



Human Rights Council
Working Group on the Universal Periodic Review
Forty-second session
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Czechia

Compilation of information prepared by the Office of the United Nations High Commissioner for Human Rights

I. Background

1. The present report was prepared pursuant to Human Rights Council resolutions 5/1 and 16/21, taking into consideration the outcome of the previous review.¹ It is a compilation of information contained in relevant United Nations documents, presented in a summarized manner owing to word-limit constraints.

II. Scope of international obligations and cooperation with human rights mechanisms

2. The Committee on Economic, Social and Cultural Rights recommended that Czechia consider ratifying the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.²

3. The same Committee encouraged Czechia to sign and ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights.³

4. The Committee on the Elimination of Racial Discrimination encouraged Czechia to consider ratifying the Domestic Workers Convention, 2011 (No. 189), of the International Labour Organization.⁴

5. The Human Rights Committee recommended that Czechia pursue measures necessary for the ratification of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention).⁵

6. The Committee on the Rights of the Child recommended that Czechia consider withdrawing its declarations in relation to the Convention relating to the Status of Stateless Persons.⁶

7. Czechia contributed financially to the Office of the United Nations High Commissioner for Human Rights in 2017, 2018, 2019, 2020 and 2021.⁷



III. National human rights framework

1. Constitutional and legislative framework

8. The Committee against Torture urged Czechia to adopt a definition of torture that covered all the elements contained in article 1 of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.⁸

9. The Human Rights Committee recommended that Czechia amend the Anti-Discrimination Act with a view to ensuring comprehensive and effective substantive and procedural protection against discrimination on all the prohibited grounds under the International Covenant on Civil and Political Rights – including colour, language, national or social origin, property, birth or other status – in all spheres and sectors and including instances of multiple discrimination, as well as access to effective and appropriate remedies for any form of discrimination.⁹

2. Institutional infrastructure and policy measures

10. The Committee against Torture stated that Czechia should expedite its efforts to amend the Act on the Public Defender of Rights, with a view to strengthening and bringing the human rights mandate of the Public Defender of Rights into full compliance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles). It stated that Czechia should ensure that the Public Defender of Rights had sufficient financial and human resources to carry out its mandate in an effective and independent manner.¹⁰

IV. Promotion and protection of human rights

A. Implementation of international human rights obligations, taking into account applicable international humanitarian law

1. Equality and non-discrimination

11. The Committee on Economic, Social and Cultural Rights was concerned about persistent discrimination, hate speech, prejudices and stereotypes directed towards certain individuals and marginalized and disadvantaged groups. It was concerned that the failure to report discrimination was associated with the low degree of trust in the government institutions.¹¹

12. The Committee on the Elimination of Racial Discrimination was concerned about the prevalence of hate speech, and in particular about the dissemination among the general population, principally through the Internet and social media, of racist hate speech, prejudices and stereotypes directed towards minority groups, in particular asylum-seekers, refugees, Roma and Jews. It was also particularly concerned at the use of racist hate speech, anti-migrant and anti-Roma rhetoric by politicians and public figures, including members of the Parliament, mayors and members of the Government, as well as at the role of the media in the propagation of racist stereotypes and prejudices regarding minority groups and a fear of migrants.¹²

13. The Human Rights Committee recommended that Czechia take effective measures to prevent hate speech, particularly by politicians and high-level public officials, firmly and publicly condemn such speech, and intensify efforts aimed at addressing online hate speech.¹³

14. The Human Rights Committee recommended that Czechia investigate hate crimes thoroughly, prosecute suspected perpetrators where appropriate and, if they are convicted, punish them and provide victims with adequate remedies.¹⁴

15. The Committee on the Elimination of Racial Discrimination recommended that Czechia ensure that cases of racially motivated crimes were properly investigated and that those responsible were prosecuted and adequately punished.¹⁵

16. The same Committee recommended that Czechia eliminate the barriers faced by victims of racially motivated crimes and facilitate the reporting process, including by raising awareness about available remedies and providing victims with free legal aid.¹⁶

17. The Human Rights Committee recommended that Czechia strengthen awareness-raising efforts, and conduct campaigns aimed at promoting respect for human rights and tolerance for diversity and at revisiting and eradicating stereotypical prejudices based on ethnicity or religion.¹⁷

2. Right to life, liberty and security of person, and freedom from torture

18. The Committee against Torture expressed its particular concern that medical examinations of detained persons took place in the presence of prison guards and police officers, and that section 51 of the Health Care Services Act prevented medical professionals from reporting suspected cases of torture and ill-treatment.¹⁸

19. The same Committee urged Czechia to strengthen the investigative capacity and the independence of the General Inspection of Security Forces, with a view to ensuring that all complaints of torture and ill-treatment, including any such allegations made by persons deprived of their liberty, were immediately referred to it, that all allegations of torture or ill-treatment were promptly, impartially and effectively investigated, and that suspected perpetrators were duly tried and, if found guilty, were punished in a manner that was commensurate with the gravity of their acts.¹⁹

