

European Union Agency for Fundamental Rights, selection of relevant and recent passages from published reports related to Czech Republic

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References to Czech Republic highlighted with **bold**

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Data Explorers, tools and themes

Violence against women survey

<http://fra.europa.eu/en/publications-and-resources/data-and-maps/survey-data-explorer-violence-against-women-survey?mdq1=country&mdq2=420>

LGBT Survey

<http://fra.europa.eu/en/publications-and-resources/data-and-maps/survey-data-explorer-lgbt-survey-2012?mdq1=country&mdq2=420>

Roma survey data explorer

<http://fra.europa.eu/en/publications-and-resources/data-and-maps/survey-data-explorer-results-2011-roma-survey>

Mapping child protection systems in the EU

<http://fra.europa.eu/en/publications-and-resources/data-and-maps/comparative-data/child-protection>

Indicators on the right to political participation of people with disabilities

<http://fra.europa.eu/en/publications-and-resources/data-and-maps/comparative-data/political-participation>

Mapping victims' right and support in the EU

<http://fra.europa.eu/en/publications-and-resources/data-and-maps/comparative-data/victims-support-services>

Annual Reports

Fundamental Rights Report 2016

<http://fra.europa.eu/en/publication/2016/fundamental-rights-report-2016>

1. EU Charter of Fundamental Rights and its use by Member States

“In the **Czech Republic**, the Constitutional Court had to decide whether it was legitimate to ban the meeting of an anti-abortion association on a town square near a primary school. The meeting included an exhibition of photos of aborted human embryos and Nazi symbols, with abortions compared to the Nazi genocide. The municipality banned the event to protect children from the shocking photos – a decision the Constitutional Court deemed legitimate in a judgment that also referred to the EU Charter of Fundamental Rights.” (p.45)

“Courts interpret national law in line with the Charter – particularly in the context of applying EU secondary law. [...] A case confronted by the **Czech** Constitutional Court involved a challenge to a national law on European Parliament elections, which set a 5 % electoral threshold. The plaintiffs included a political party that did not succeed because of this threshold. The Constitutional Court rejected the challenge; it pointed out that 14 of the 28 EU Member States have an electoral threshold and concluded that the right to vote and to stand as a candidate in European Parliament elections (Article 39 of the Charter) did not foreclose the use of such thresholds.” (p. 45)

2. Equality and Non-Discrimination

“The European Commission introduced three labour market indicators to the scoreboard of the Macroeconomic Imbalance Procedure in 2015, enabling a deeper analysis of the social consequences of macroeconomic imbalances: activity rate, long-term unemployment rate

and youth unemployment rate. Country-specific recommendations made to Member States in 2015 reflect concern over such social consequences, as regards youth unemployment, the participation of older people in the labour market and vulnerability to discrimination on more than one ground. [...] People vulnerable to discrimination on more than one ground also figured in country-specific recommendations. Young people with migrant backgrounds were shown to be in particular danger of remaining at the margins of the labour market in Austria, Belgium, the **Czech Republic**, Denmark and Slovakia. The recommendations for Bulgaria, the **Czech Republic**, Romania and Slovakia addressed high levels of inactivity among Roma youth.” (pp. 61-62)

“AAI outcomes show that more than half of the Member States should increase the rate of employment of older men and women if they are to foster social inclusion: Austria, Bulgaria, Croatia, the **Czech Republic**, Finland, Greece, Hungary, Ireland, Italy, Luxembourg, Malta, Poland, Slovakia, Slovenia and Spain. Four EU Member States should particularly address unemployment among older women: the **Czech Republic**, Italy, Malta and the Netherlands.” (p. 62)

3. Racism, Xenophobia and Related Intolerance

“The spokesperson of the **Czech** President argued that ‘refugees with a completely different cultural background would not be in a happy situation [in the Czech Republic].’”(p. 79)

