



RESPECT  
FOR THE NATURAL RIGHTS  
OF HUMAN BEINGS

**For: Human Rights Council**  
**From: The Czech Helsinki Committee**  
**Re: Submission for UPR - Czech Republic**

28 June 2022,  
Prague

In this report, the Czech Helsinki Committee (CHC) submits its view on how specific recommendations made during the Universal Periodic Review on 6 November 2017 have or have not been implemented by the Czech Republic.

**Theme: A12 Acceptance of international norms (Recommendation No. 115.138)**

*Recommendation 115.138. Continue the efforts to prevent and address gender-based violence, and in this context, ratify the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Belgium)*

1. The Czech Republic signed the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (hence Istanbul Convention) on May 2, 2016. The document was scheduled to be submitted for ratification in the first half of 2018, however, the government of Andrej Babiš took no action on the treaty.
2. During the period under review, adverse attitudes of local political representatives towards the Istanbul convention have been on the rise. The document has become the victim of misinterpretation and a broader attempt to instrumentalize it for domestic religious and political gains. The main opposition against the signature and ratification of the document has come from the members of the Christian and Democratic Union ((KDU–ČSL) with a claim that the document contains elements of 'gender ideology' and threatens the concept of the traditional family. Some opponents say that domestic provisions against domestic violence that are currently in force are sufficient and therefore, ratifying the text is unnecessary from a legal point of view. Criticism of the Istanbul Convention has also come from highly positioned Catholic priest Petr Pit'ha who declared that if the treaty was to be enacted "families will be torn and apart and destroyed" and that the Czech society will be forced to bring up children as sexless. The views of Petr Pit'ha was supported by Czech president Miloš Zeman.
3. In 2021, former Government Human Rights Commissioner Helena Valkova stated that Babiš government was unlikely to ratify the treaty before the Czech Parliamentary elections, therefore the issue would be left for the next cabinet. The new Czech government led by Prime Minister Petr Fiala, was sworn in December 2021. However, the new government has not made its position on the matter clear. Moreover, Czech Justice Minister Pavel Blažek has asked for discussions about the Convention to be postponed until the end of January 2023. This once again raise concerns that there is a lack of political will for a change.

**4. Recommendation: The Czech government should, without delay, prioritize ending violence against women and ratify and effectively implement Istanbul Convention despite existing religious and political opposition. At the same time, the government should fight against the backlash in Czech society about main purpose of the Convention and debunk the false beliefs. Furthermore, the government should allocate separate financial resources and staff to ensure smooth implementation of the Istanbul Convention.**

### **Theme: F13 Violence against Women**

*Recommendation 115.105. Establish an effective mechanism of comprehensive reparation and compensation for victims of forced or non-consensual sterilization, and adequately bring the perpetrators of such practices to court (Ecuador);*

5. Following a long campaign by survivors of forced sterilizations, in 2021 the Czech Republic finally approved a bill to compensate victims who were unlawfully sterilized in Czechoslovakia and later the Czech Republic between the years 1966 to 2012.

6. The law establishes a process for victims who were subjected to forced sterilization to apply for compensation, which includes requirements to provide evidence supporting the claim; and a description of the case, including the name of the hospital where the unlawful sterilization was carried out. Survivors of this procedure will have three years in which to apply for compensation and their applications will be assessed by the Health Ministry.

7. The steps to recognize and compensate the survivors of unlawful sterilizations are essential. However, important limitations remain. For instance, Czech citizens who have been illegally sterilized on the Slovak territory of the former Czechoslovakia, will not be able to get the compensation. Vlasta Kandrová, who was involuntarily sterilized in 1985 in Košice, Slovakia is one of them.<sup>i</sup> Victims are unable to turn to the Slovak government either, as Slovakia still need to adopt the law on compensation.