20. The same Committee remained concerned that free legal aid was not available from the very outset of deprivation of liberty.²⁰

21. The same Committee was concerned that, in practice, police officers did not always respect the right of detained persons to be informed of their rights and to notify a relative of their detention.²¹

22. The same Committee called on Czechia to enhance efforts to reduce prison overcrowding, including by implementing non-custodial measures as alternatives to detention, in line with the United Nations Standard Minimum Rules for Non-custodial Measures (the Tokyo Rules).²²

23. The same Committee was concerned about reports that detainees had inadequate access to health-care services, including a lack of psychological care.²³

24. The same Committee noted with concern that inmates found to have suicidal intent did not automatically receive medical assistance, in particular psychiatric care.²⁴

25. The same Committee stated that Czechia should investigate all complaints of ill-treatment of persons with mental and psychosocial disabilities in psychiatric institutions, bring those responsible to justice and provide redress to victims.²⁵

26. The Human Rights Committee reiterated its recommendations that Czechia take immediate measures to abolish the use of enclosed restraint beds in psychiatric and related institutions, establish an independent monitoring and reporting system, and ensure that abuses were effectively investigated, prosecuted and sanctioned and that redress was provided to the victims and their families.²⁶

27. The Committee against Torture stated that Czechia should take the necessary measures to enable the Public Defender of Rights, in its capacity as the national preventive mechanism, to continue its regular and unannounced visits to psychiatric institutions without any restriction, and to ensure that recommendations made by the Public Defender of Rights were implemented effectively.²⁷

28. The United Nations Educational, Scientific and Cultural Organization (UNESCO) stated that no legal provision had been identified that explicitly prohibited corporal punishment in education. It encouraged Czechia to proscribe in the law all forms of violence, including corporal punishment, in education settings.²⁸

3. Administration of justice, including impunity, and the rule of law

29. The Human Rights Committee recommended that Czechia eradicate all forms of undue interference with the judiciary by the legislative and executive branches and safeguard, in law and in practice, the full independence and impartiality of judges and the independence and effective autonomy of the Supreme Public Prosecutor's Office, by, inter alia, ensuring that the procedures for the selection, appointment, promotion, transfer and removal of judges and prosecutors were in compliance with the International Covenant on Civil and Political Rights and relevant international standards, including the Basic Principles on the Independence of the Judiciary and the Guidelines on the Role of Prosecutors.²⁹

30. The Committee on the Rights of the Child urged Czechia to align its child justice system fully with the Convention on the Rights of the Child and other relevant standards, and in particular to ensure that children under 15 years of age, the minimum age of criminal responsibility, were not treated as offenders. The Committee urged Czechia to establish and promote non-judicial measures, such as diversion, mediation and counselling, for all children in conflict with the law, regardless of their age, and, wherever possible, the use of non-custodial sentences for children, such as probation or community service. It also urged Czechia to, when detention was unavoidable, ensure that children in conflict with the law were not detained together with adults or with other children in institutional care.³⁰

31. The Committee on Economic, Social and Cultural Rights recommended that Czechia ensure effective compensation for victims of forced sterilization and provide them with adequate support for redress, including assistance in obtaining compensation and free legal aid. It also recommended that Czechia extend the time limit for bringing legal claims for compensation in cases of forced sterilization, as long as necessary, and provide guarantees of non-repetition.³¹

4. Fundamental freedoms and the right to participate in public and political life

32. The Human Rights Committee was concerned about increasing allegations of threats against journalists, especially by high-ranking politicians, including violence. It was also concerned about instances of hostile rhetoric against media outlets and accusations of media manipulation of public opinion emanating from public officials.³²

33. The Committee on the Elimination of Racial Discrimination recommended that Czechia protect journalists who covered issues related to migration and ensure they could perform their work without fear of reprisals or intimidation.³³

34. The Human Rights Committee recommended that Czechia ensure that officials refrained from any interference with the legitimate exercise of the right to freedom of expression of journalists and media workers, that their effective protection against any kind of threat, pressure, intimidation or attack was guaranteed, and that illegal acts against journalists were thoroughly investigated and those responsible were brought to justice.³⁴

35. UNESCO recommended that Czechia decriminalize defamation and place it within a civil code that was in accordance with international standards.³⁵

36. The Human Rights Committee was concerned about reported difficulties in gaining access pursuant to the Free Access to Information Act to information held by public bodies. It recommended that Czechia ensure that the right of access to information held by public bodies could be effectively exercised in practice.³⁶

37. The same Committee recommended that Czechia ensure that its legislation did not discriminate against persons with intellectual or psychosocial disabilities by denying them the right to vote.³⁷

5. Prohibition of all forms of slavery, including trafficking in persons

38. The Committee on the Elimination of Racial Discrimination recommended that Czechia pursue its efforts to combat trafficking in persons, including by ensuring that perpetrators of trafficking in persons were identified, prosecuted and adequately punished.³⁸