“The 2015 Eurobarometer on discrimination was conducted between May and June 2015, surveying a representative sample of Europeans. The results show that most people in the EU would be more at ease working with Christian, atheist, Jewish or Buddhist colleagues than with Muslims. Results varied between Member States, but in some countries with very small proportions of Muslims, a significant proportion of respondents said that they would not feel comfortable working with them. For example, 27 % of respondents in the **Czech Republic**, where Muslims represent about 0.02 % of the population, expressed such discomfort, as did 37 % in Slovakia, where Muslims constitute about 0.09 % of the population.” (p. 80)

“In the **Czech Republic**, Denmark, France, Ireland, Italy, Luxembourg, the Netherlands, Spain and Sweden, national public campaigns and/or information websites were launched on living together without prejudice, racism and xenophobia; on increasing the reporting of racist and discriminatory incidents; and on victim support.” (p. 81)

“Awareness-raising and specialised training for relevant staff can help address such a lack of understanding or commitment. This was provided in a number of Member States in 2015: in the **Czech Republic**, on victims of crime [...]” (p. 82)

Promising practice: Developing an EU model of good practice to tackle hate crime

“The project Good Practice Plus is developing an EU model of good practice to tackle racial and religious hate crime and hate speech and to promote effective reporting systems on hate crime. It promotes measures to build the capacity of law enforcement officials, prosecutors and personnel of victim support services; awareness-raising programmes; and efforts to empower ethnic minority communities. The project aims to improve the position of hate crime victims, provide them with support, and ensure access to justice for victims of racism and hate speech. The project is a partnership between the Northern Ireland Council for Ethnic Minorities, the Police Service of Northern Ireland, Migrant Centre NI and Finland’s Ministry of the Interior. Seven other countries are formally engaged with the project: Belgium, the **Czech Republic**, Estonia, Greece, Ireland, Italy, and the Netherlands. The European Commission co-founded the project.” (p. 82)

“In the **Czech Republic**, the police project ‘Introduction of police specialists for police work with the Roma minority in socially excluded areas’ aims to increase trust between the police and Roma living in socially isolated localities. This should aid conflict prevention and lead to more effective policing.” (p. 84)

“The European Commission pursued similar infringement proceedings with respect to the Race Equality Directive against the **Czech Republic** in 2014, also alleging discrimination against Roma children in educational legislation and practice because of the disproportionately high numbers of Roma children systematically misdiagnosed as mentally disabled and placed into special schools for children with learning difficulties. In May 2015, the Council of the European Union called on the **Czech Republic** to “ensure adequate training for teachers, support poorly performing schools and take measures to increase participation among disadvantaged children, including Roma”. The **Czech Republic** introduced changes to its Education Act to address issues in the legislation in March 2015. The amendment, which passed its first reading on 27 October, provides a number of support measures – including an obligatory pre-school year from September 2016 onwards and a guarantee of kindergarten places for all three-year-old children by 2018.⁹⁸ In November, the European Commissioner for Justice, Consumers and Gender Equality voiced her appreciation for the steps undertaken by the **Czech** Ministry of Education in the field of inclusive education.” (p. 85)

“In the **Czech Republic**, the Constitutional Court deemed improper the Regional Court of Prague’s reasoning in its acquittal of Kladno city authorities regarding the assignment of municipal flats to Roma in a socially isolated area. It directed the regional court to consider indirect discrimination.” (p. 87)

4. Roma Integration

“ECRI noted that the **Czech Republic** has made little improvement in the areas of education and housing, particularly regarding housing segregation and eviction from town centres.” (p. 100)

“In 2015, the Commission referred to Roma integration measures in the country-specific recommendations for five Member States: Bulgaria, the **Czech Republic**, Hungary, Romania and Slovakia. It already did so in 2014, and referred to these measures again in 2015 because these countries continued to show insufficient or limited progress in the areas of education and employment for Roma. The recommendations address various measures in the field of education. These include increasing participation in education – for example, in Bulgaria, the **Czech Republic** and Hungary – and providing adequate training for teachers (in Hungary).” (p. 102)