**8. Recommendation: We urge Slovakian government to follow the steps of the Czech Republic, make concrete commitments and set up a mechanism for providing rapid and effective access to compensation for women who fell victim to forced sterilisation. Furthermore, the Czech government in close cooperation with the Slovak government should create an effective system to remedy long-standing human rights abuses and make sure every victim is compensated, including Czech citizens who have been sterilized on the Slovak territory of the former Czechoslovakia.**

9. There have been many unreported and unprosecuted cases of domestic and sexual violence against women because of the lack of support for victims and trainings for police officers, security personnel and the judiciary on this topic.<sup>ii</sup> Moreover, the State funding system for civil society organizations helping victims have also been cut by half for in 2019 and 2020.<sup>iii</sup>

10. With the outbreak of the global COVID-19 pandemic in March 2020, many countries around the world, including the Czech Republic implemented restrictive measures to limit social contact. Movement restriction and lockdowns increased economic burdens and household tensions, affected gender roles and decreased access to supportive services. Czech social services reported an increase in domestic violence cases up to 40 per cent during the first massive lockdown from March until May 2020. According to the Rosa Women Center's counsellor, Zdena Prokopová, (a Czech non-governmental organization specializing in providing help to women, victims of domestic violence) there was two-fold increase in calls to their help line between March and May, when stay-at-home orders were at their strictest. Calls came from women who had been attacked for the first time during the lockdown, as well as, from those who had endured years of abuse.<sup>iv</sup>

*Recommendation 115.142. Continue efforts to eradicate stereotypes regarding the position of women in society and to set specific goals, targets, and time frames to increase the representation of women, including Roma women, in legislative assemblies and government positions (Netherlands)*

11. Patriarchal attitudes persist in the Czech society, such as discriminatory stereotypes regarding the roles and responsibilities of women and men in the family and in society. According to the *Gender Equality Index 2019*, in families with children, 86% of women do cooking and housework every day for at least one hour, compared to only 12% men.

Measures were taken to facilitate access to paternity leave since February 2018, but there is still a low rate of fathers taking paternity leave. (See the Czech Statistical Office website [www.czso.cz](http://www.czso.cz)) The high number of women employed on a part-time basis or availing themselves of flexible working arrangements limit their career prospects and pension benefits.

12. There is still an underrepresentation of women in political, economic, and public life.<sup>v</sup> There is no Roma represented in the Parliament and a very low number of Roma women in governmental bodies both at regional and local levels.<sup>vi</sup>

### **Recommendations:**

**13. We urge the state to intensify its efforts to prevent and prosecute acts of domestic and sexual violence and assist women who are victims of such violence. The Czech Republic should undertake regular and systematic training of the police, security**

**personnel and the judiciary to ensure that they carry out their functions with gender sensitivity.**

**14. The State should strengthen its efforts to address persistent and deep-rooted gender stereotypes that perpetuate discrimination against women via targeted awareness-raising and education initiatives.**

**15. We urge the state to amend its electoral law to implement the 'zipper' system for election candidates. Moreover, the Czech Republic should set specific goals, targets, and time frames to increase the representation of women, including Roma women, in legislative assemblies, the government and the public administration.**

**Theme: A45 National Human Rights Institution (Recommendation No. 115.145)**

*Recommendation 115.145. Consider the creation of an ombudsman for children's rights in order to further advance the status of children (Ireland);*

16. Experts and non-profit organisations have long criticized the fragmented child protection system in Czechia. Nevertheless, to this day, the Czech Republic still lacks an umbrella institution to protect and promote children rights. On 1 June 2020, former Czech Prime Minister Andrej Babiš and former Governmental Commissioner for Human Rights Helena Válková presented a new bill proposing to set up an Ombudsperson for children. The newly proposed law envisaged that a special office of a Children's Ombudsperson would be established by the mid-2021.

17. Intense debates have started after introducing the proposal to establish the Ombudsman for children to the lower chamber of the Czech Parliament. The Ombudsman Stanislav Křeček recommended the government to reject the bill with the fear that the traditional agenda items of the Office of Public Defender of Rights would be moved to the new Child Ombudsman office. Following the debates, the agenda items had been divided and amendments had been made to the draft law. However, the government bill has failed, and the process has been paused supposedly due to the upcoming October 2021 elections. So far, there has not been any progress made by the new government to set up children's Ombudsman office.