39. The Human Rights Committee recommended that Czechia further strengthen its efforts to effectively prevent and combat trafficking in persons, including the sexual

exploitation of children in cyberspace. It recommended that Czechia ensure effective identification of victims, including the screening of groups in vulnerable situations, such as asylum-seekers, unaccompanied children, refugees and migrants. It recommended that Czechia investigate all cases of trafficking promptly and thoroughly, prosecuting suspected perpetrators under section 168 of the Criminal Code and, if convicted, imposing adequate and deterrent sanctions. It also recommended that Czechia ensure that victims had access to effective means of protection and assistance services and to full reparation, including rehabilitation and adequate compensation.³⁹

40. The Committee on the Rights of the Child recommended that Czechia take all measures necessary to ensure that cases of trafficking and sale of children were prosecuted as such, regardless of the victim's initial consent. The Committee urged Czechia to effectively investigate all acts under the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography, including the sale of a child for engagement in forced labour and sexual exploitation of children in travel and tourism, and to ensure that perpetrators were prosecuted and punished with appropriate sanctions commensurate with the gravity of their crimes.⁴⁰

41. The Office of the United Nations High Commissioner for Refugees (UNHCR) recommended that Czechia further strengthen cooperation and capacity-building on trafficking in persons among all stakeholders, including social workers in facilities for migrants and asylum-seekers, the Alien Police and the judiciary.⁴¹

42. UNHCR recommended that Czechia formulate standard operating procedures for the identification and protection of victims of trafficking in need of international protection, regardless of their legal status.⁴²

6. Right to work and to just and favourable conditions of work

43. The Committee on Economic, Social and Cultural Rights was concerned about significant discrepancies in the unemployment rate across regions.⁴³

44. The same Committee was concerned that some groups faced more difficulties in accessing work, many of which worked in the informal sector of the economy and had been disproportionately affected by the coronavirus disease (COVID-19) pandemic.⁴⁴

45. The same Committee recommended that Czechia intensify its efforts to support Roma, persons with disabilities, women with children, young people, persons aged 50 and above, and migrants, in gaining access to employment, including by implementing targeted positive measures, facilitating their access to technical and vocational training opportunities and collecting data on their situation.⁴⁵

46. The Committee on the Elimination of Racial Discrimination recommended that Czechia introduce special measures to increase the representation of Roma in the public sector, both as a way to increase the employment rate of Roma and as a way to reduce discrimination and facilitate access by Roma to public services.⁴⁶

47. The Committee on Economic, Social and Cultural Rights regretted the lack of statistics on informal employment and the limited protection for workers in this sector.⁴⁷

48. The same Committee recommended that Czechia undertake steps to facilitate the transition of workers from the informal sector to the formal sector of the economy, including by collecting data on their situation and ensuring that they were covered by labour laws and had access to social protection.⁴⁸

49. The same Committee recommended that Czechia intensify its efforts to ensure that all workers were guaranteed the minimum wage and that it was set at a level sufficient to provide workers and their families with a decent living. It also recommended that Czechia strengthen the capacities of labour inspections to guarantee the enforcement of the minimum wage.⁴⁹

50. The same Committee recommended that Czechia revise the scope of the category of essential services to ensure that all public servants whose services could not reasonably be deemed as essential were entitled to their right to strike.⁵⁰

7. Right to social security

51. The Committee on Economic, Social and Cultural Rights was concerned that many refugees were not eligible to receive the pension scheme benefits due to obstacles in proving the required number of years of employment and that they remained dependent on minimal subsistence allowances. It recommended that Czechia amend the Pension Insurance Act to facilitate access to the national pension scheme for refugees and asylum-seekers.⁵¹

52. The Committee on the Rights of the Child was concerned about the lack of access to public health insurance for migrant children and the exclusion from private insurance of newborn and/or seriously ill children whose parents were neither permanent residents nor asylum-seekers, resulting in a significant debt burden on migrant families and children.⁵²

53. The same Committee recommended that Czechia intensify its efforts to ensure access to health care and health insurance for all migrant children, regardless of their or their parents' asylum status, residence or health condition, and adopt a debt relief strategy for health-related matters.⁵³

8. Right to an adequate standard of living

54. The Committee on Economic, Social and Cultural Rights recommended that Czechia take targeted measures to protect the most disadvantaged and marginalized groups from poverty, and ensure that when needed, social protection measures were available and sufficient to provide them with an adequate standard of living.⁵⁴

55. The same Committee recommended that Czechia expedite the process of amending its method of calculating the subsistence minimum and increase it, indexed to the cost of living.⁵⁵

56. The same Committee was concerned that Czechia had not yet adopted a comprehensive social housing system and a social housing law.⁵⁶

57. The same Committee was concerned that there was a lack of adequate housing available, that housing costs and rental prices were high and that funds for housing allowance were insufficient.⁵⁷