“In several Member States, municipalities have put in place local action plans that target Roma specifically, but not exclusively, despite the absence of such a provision in the national Roma integration strategies (NRIS) – for example, in the **Czech Republic**, Italy, Spain and the United Kingdom. In the **Czech Republic**, the governmental Agency for Social Inclusion (Agentura pro sociální začleňování) is relied upon to cooperate with municipalities, support Roma communities and social inclusion activities, and give support in developing local action plans, even though the agency is not formally accountable for the NRIS.” (pp. 104-105)

“In the **Czech Republic**, Roma advisors, local consultants and NGOs are involved in monitoring local and regional strategies and action plans.” (p. 107)

“Local and regional authorities are often represented on national monitoring committees – for example, through national associations of municipalities. This is the case in Bulgaria, Croatia, Ireland, Italy, the Netherlands and Romania. Civil society organisations dealing with Roma issues, particularly Roma NGOs, are also involved in the monitoring process for EU funds in, for example, the **Czech Republic**, Croatia, the Netherlands, Romania and Slovakia. In the **Czech Republic**, local-level partnerships are established to support the monitoring of the use and implementation of ESIF funds. Roma experts, local consultants and civil society representatives participate in monitoring ESIF and in monitoring and evaluating various interventions and local action plans.” (p. 108)

5. Information society, privacy and data protection

“In the **Czech Republic**, an amendment to the Act on Intelligence Services, which introduces new powers for intelligence services, came into effect on 25 September 2015.” (p. 120)

6. Rights of the child

“After it adopts the Annual Growth Survey, and EU Member States submit national reform programmes (NRPs), the Commission drafts country-specific recommendations (CSRs), for endorsement by the Council of the EU. [...] In 2015, 10 EU Member States received recommendations in child-related policy areas (Austria, Bulgaria, the **Czech Republic**, Estonia, Hungary, Ireland, Romania, Slovakia, Spain and the United Kingdom). This is a remarkably low number.” (p. 139)

“The [European Committee on Social Rights] found a violation of Article 17 of the European Social Charter in Ireland, Slovenia, Belgium, the **Czech Republic** and France [...] for not explicitly prohibiting all forms of corporal punishments.” (p. 143)

“Although all Member States have ratified the UN Convention on the Rights of the Child (CRC), in Rights of the child 19 Member States, it remains impossible for children to access justice at the international level for violations of the convention. An optional protocol that has been open for signature since early 2012 – the Third Optional Protocol to the CRC on a communications procedure – provides the possibility for children themselves to bring complaints of rights violations before the Committee on the Rights of the Child. However, only nine Member States have ratified this protocol. In 2015, the **Czech Republic**, Denmark, and Finland did so, joining the six Member States already party to the protocol [...]” (p. 147)

7. Access to justice, including rights of crime victims

“The **Czech** Government adopted an amendment to the Act on Victims of Crime that refines some definitions in line with the [Victims’ Rights Directive], such as broadening the definition of a ‘particularly vulnerable’ victim. In cases of doubt, one is to consider a victim ‘vulnerable’. The draft also requires police, victim support organisations and other bodies involved in the criminal justice system to better support victims, including by improving the provision of information.” (p. 167)

“In the **Czech Republic**, the Probation and Mediation Service is the only public body providing victim support – it carries out legal and psycho-social counselling, crisis intervention and provides support to victims during criminal proceedings. FRA evidence shows that, to guarantee confidentiality and the interests of the victim, ‘organisations providing victim support should not also be tasked with providing mediation or probation services.’” (p. 170)

“The most important measure taken in the field of gender-based violence in the **Czech Republic** was the approval of the Action Plan for the Prevention of Domestic and Gender-

Based Violence 2015–2018. The term ‘gender-based violence’ now appears in the title of all sections that previously focused only on domestic violence. The plan defines a new set of cross-sectional priorities – including looking at the special position of persons with disabilities, persons at risk of social exclusion, seniors, homeless persons, Roma, migrants, and other persons facing multiple discrimination.” (p. 173)

8. Developments in the implementation of the Convention on the Rights of Persons with Disabilities

“The **Czech** National Plan to Support Equal Opportunities for Persons with Disabilities 2015–2020 is more specific; it sets out measures to implement the convention across a wide range of policy areas, including equality and non-discrimination, awareness-raising, accessibility, access to justice, and independent living.” (p. 189)

