote ideology incompatible with democracy, to suppress the equality of citizens, to incite racial, ethnic and social intolerance and, ultimately, to restrict fundamental rights and freedoms of certain parts of the Czech population or even to fight a violent armed struggle against the State, democracy and its principles. Since the Workers' Party's activities met these conditions, the Supreme Administrative Court ordered its dissolution. In taking this action, it also demonstrated the significant limits on assemblies and political functioning of the democratic rule of law. The judgement was also confirmed by the Constitutional Court.

SOPPRAN

8. The Standing Expert Panel against Racism and Violence (SOPPRAN) meets under the auspices of the Minister for Human Rights. The panel's members include Václav Havel, the Ombudsman Otakar Motejl and human rights experts working both independently and, for example, as constitutional judges (Eliška Wagnerová), political scientists (Jacques Rupnik), Church intellectuals (Jakub Trojan) or members of international monitoring bodies on human rights (Anna Šabatová, member of the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment of the Council of Europe). The panel acts as an advisory body to the Minister for Human Rights and its aim is to discuss current issues related to the protection of human rights and tolerance, and to seek comprehensible language for the promotion of such themes that can be respected by the general public.

Sterilization in violation of the law

9. At the instigation of the Minister for Human Rights, a Government Resolution was adopted in which the Government expressed regret at the individual errors identified in the sterilization of women in contravention of a Directive of the Ministry of Health, and an initiative drawn up by an advisory body to the Government – the Government Council for Human Rights, which has dealt with this issue long term – was approved. This initiative proposes further steps and procedures to ensure that such actions never happen in the future. The initiative was discussed by the Government in November 2009. The public and

<http://www.smocr.cz/dulezite-informace/manual-pro-obce-k-zakonu-o-pravu-shromazdovacim--mv-cr.aspx>

⁴ Available from <http://www.vlada.cz/assets/clenove-vlady/ministri-pri-uradu-vlady/michael-kocab/tz/Nezvani-hoste.pdf> <http://clovekvtisni.cz/download/pdf/206.pdf>

the sterilized women welcomed the apology and the first steps in this matter⁵. Under this Resolution, the Government ordered the Ministry of Health to carry out other tasks aimed at preventing a recurrence of similar cases which happened in the past. These tasks include the Minister's obligation to provide the Government with information about the implementation of recommendations proposed by an expert advisory body to the Minister for Health, the incorporation of the sterilization issue into the programme of the Expert Forum for the Creation of Standards of Care and the Concentration of Selected Highly Specialized Care, and, as part of prevention and further training, to contact directly managed organizations and health care facilities in the Czech Republic which provide care in the field of gynaecology/obstetrics to verify and ensure compliance with legislation in the performance of sterilization.

Council conclusions on Roma inclusion

10. On the international stage, the Minister for Human Rights helped highlight the problems of Roma inclusion and the way it is grasped internationally. During the Czech Presidency (CZ PRES) of the Council of the European Union (EU), Prague hosted the first meeting of the Integrated Platform for Roma Inclusion. The main objective of the Platform, consisting of representatives of EU Member States, the European Commission and NGOs, is to coordinate and facilitate the emergence of integration policies at national level in EU countries and to facilitate the sharing of good practice at the level of governments, NGOs and international organizations dealing with Roma issues. CZ PRES subsequently drafted the Principles on Roma Inclusion in the EU, adopted on 8 June 2009 by the Employment, Social Policy, Health and Consumer Affairs Council (EPSCO) as EU Council Conclusions⁶. The principles are as follows:

1. Constructive, pragmatic and non-discriminatory policies and legislation ensuring equal opportunities;
2. Explicit but not exclusive targeting of the Roma (non-exclusive in the sense that it does not add different, additional privileges and rights, but strictly ensures equal opportunities for Roma);
3. Intercultural approach (to combat stereotypes and prejudice, intercultural education with full recognition of the affairs of the Roma and their culture and history);
4. The aiming of all policies for the mainstream of national policy (to ensure, in particular, inclusion in the open labour market, education and housing, services for Roma, etc.);
5. Awareness of gender equality and fairness (the issues of gender equality as a topic of multiple discrimination need to be addressed specifically in relation to the Roma);
6. Transfer of evidence-based policies (policies emerging in all cases on the basis of thorough data analysis);
7. Use of Community instruments (the Community Social Service Development Plan, the medium-term outlook) at regional, national and Community level in the fields of administration, legislation and access to justice;
8. Involvement of regional and local authorities;

⁵ For the response, see also <http://www.ipsnews.net/news.asp?idnews=49444>

⁶ Available from <http://ec.europa.eu/social/BlobServlet?docId=2808&langId=en>

9. Involvement of civil society;
10. Active participation of the Roma in the process of integration and in inclusive and other policymaking.