58. The Committee on the Rights of the Child was concerned that a critical need for social housing remained unmet, with a high number of families with children in severe housing distress. It recommended that Czechia establish an adequately resourced social housing system, systematically collect and analyse data on families in need of social housing and secure the necessary housing stock.⁵⁸

59. The Committee on Economic, Social and Cultural Rights recommended that Czechia increase the availability of adequate and affordable housing, in particular by expanding the supply of social housing and housing subsidies, with particular attention to disadvantaged and marginalized groups, such as Roma, migrants, persons with disabilities and older persons.⁵⁹

60. The Committee on the Rights of the Child urged Czechia to implement targeted policy measures to address the causes of poverty and improve living conditions among Roma families, including children, and ensure that they had access to public health insurance and adequate housing support.⁶⁰

61. The Committee on Economic, Social and Cultural Rights remained concerned by reports that Roma faced multiple barriers to the realization of their right to housing.⁶¹

62. The Committee on the Elimination of Racial Discrimination was concerned about the widespread discrimination faced by Roma on the housing market and the high proportion of Roma residing in socially excluded localities, often in so-called residential hotels, with no security of tenure and facing risks of forced eviction.⁶²

63. The same Committee recommended that Czechia facilitate access by Roma to adequate and secure housing and pursue the development of social housing in socially and ethnically mixed neighbourhoods, combat discriminatory and abusive practices in the housing market, and ensure that evictions were conducted only as a means of last resort and in accordance with national law and international standards.⁶³

64. The Committee on Economic, Social and Cultural Rights noted that some owners were reluctant to rent apartments to migrants, who were also often charged rents at above-market prices for substandard housing.⁶⁴

65. The same Committee recommended that Czechia investigate allegations of any form of discrimination regarding access to housing, including rent levels and housing conditions.⁶⁵

66. The same Committee was concerned that Czechia had a very high number of homeless persons and regretted there was not an effective mechanism to prevent and address the issue.⁶⁶

67. The same Committee recommended that Czechia ensure that evictions did not result in individuals being rendered homeless and that, where those affected were unable to provide for themselves, adequate alternative housing was provided.⁶⁷

9. Right to health

68. The Committee on Economic, Social and Cultural Rights recommended that Czechia ensure that all persons, including migrants, had equal access to preventive, curative and palliative health services, regardless of their legal status and documentation.⁶⁸

69. The Committee on the Elimination of Racial Discrimination recommended that Czechia take steps to eliminate the financial barriers hindering access to health care for migrants who were not covered by the public health insurance scheme, including access to prenatal, labour and childbirth care for pregnant women.⁶⁹

70. The Committee on the Rights of the Child noted that suicide was the second leading cause of mortality among those 15 to 24 years of age. It recommended that Czechia continue allocating adequate resources to prevent suicide among children and address its root causes.⁷⁰

71. The same Committee recommended that Czechia implement comprehensive adolescent sex and reproductive health education at school.⁷¹

72. The Committee on the Elimination of Racial Discrimination was concerned about the significantly lower life expectancy among Roma, the lower percentage of Roma covered by the public health insurance scheme, and discrimination in accessing health care.⁷²

73. The same Committee recommended that Czechia pursue its efforts to raise health awareness among Roma, including with regard to sexual and reproductive health.⁷³

10. Right to education

74. The Committee on Economic, Social and Cultural Rights was concerned that a significant number of children with disabilities, in particular those with intellectual disabilities and autism, still received their education in special schools.⁷⁴

75. The same Committee was concerned about the insufficient coverage of Roma children by preschool education, the high dropout rates of those students and the insufficient number of qualified Roma school mediators.⁷⁵

76. The Committee on the Elimination of Racial Discrimination was concerned about the prevalence of segregated schools where the large majority of pupils were Roma, noting that this practice was exacerbated by the concentration of Roma in socially excluded localities and by the reluctance of non-Roma parents to have Roma pupils attending their children's schools.⁷⁶

77. The Committee on the Rights of the Child was concerned about the insufficient support to enable migrant children to integrate into mainstream school.⁷⁷

78. The same Committee recommended that Czechia review its legislation and practices, including amendments to Decree No. 27/2016, to ensure the full and effective integration of all children, including Roma children, migrant children and children with disabilities, into mainstream education at all levels and provide adequate financial support for children in socially or financially disadvantaged situations.⁷⁸

79. The Human Rights Committee recommended that Czechia step up efforts to integrate Roma children into mainstream education, increase school retention and completion rates and facilitate their access to secondary and higher education.⁷⁹

80. UNESCO encouraged Czechia to continue efforts to ensure that Roma children could fully realize their right to education in an inclusive environment.⁸⁰

81. The Committee on Economic, Social and Cultural Rights recommended that Czechia remove legal and administrative barriers to school enrolment for all migrant pupils, including undocumented pupils, and take effective measures to provide them with non-discriminatory access to education.⁸¹

11. Cultural rights

82. The Committee on Economic, Social and Cultural Rights recommended that Czechia increase efforts to make culture accessible and available for all, ensuring that disadvantaged and marginalized groups had affordable access to culture and enjoyed the benefit of scientific progress.⁸²