“The CRPD Committee’s reviews of the EU, Croatia, the **Czech Republic** and Germany in 2015 show that review processes by monitoring bodies offer a valuable opportunity for input from civil society organisations, including organisations for persons with disabilities. Retaining this level of involvement and consultation throughout the follow up of the concluding observations presents a greater challenge, given the wide-ranging scope of the committee’s recommendations.” (p. 194)

Fundamental rights: challenges and achievements in 2014 - Annual Report 2014 (2015)

http://fra.europa.eu/sites/default/files/fra-annual-report-2014_en.pdf

1. Equality and non-discrimination

“Evidence collected by FRA shows that most Member States plan to consult with bodies in charge of anti-discrimination to provide advice on equality issues in relation to activities funded by [European Structural and Investment Funds] (ESIF), including national equality bodies, ombudsperson organisations and relevant governmental offices, in line with the first conditionality. Steps taken to meet each conditionality relate to fulfilling criteria defined by the European Commission.¹² Under the first conditionality, the criteria are the following: a national equality body has been set up; a plan has been set out to consult with and involve bodies in charge of anti-discrimination; the plan indicates steps taken to facilitate active involvement of the national equality body. When national equality bodies are mentioned in partnership agreements and operational programmes, they tend to be given an advisory function within monitoring committees, such as in Cyprus, the **Czech Republic**, Denmark, Finland, Greece, the Netherlands, Malta, Poland, Romania or Slovakia.

Member States also took steps to begin training staff involved in the management and control of ESIF on EU anti-discrimination law and policy, in line with the second conditionality. This happened in Austria, Belgium, Bulgaria, Croatia, Cyprus, the **Czech Republic**, Denmark, Estonia, Finland, France, Germany, Hungary, Italy, Latvia, Lithuania, Luxembourg, Malta, the Netherlands, Poland, Romania, Slovakia, Slovenia, Spain and Sweden. The criteria to be met under this conditionality are having a plan in place, and the plan covering all relevant actors.” (p. 31)

“A further area of recurrent concern is the sometimes insufficient resources made available to monitoring frameworks to carry out their functions. Proposals to appoint the **Czech** Public Defender of Rights, the Ombudsperson, as the national body to promote, protect and monitor the implementation of the convention under Article 33(2) were abandoned in December 2014 after concerns were raised over the additional financial resources the

Ombudsperson would require to perform this task. Given this, no institution has yet been designated.” (p. 36)

2. Racism, xenophobia and related intolerance

“In December 2014, the **Czech** government also adopted a draft law to extend the powers of the national equality body. Under the proposal, the Ombudsman will have the right to put forward the abolition of a law to the Constitutional Court and to file complaints related to discrimination.

In 2014, the European Commission stressed the importance it attributes to the effective implementation of the Racial Equality Directive. [...] [I]t initiated proceedings in September 2014 against the **Czech Republic** for breaching the Racial Equality Directive by sending a disproportionately high number of Roma children to special schools for children with learning difficulties.” (p. 50)

“Despite the legal safeguards set by the Racial Equality Directive, members of ethnic minorities, migrants and refugees continue to face discrimination in education, employment and access to services including housing and healthcare across the EU, as evidence from national equality bodies and research shows.

Complaints filed with the national equality bodies in a number of Member States, including Austria, Belgium, Croatia, the **Czech Republic**, Greece, Italy, Luxembourg, Spain and Sweden, show that race, ethnicity and skin colour remain amongst the most common grounds of reported discrimination. However, complaints data are only the tip of the iceberg.” (p. 50)

“In the **Czech Republic**, survey results published in 2014 reveal that foreigners whose ethnic and racial background differ from that of the majority population, such as Vietnamese and Africans, report more negative discrimination experiences than foreigners whose ethnic and racial background does not differ from that of the majority population.” (p. 51)