**18. Recommendation: The new government should without delay set up a children's Ombudsman office to make sure all children are sufficiently protected in the Czech Republic. Furthermore, the government should provide children's Ombudsman with a separate budget to ensure its greater autonomy and effective functioning.**

**Roma**

19. Roma people continue to experience discrimination in many areas of their daily life, such as education, employment, housing, and health. To this day, the state still has not properly addressed the inter-related problems of poverty, indebtedness, and dependency on social welfare benefits. Moreover, deeply engrained prejudices continue to exist within the Czech educational system. Roma children are segregated into separate, “special schools” and classes, and they are disproportionately more often classified as “disabled” than non-Roma children.<sup>vii</sup>

20. The Czech authorities do not collect comprehensive and gender-disaggregated data on the inclusion and integration of Roma in the areas of education, employment, housing, and health. The absence of such data makes it difficult to properly evaluate the effectiveness of existing measures.

21. Anti-Roma prejudices persist among public, politicians and even in the Ombudsman office. Numerous discriminatory remarks have been made towards minorities, especially about Romani men and women by the Public Defender of Rights Stanislav Křeček. The Czech Senate has recently adopted a resolution that sharply condemns the xenophobic comments of the Ombudsman. However, civil society remains concerned that remarks made by Křeček will potentially deter victims of racial discrimination from filling the complaints with the equality body.<sup>viii</sup>

#### **Recommendations:**

**22. Put an end to discriminatory practices against Roma community, intensify efforts on social inclusion and provide equal access in employment, education, housing, and social care.**

**23. Improve measures for Roma integration and inclusion by collecting comprehensive Roma-specific data in the areas of education, housing, employment, and health.**

**24. Make sure that all forms of segregation and discrimination affecting Roma children in schools are ended. Reduce the number of children enrolled in special education and collect comprehensive data in the education sector on the enrolment, attendance, and attainments of Roma children.**

**25. Politicians must avoid expressing views and positions that could stir or incite anti-Roma sentiments. Authorities should prioritize combating anti-Gypsyism and encouraging positive attitudes towards Roma in the Czech society. Furthermore, the state should take all the relevant measures to ensure the remarks and behaviour of the Ombudsman office are consistent with its mission and authority.**

#### **Detention centers, conditions of detention**

## Recommendations:

**26. Through a basic reassessment of the state's crime policy, including court decisions about the kind and length of sentencing, reduce the number of prison sentences awarded, especially for so-called petty crimes, such as failing to pay alimony or child support. In cases where it is appropriate, especially with regard to the needs of children whose parents have been convicted of crimes, the courts should primarily take advantage of alternative sentencing or the punishment of house arrest.**

**27. To avoid the most dire consequences of lack of staffing prioritize releases and reduction of sentencing over competitive offers for new officers. In addition to that, the state should assess the adequacy of prison staffing arrangements ensuring sufficient prisoner-staff ratios, pay levels and working conditions. Investing in the well-being of inmates can have a significant impact on the well-being of correctional officers, too.**

**28. Fundamentally increase and regularly valorize the remuneration of convicts for their labor so the establishment of remuneration is adequate with respect to the legally-established minimum wage and so the convict will have enough money to cover essential needs and pre-existing obligations in cases where the obligation for a convict to reimburse the costs of imprisonment is maintained.**

29. The State must adopt practical measures to facilitate family visits and parenting abilities of women in detention. Czech prisons currently lack of personal and equipment to welcome child visitors. A convicted person can receive the visit of close persons only for a total of 3 hours per month and during a visit the number of people must not exceed 4 people. Because the presence of a carer is necessary when children are visiting, a woman with more than 3 children cannot receive one visit of all her children.

30. In the Action Plans for 2018 and 2019, data on the fulfillment of the specific objective 4.2 of the "Concept of the Prison System by 2025" is completely missing.