12. Business and human rights

83. The Committee on the Rights of the Child recommended that Czechia establish and implement regulations to ensure that the business sector, including the tourism industry, complied with international human rights and children's rights standards, including by reviewing the national action plan for business and human rights and relevant legislation. It recommended that Czechia ensure the effective monitoring of such regulations and appropriately sanction and provide remedies when violations occurred.⁸³

B. Rights of specific persons or groups

1. Women

84. The Human Rights Committee recommended that Czechia step up its efforts to combat violence against women, including domestic and sexual violence, by, inter alia: pursuing campaigns about the unacceptability and adverse impact of violence against women and systematically informing women of their rights and the avenues available for obtaining protection, assistance and redress; encouraging the reporting of cases of violence against women; ensuring that law enforcement officials, the judiciary, prosecutors and other relevant stakeholders received appropriate training on gender-sensitive detection, handling, investigation and prosecution of cases of violence against women; ensuring that cases of violence against women were thoroughly investigated, that perpetrators were prosecuted and, if convicted, punished with appropriate sanctions, and that victims had access to effective remedies; and improving accessibility of support services for victims.⁸⁴

85. The Committee on Economic, Social and Cultural Rights remained concerned that the gender pay gap persisted, including due to vertical and horizontal gender segregation in the labour market and women's overrepresentation in part-time employment. It was also concerned by the much lower labour participation rate of women.⁸⁵

86. The Human Rights Committee recommended that Czechia take more robust legal and policy measures to effectively achieve, within specified time frames, an equitable representation of women in public and political life, particularly in decision-making positions, including in legislative and executive bodies and the judiciary at all levels, if necessary through appropriate temporary special measures.⁸⁶

87. The Committee on Economic, Social and Cultural Rights recommended that Czechia take comprehensive measures to eliminate gender role stereotypes.⁸⁷

2. Children

88. The Committee on the Rights of the Child recommended that Czechia ensure that children from economically deprived households, rural children, children with disabilities, children in alternative care, migrant children and children belonging to minority groups had access to education, health care, essential services, housing, social benefits and participatory structures.⁸⁸

89. The Committee on Economic, Social and Cultural Rights was concerned about the very high number of institutionalized children, in particular Roma children and children with disabilities. It was further concerned that the childcare system remained fragmented, and at the lack of an effective deinstitutionalization policy for children and of family-based care options.⁸⁹

90. The same Committee recommended that Czechia implement a national policy and strategy with a time-bound action plan to accelerate progress towards deinstitutionalization, in support of community-based and family-based options, giving particular attention to children with disabilities, Roma children and very young children.⁹⁰

91. The same Committee recommended that Czechia ensure the implementation of the legislation introducing the minimum age of 3 years for the placement of a child in institutional care.⁹¹

92. The same Committee recommended that Czechia guarantee the adequate provision of family-based care options, including a sufficient number of trained foster parents.⁹²

93. The Committee against Torture stated that Czechia should prohibit, in practice, the use of cage beds in all psychiatric institutions and social institutions in which children with mental disabilities were held.⁹³

94. The Committee on the Rights of the Child recommended that Czechia implement the measures necessary to enhance awareness of child sexual abuse and exploitation among both members of the public and professionals working with and for children and respond to all manifestations of child sexual exploitation and abuse, in particular online and in travel and tourism, including by ensuring and promoting accessible, confidential, child-friendly and effective channels for reporting all forms of sexual exploitation and abuse and encouraging children to make use thereof.⁹⁴

95. The same Committee recommended that Czechia review sections 187 (1), 192, 193 and 202 of the Criminal Code to ensure that all persons under 18 years of age were protected against sexual exploitation and abuse and could not be held criminally liable for sharing self-generated sexual images.⁹⁵

96. The same Committee recommended that Czechia ensure that child sexual abuse was promptly reported, investigated and prosecuted, including sexual abuse within the child's circle of trust.⁹⁶

97. The same Committee recommended that Czechia provide specialized services for children who were victims of sexual abuse, including psychological support, to ensure their recovery and reintegration.⁹⁷

98. The same Committee recommended that Czechia adopt a national policy to prevent and respond to online child sexual exploitation and abuse through an appropriate legal framework and a dedicated coordination and oversight entity with specific analysis, research and monitoring capabilities.⁹⁸

99. The same Committee recommended that Czechia improve and expand the national referral mechanism for identifying child victims and develop procedures for the early identification of child victims of all offences under the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography.⁹⁹

100. The same Committee noted the prevalence of child abuse, especially within the family and of young children, and punitive parenting approaches.¹⁰⁰

101. The Human Rights Committee recommended that Czechia take practical steps, including through legislative measures where appropriate, to explicitly prohibit corporal punishment in all settings, including the home. It also recommended that Czechia strengthen activities aimed at encouraging non-violent forms of discipline as alternatives to corporal punishment, and continue to raise awareness about its harmful effects.¹⁰¹