Other international activities

11. The Minister for Human Rights prepared an analysis of several international documents for the Government. These documents were the report by the FRA (EU Agency for Fundamental Rights) on the situation of minorities in the EU, entitled “Mapping discrimination across Europe: an examination of minorities and discrimination in the European Union (EU MIDIS)”. This report showed that, of all minorities in the EU, Czech Roma feel the most discriminated against. The Minister prepared a brief expert analysis of the report which showed that Czech Roma have a high awareness of discrimination issues and therefore they have a keen perception of discrimination compared to other groups. In the Czech Republic, awareness of discrimination issues has worked well, and there are institutions (the Ombudsman, NGOs) that specialize in combating discrimination. Evidence of the sound knowledge of discrimination among Czech Roma includes the high number of reported cases compared with other EU countries. The Government was also informed of the institutional arrangements for the integration of Roma into society in the Czech Republic and of the situation faced by the Roma in the Czech Republic and other EU Member States. Both documents were then forwarded to the Czech missions for the dissemination of information about Roma integration in the Czech Republic abroad. The Minister was also active in negotiations with Canada on visa requirements in 2009. In January 2010, he informed the Government of developments in the way Canada viewed the handling of Roma integration in the Czech Republic in the years 2007 to 2009.

Gypsy spirit

12. In 2009, the Minister for Human Rights declared the first annual Czech prize called Gypsy Spirit 2009. The competition was founded in early 2009 in Slovakia in order to showcase the efforts and achievements of people who in any way contributed to the development of the Roma or Roma culture and identity. Popularization of the prize-winners provides positive role models to the Roma themselves and gives the majority society the opportunity to learn about positive examples of cooperation and good coexistence between the Roma and majority society. Another of the objectives of Gypsy Spirit is to eliminate certain stereotypes in the perception of the Roma. The project patrons were Václav Havel and the former EU Commissioner Vladimír Špidla; the jury included such prominent figures as the Archbishop of Prague, Cardinal Miloslav Vlk and the Organization for Security and Co-operation in Europe (OSCE) adviser on Roma and Sinti issues, Andrzej Mirga. The prize-winners were:

- In the “Individual” category: Ladislav Goral, a Roma linguist and sociologist;
- In the category of “Company promoting projects aimed at the social assistance and support of the Roma community”: the Museum of Roma Culture in Brno, as an institution long supporting the research and documentation of Roma history and culture in the Czech Republic;
- In the “NGO” category: Czech West (**Český západ**), from Dobrá Voda in the Karlovy Vary region, for realizing projects geared towards Roma integration and the development of civil society for the Roma and non-Roma community. This association helps Roma to integrate into everyday working life, offers training and counselling for adults and education and leisure activities for children, operates a textile and ceramic workshop, and performs other activities related to the everyday life of the Roma and the majority society in Dobrá Voda;

- In the category of “Extra-curricular educational activities for Roma children and young people”: Svitavy-Lačnov Primary School, a small-class elementary school where a third of pupils are Roma children; it is dedicated to the organization of extra-curricular activities focusing on cultural and social links between the local Roma community and the majority. The school organizes cultural events for the public, runs special-interest clubs, makes active use of Roma school assistants, tries to secure through various projects funding for children from underprivileged families to go on school trips in the countryside, on excursions, etc;
 - In the “Deed of the Year” category: the Children’s Intensive and Resuscitation Care Unit, Teaching Hospital in Ostrava, headed by Michal Hladík, for exemplary health care for little Natálka Siváková, a two-year-old girl who suffered burns to most of her body during an arson attack on her parents’ house in Vítkov, Northern Moravia.
13. The award ceremony, held in Prague on 1 December 2009, was broadcast live by Czech Radio; a recording was also shown on Czech Television.
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