## Recommendations:

**31. Address gender-based issues in the justice and detention systems.**

**32. Adapt the prison visit conditions to welcome child visitors.**

**33. Increase the time of visit in detention, especially for prisoners with children.**

## Refugees

34. Since the Russian invasion of Ukraine, the Czech Republic welcomed tens of thousands of Ukrainian refugees. However, cases of discrimination and racial abuse against the Roma Ukrainians are increasingly reported.<sup>ix</sup> According to the human rights and Roma organisations, few hundred Romani people from Ukraine are not receiving the same protection as the rest of the refugees and have harder time to find accommodation or work.

35. The Romani women and their children who fled the war in Ukraine had to live for weeks around the main railway station in Brno, Czech Republic. Recently, they had been relocated to a strip land and are now living there in catastrophic conditions.<sup>x</sup>

36. According to the head of non-profit Organization for Aid to Refugees, Martin Rozumek, only Roma people are subjected to lengthy procedures on dual citizenship, and it never happens to a non-Roma refugee coming from Ukraine.<sup>xi</sup>

#### **Recommendations:**

**37. The Czech Republic should as soon as possible end all discriminatory practices and ensure equal treatment of all refugees, including Roma. Moreover, the Czech government should take a firm and public stance against all forms of manifestations of antigypsyism and all acts of discrimination.**

**38. Czech state administration bodies and local authorities should intensify their efforts to provide each refugee from Ukraine with a reception that is correct and dignified. State authorities should stop subjecting specifically Roma people to lengthy procedures on dual citizenship.**

**39. State must ensure the equal enjoyment of the right of housing without discrimination for all refugees coming from Ukraine, including Roma.**

**40. State must elaborate quick responses and programs to effectively integrate all refugees into the Czech society.**

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<sup>i</sup> [https://www.irozhlas.cz/zpravy-domov/sterilizace-slovensko-obeti-cesko-odskodneni-vlasta-kandrova\\_2109240643\\_elev](https://www.irozhlas.cz/zpravy-domov/sterilizace-slovensko-obeti-cesko-odskodneni-vlasta-kandrova_2109240643_elev)

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[https://tbinternet.ohchr.org/\\_layouts/15/treatybodyexternal/Download.aspx?symbolno=INT%2fCCPR%2fADR%2fCZE%2f32928&Lang=en](https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=INT%2fCCPR%2fADR%2fCZE%2f32928&Lang=en)

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[https://tbinternet.ohchr.org/Treaties/CCPR/Shared%20Documents/CZE/INT\\_CCPR\\_ICSC\\_CZE\\_37286\\_E.pdf](https://tbinternet.ohchr.org/Treaties/CCPR/Shared%20Documents/CZE/INT_CCPR_ICSC_CZE_37286_E.pdf)

<sup>iv</sup> <https://www.praguecivilsociety.org/news-items/what-covid-19-taught-us-about-domestic-violence>

<sup>v</sup> <https://www.psp.cz/sqw/hp.sqw?k=2008&z=12491>

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[https://tbinternet.ohchr.org/\\_layouts/15/treatybodyexternal/Download.aspx?symbolno=INT%2fCCPR%2fADR%2fCZE%2f32928&Lang=en](https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=INT%2fCCPR%2fADR%2fCZE%2f32928&Lang=en)

<sup>vii</sup> <https://rm.coe.int/ecri-6th-report-on-the-czech-republic/1680a0a086>

<sup>viii</sup> <http://www.romea.cz/en/news/czech/czech-senate-adopts-resolution-condemning-the-public-defender-of-rights-for-repeatedly-making-biased-xenophobic-remarks>

<sup>ix</sup> <http://www.romea.cz/en/news/czech/czech-activist-aiding-romani-refugee-ukrainians-on-their-way-to-germany-says-czech-passengers-targeted-them-with-racist>

<sup>x</sup> <http://www.romea.cz/en/news/czech/brno-czech-republic-50-people-protest-city-apos-s-treatment-of-romani-refugees-from-ukraine>

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<https://english.radio.cz/ngo-boss-only-roma-refugees-are-subjected-long-procedures-8751424>