102. The Committee on the Rights of the Child recommended that Czechia explicitly criminalize forced marriage and raise awareness about the harmful effects of child marriage on the physical and mental health and well-being of girls, targeting in particular the Roma community.¹⁰²

103. The same Committee recommended that Czechia amend its legislation to remove all exceptions that allowed marriage for those under 18 years of age and to prohibit child marriage.¹⁰³

104. The same Committee recommended that Czechia protect and ensure the visitation rights of the children of incarcerated parents.¹⁰⁴

3. Persons with disabilities

105. The Committee on Economic, Social and Cultural Rights was concerned at the high levels of institutionalization of persons with disabilities, in particular those with intellectual or psychosocial disabilities. It was also concerned that Czechia continued to invest resources in institutional settings, and regretted the insufficient support services to enable persons with disabilities to live independently in their local communities.¹⁰⁵

106. The Committee on the Rights of the Child was concerned about the overrepresentation of children with disabilities in institutions, specifically in “social care homes” that mixed children and adults, which were based on a contract with parents and were outside the control of the child protection system. It recommended that Czechia end the practice of placing children with disabilities in “social care homes” with adults.¹⁰⁶

107. The same Committee recommended that Czechia undertake awareness-raising campaigns to combat the stigmatization of, and prejudice against, and to promote a positive image of, children with disabilities.¹⁰⁷

108. The Committee on Economic, Social and Cultural Rights noted with concern that there was no clear policy to end the use of restraints in mental health services, despite the reform of psychiatric care. It recommended that Czechia adopt legal and practical measures to end coercive measures in mental health services.¹⁰⁸

4. Minorities

109. The Committee against Torture remained concerned at the continued occurrence of hate crimes against minorities, including the Roma and Muslim communities, and at the xenophobic statements endorsed by some politicians, including Members of Parliament.¹⁰⁹

110. The same Committee urged Czechia to publicly condemn threats and attacks against minority groups, including the Roma and Muslim communities, and to refrain from endorsing, through action or omission, such attacks. It urged Czechia to ensure prompt, thorough and effective investigations of all threats and attacks targeting those groups, including any alleged discriminatory motives that might provoke those actions, and to guarantee that those responsible were tried and punished in accordance with the gravity of their acts.¹¹⁰

111. The Committee on the Elimination of Racial Discrimination recommended that Czechia intensify its public awareness-raising activities, including in schools, in order to promote a better understanding of the situation of minority groups and to decrease prejudices and stigmatization against those groups.¹¹¹

112. The Committee on Economic, Social and Cultural Rights was concerned that Roma continued to experience stigmatization, poverty and widespread discrimination in the areas of health, education, housing and employment. It also regretted the lack of reliable data on the situation of Roma.¹¹²

113. The same Committee recommended that Czechia intensify its efforts to address the socioeconomic disparities and discrimination faced by Roma persons in accessing health care, education, adequate housing, employment and public services, paying particular attention to Roma women and children.¹¹³

114. The same Committee recommended that Czechia proactively address negative prejudices and stereotypes against Roma, including through awareness-raising campaigns, and provide information to Roma about their rights.¹¹⁴

115. The same Committee recommended that Czechia undertake steps to address mistrust among the Roma of public institutions, including by involving Roma representatives in the formulation, monitoring and evaluation of policies that concern their rights.¹¹⁵

5. Lesbian, gay, bisexual, transgender and intersex persons

116. The Committee on Economic, Social and Cultural Rights was concerned about discrimination based on gender identity and sexual orientation and regretted that, in the absence of the recognition of same-sex marriage, registered partnerships did not provide protection equivalent to marriage.¹¹⁶

117. The Human Rights Committee recommended that Czechia review relevant legislation to fully ensure the equal treatment of same-sex couples, including by considering recognizing their right to joint adoption of children.¹¹⁷

118. The same Committee recommended that Czechia eliminate abusive requirements for legal gender recognition, including mandatory sterilization and psychiatric diagnosis, and provide for and implement effectively a quick, transparent and accessible gender recognition procedure on the basis of self-identification by the applicant.¹¹⁸

6. Migrants, refugees and asylum-seekers

119. UNHCR was concerned about the routine detention of persons apprehended in transit, awaiting transfers to the State responsible for processing their application for international protection under the Dublin III Regulation, including of vulnerable persons, such as families with children and pregnant women.¹¹⁹

120. The Committee against Torture was concerned at the practice of Czechia of detaining individuals seeking international protection, including those in particularly vulnerable situations, and at the lack of alternative accommodation for families.¹²⁰

121. The same Committee was particularly concerned that families with children continued to be detained at the Bělá-Jezová facility, often for periods of more than two months.¹²¹

122. UNHCR recommended that Czechia end the detention of all children for immigration-related purposes, whether accompanied, unaccompanied or separated. It also recommended that Czechia implement, without delay, alternatives to detention in law and in practice, and ensure that detention was only applied as a measure of last resort, following the examination of alternatives, and for the shortest appropriate period possible. It further recommended that Czechia ensure that a vulnerability assessment and a best interests of the child assessment was made prior to any decision on detention.¹²²