“As highlighted in previous FRA Annual reports, discrimination testing is a useful means of countering ethnic discrimination in the field of employment and housing. Belgium, the **Czech Republic**, Germany, the Netherlands, Slovakia and Spain carried out situation tests that produced evidence of discrimination against ethnic minority groups in access to employment and to services including housing.” (p. 51)

“According to Europol’s 2014 Annual report, threatening marches and violent demonstrations took place in areas where Roma live in the **Czech Republic**, Hungary and Slovakia in 2013. Far-right activists organise these public displays, but the general public often supports them, reinforcing their message of intimidation.” (p. 52)

“A **Czech** member of parliament described the Lety concentration camp for Roma as a “labour camp for persons who were avoiding proper work”, and faced no consequences for the remark.” (p. 53)

“The European Commission called on Member States to intervene in cases of online hate speech to comply with Article 9 of the Framework Decision on Racism and Xenophobia: “When establishing jurisdiction over conduct committed within their territory, Member States must ensure that their jurisdiction extends to cases where the conduct is committed through an information system, and the offender or materials hosted in that system are in its territory.” To enhance the effective cross-border investigation and prosecution of hate crime online, several Member States made steps towards ratifying the Additional Protocol to the Convention on Cybercrime, concerning the criminalisation of acts of a racist and xenophobic

nature committed through computer systems. The **Czech Republic**, Luxembourg and Spain ratified this protocol in 2014. Additionally, 21 Member States so far have joined the Council of Europe's 'No Hate Speech' campaign." (p. 54)

"Several Member States adopted strategies and undertook campaigns and initiatives aiming to increase reporting and improve recording of hate crimes in 2014. In the **Czech Republic**, the Agency for Social Inclusion launched a nationwide awareness-raising Campaign against Racism and Hate Crime, aiming to prevent bias-motivated violence." (p. 58)

3. Roma integration

"Very few comprehensive and comparable EU-wide data exist on anti-Roma sentiments and prejudice. The most recent Eurobarometer survey on anti-Roma prejudice and attitudes was carried out in 2012. There are, however, some data and information on specific countries suggesting that anti-Roma sentiments persist. For example, a survey in the **Czech Republic** mapping the attitudes of the majority population towards 17 ethnic groups living in the country finds that Roma rank very low in the 'antipathies rank table', with an average 'antipathy score' of 4.21 out of 5. Respondents expressed their sympathies or antipathies using a five-point scale, on which 1 meant 'very sympathetic', 2 'rather likeable', 3 'neither likeable nor unsympathetic', 4 'rather unsympathetic' and 5 'very unsympathetic'." (pp. 72-73)

"Commission initiated infringement proceedings against the Czech Republic under Article 258 of the Treaty on the Functioning of the European Union. The proceedings question in particular the **Czech Republic's** compliance with its obligations under Article 2 and Article 3 (1) (g) of the Racial Equality Directive, which prohibit discrimination in education on the grounds of race or ethnic origin. The European Court of Human Rights (ECtHR) issued a landmark judgment in D.H. and Others v. the **Czech Republic** in 2007. It held that the practice of placing Roma children in special schools for children with learning difficulties violated Article 14 (prohibition of discrimination) and Article 2 of Protocol No. 1 (right to education) of the European Convention on Human Rights (ECHR).²³ The **Czech Republic** failed to provide appropriate evidence that Roma children are not discriminated against either in legislation or in practice.

Unequal access to education takes various forms, for example the practice of placing Roma children in segregated or 'special' schools (schools with simplified curriculum). FRA's Roma survey shows that as many as 23 % of Roma children up to the age of 15 surveyed in the **Czech Republic** attend special school and classes that are mainly for Roma." (p. 73)

"In the spring of 2014, the European Roma and Travellers Forum (ERTF) submitted a collective complaint against the **Czech Republic** to the European Committee of Social Rights. The ERTF complained that the Czech government did not comply with the European Social Charter provisions in ensuring rights to housing and health for members of the Roma community. Roma are facing spatial segregation and forced evictions, and have difficulties in accessing adequate housing and health provision. The European Committee of Social Rights is expected to deliver its decision in 2015." (p. 74)