123. The Human Rights Committee recommended that Czechia move to end the detention of all children, including detention of children with their families.¹²³

124. The Committee against Torture stated that Czechia should end the practice of detaining persons in need of international protection, particularly children, and ensure the provision of alternative accommodation for families with children.¹²⁴

125. The same Committee stated that Czechia should continue its efforts to improve material conditions in reception centres and detention facilities, including with regard to provision of basic necessities, health-care services and educational and recreational opportunities for children.¹²⁵

7. Stateless persons

126. UNHCR was concerned about the lack of mechanisms to identify and grant protection status to stateless persons.¹²⁶

127. UNHCR recommended that Czechia introduce a definition of a stateless person, in line with article 1 of the Convention relating to the Status of Stateless Persons, of 1954, and establish a dedicated statelessness determination procedure with relevant procedural safeguards. It also recommended that Czechia provide for legal status and residence rights for persons recognized as stateless.¹²⁷

128. The Committee on Economic, Social and Cultural Rights recommended that Czechia amend the Citizenship Act to facilitate access to citizenship for stateless persons and encourage parents of stateless children to lodge citizenship applications on their behalf.¹²⁸

129. The Committee on the Rights of the Child recommended that Czechia facilitate the acquisition of citizenship for children who would otherwise be stateless, regardless of their parents' citizenship, residence or marital status, and encourage parents of stateless children to apply for citizenship on their behalf.¹²⁹

Notes

- ¹ See [A/HRC/37/4](#), [A/HRC/37/4/Add.1](#) and [A/HRC/37/2](#).
- ² [E/C.12/CZE/CO/3](#), para. 53. See also [CERD/C/CZE/CO/12-13](#), para. 31; and [CRC/C/CZE/CO/5-6](#), para. 51.
- ³ [E/C.12/CZE/CO/3](#), para. 52.
- ⁴ [CERD/C/CZE/CO/12-13](#), para. 31.
- ⁵ [CCPR/C/CZE/CO/4](#), para. 21 (f). See also [CRC/C/CZE/CO/5-6](#), para. 25 (f).
- ⁶ [CRC/C/CZE/CO/5-6](#), para. 21.
- ⁷ OHCHR, *United Nations Human Rights Report 2017*, p. 79; *United Nations Human Rights Report 2018*, p. 76; *United Nations Human Rights Report 2019*, p. 90; *United Nations Human Rights Report 2020*, p. 108; and *United Nations Human Rights Report 2021*, p. 114.
- ⁸ [CAT/C/CZE/CO/6](#), para. 9.
- ⁹ [CCPR/C/CZE/CO/4](#), para. 10. See also [CERD/C/CZE/CO/12-13](#), para. 8.
- ¹⁰ [CAT/C/CZE/CO/6](#), para. 37. See also [E/C.12/CZE/CO/3](#), para. 7; [CERD/C/CZE/CO/12-13](#), para. 10; and [CCPR/C/CZE/CO/4](#), paras. 7–8.
- ¹¹ [E/C.12/CZE/CO/3](#), para. 12.
- ¹² [CERD/C/CZE/CO/12-13](#), para. 11 (a)–(c).
- ¹³ [CCPR/C/CZE/CO/4](#), para. 17 (a).
- ¹⁴ *Ibid.*, para. 17 (c).
- ¹⁵ [CERD/C/CZE/CO/12-13](#), para. 14 (b).
- ¹⁶ *Ibid.*, para. 14 (a).
- ¹⁷ [CCPR/C/CZE/CO/4](#), para. 17 (b).
- ¹⁸ [CAT/C/CZE/CO/6](#), para. 12.
- ¹⁹ *Ibid.*, para. 17 (a).
- ²⁰ *Ibid.*, para. 10.
- ²¹ *Ibid.*, para. 10.
- ²² *Ibid.*, para. 19 (b).
- ²³ *Ibid.*, para. 18.
- ²⁴ *Ibid.*, para. 18.
- ²⁵ *Ibid.*, para. 33 (e).
- ²⁶ [CCPR/C/CZE/CO/4](#), para. 27.
- ²⁷ [CAT/C/CZE/CO/6](#), para. 33 (d).
- ²⁸ UNESCO submission for the universal periodic review of Czechia, paras. 12 and 15.
- ²⁹ [CCPR/C/CZE/CO/4](#), para. 33.
- ³⁰ [CRC/C/CZE/CO/5-6](#), para. 48.
- ³¹ [E/C.12/CZE/CO/3](#), para. 41 (a)–(b). See also [CERD/C/CZE/CO/12-13](#), paras. 19–20; and [CCPR/C/CZE/CO/4](#), paras. 22–23.
- ³² [CCPR/C/CZE/CO/4](#), para. 36.
- ³³ [CERD/C/CZE/CO/12-13](#), paras. 11 (d) and 12 (d).
- ³⁴ [CCPR/C/CZE/CO/4](#), para. 37.
- ³⁵ UNESCO submission, para. 16.
- ³⁶ [CCPR/C/CZE/CO/4](#), paras. 40–41.
- ³⁷ *Ibid.*, para. 47.
- ³⁸ [CERD/C/CZE/CO/12-13](#), para. 30 (a).
- ³⁹ [CCPR/C/CZE/CO/4](#), para. 31.
- ⁴⁰ [CRC/C/OPSC/CZE/CO/1](#), para. 27.
- ⁴¹ UNHCR submission for the universal periodic review of Czechia, p. 3.
- ⁴² *Ibid.*
- ⁴³ [E/C.12/CZE/CO/3](#), para. 20.
- ⁴⁴ *Ibid.*
- ⁴⁵ *Ibid.*, para. 21 (b).
- ⁴⁶ [CERD/C/CZE/CO/12-13](#), para. 16 (e).
- ⁴⁷ [E/C.12/CZE/CO/3](#), para. 20.

- 48 Ibid., para. 21 (d).
- 49 Ibid., para. 23 (a)–(b).
- 50 Ibid., para. 27 (a).
- 51 Ibid., paras. 28 and 29 (d). See also [CERD/C/CZE/CO/12-13](#), paras. 25–26.
- 52 [CRC/C/CZE/CO/5-6](#), paras. 43 (e).
- 53 Ibid., paras. 44 (e).
- 54 [E/C.12/CZE/CO/3](#), para. 35.
- 55 Ibid., para. 35.
- 56 Ibid., para. 36.
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- 58 [CRC/C/CZE/CO/5-6](#), paras. 40 (a) and 41 (a).
- 59 [E/C.12/CZE/CO/3](#), para. 37 (c).
- 60 [CRC/C/CZE/CO/5-6](#), para. 46 (a).
- 61 [E/C.12/CZE/CO/3](#), para. 36.
- 62 [CERD/C/CZE/CO/12-13](#), para. 15 (a).
- 63 Ibid., para. 16 (a).
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- 65 Ibid., para. 37 (d).
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- 69 [CERD/C/CZE/CO/12-13](#), para. 24.
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- 71 Ibid., para. 38 (a).
- 72 [CERD/C/CZE/CO/12-13](#), para. 15 (c).
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- 74 [E/C.12/CZE/CO/3](#), para. 46.
- 75 Ibid., para. 48. See also [CERD/C/CZE/CO/12-13](#), para. 17.
- 76 [CERD/C/CZE/CO/12-13](#), para. 17.
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- 78 Ibid., para. 42 (a).
- 79 [CCPR/C/CZE/CO/4](#), para. 15 (b).
- 80 UNESCO submission, para. 15.
- 81 [E/C.12/CZE/CO/3](#), paras. 48 and 49 (e).
- 82 Ibid., para. 51 (a).
- 83 [CRC/C/CZE/CO/5-6](#), para. 16.
- 84 [CCPR/C/CZE/CO/4](#), para. 21 (a)–(e).
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- 90 Ibid., para. 31 (b). See also [CRC/C/CZE/CO/5-6](#), para. 31 (b).
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- 102 [CRC/C/CZE/CO/5-6](#), para. 28 (a).
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- 108 [E/C.12/CZE/CO/3](#), paras. 42 and 43 (c).
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- 110 Ibid., para. 27.

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¹¹² [E/C.12/CZE/CO/3](#), para. 14.
¹¹³ *Ibid.*, para. 15 (a).
¹¹⁴ *Ibid.*, para. 15 (b).
¹¹⁵ *Ibid.*, para. 15 (c).
¹¹⁶ *Ibid.*, para. 12.
¹¹⁷ [CCPR/C/CZE/CO/4](#), para. 13.
¹¹⁸ *Ibid.*
¹¹⁹ UNHCR submission, p. 4. See also [CERD/C/CZE/CO/12-13](#), paras. 21–22.
¹²⁰ [CAT/C/CZE/CO/6](#), para. 20.
¹²¹ *Ibid.*
¹²² UNHCR submission, p. 4. See also [E/C.12/CZE/CO/3](#), para. 17; and [CERD/C/CZE/CO/12-13](#), paras. 21–22.
¹²³ [CCPR/C/CZE/CO/4](#), para. 29 (c).
¹²⁴ [CAT/C/CZE/CO/6](#), para. 21 (a).
¹²⁵ *Ibid.*, para. 21 (b).
¹²⁶ UNHCR submission, pp. 4–5.
¹²⁷ *Ibid.*, p. 5. See also [CAT/C/CZE/CO/6](#), paras. 22–23; and [CCPR/C/CZE/CO/4](#), paras. 44–45.
¹²⁸ [E/C.12/CZE/CO/3](#), para. 17 (d).
¹²⁹ [CRC/C/CZE/CO/5-6](#), para. 21.
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