"Civil society organisations are part of working groups in Belgium, Italy and Slovakia. [...] In the **Czech Republic**, Roma civil society representatives participate in the Government Council for Roma Minority Affairs and in the relevant committees of the council where Roma-related policies and documents are discussed." (p. 74)

“A number of countries with significant Roma populations (Bulgaria, Croatia, the **Czech Republic**, Hungary, Romania and Slovakia) have included ethnic identifiers in their censuses and have data disaggregated by ethnic origin.” (p. 75)

“In the **Czech Republic**, the Ministry of Labour and Social Affairs commissioned an update of the ‘socially excluded localities’ analysis. The original analysis was prepared in 2006 and was used as a source of data for social inclusion work in the country. The current update will serve as a basis for defining the priorities in this area for the new ESIF programming period.” (p. 75)

4. Asylum, borders, immigration and integration

“[T]he findings of an attitude survey in the **Czech Republic** show that 60 % of **Czechs** perceive the presence of foreigners who have moved to their country in recent years as a problem. At the same time, only 24 % of respondents believe that the foreigners who live near them constitute a problem. Long-term migrants are seen as responsible for increasing the unemployment rate and the crime rate.” (p. 94)

“However, turning from policy to practice, fewer Member States adopted and implemented concrete measures, such as training for public officials and civil servants dealing with migrants. Austria, Croatia, the **Czech Republic**, Germany, Greece, Hungary, Ireland, Italy, Latvia, Malta, the Netherlands and Slovenia did so. [...]

Twelve EU Member States (Austria, Croatia, the **Czech Republic**, Denmark, Germany, Greece, Ireland, Italy, Latvia, Malta, the Netherlands and Slovenia), implement training programmes and capacity building for public administration.” (p. 96)

“In primary or secondary education, most EU Member States do teach about different cultures in society. It is part of the curriculum in both primary and secondary education in the **Czech Republic**, Denmark, Germany, Latvia, the Netherlands and Poland. Austria, Ireland, Lithuania, Malta, Slovenia and the United Kingdom include the study of different cultures in either primary or secondary education.” (p. 98)

Promising practices: Reflecting diversity in society through education

“In the **Czech Republic**, the Framework Educational Programme includes multicultural education among the cross-curricular subjects. It familiarises pupils with the diversity of cultures and their traditions and values. On that basis, they can become better aware of their own cultural identity, traditions and values. Members of the majority learn the fundamental characteristics of other nationalities living in the same country, and both groups can thus find common points of reference for mutual respect, joint activities and cooperation.” (p. 98)

5. Access to justice, including rights of crime victims

“The EU Member States that proposed or adopted new legislation or amended existing laws with a view to transposing the Directive on the right to information [...] in 2014 included Cyprus, the **Czech Republic**, Estonia, Finland, France, Hungary, Italy, Luxembourg, Malta, the Netherlands, Slovenia, Spain and Sweden.” (p. 148)

“EU Member States took action to strengthen legislation in the area of violence against women, including implementing the [European Protection Order] (EPO) and the Regulation on mutual recognition of protection measures in civil matters, which both apply from 11 January 2015. [...] A new law that regulates the interim measures issued by a court in cases of domestic violence in the **Czech Republic** entered into force on 1 January 2014. The new measure, issued within 48 hours and without formal proceedings, obliges the perpetrator to leave the home and stay away from the victim for one month (with the possibility of extension).” (pp. 154-155)

6. EU Charter of Fundamental Rights and its use by Member States

“The Constitutional Court in the **Czech Republic** interpreted the right to consumer protection (Article 38) of the Charter and concluded – by also referring to the horizontal consumer protection clause in Article 12 TEU and the policy provision in Article 169 TFEU – that this charter provision does not grant an individual right and is not directly enforceable. [...] This example shows that the Charter plays a role not only in the interpretation of national law but also, admittedly more rarely, in checking the legality of national law.” (p. 178)

Thematic Reports

Second European Union Minorities and Discrimination Survey (EU-MIDIS II) Roma – Selected findings (November 2016)

<http://fra.europa.eu/en/publication/2016/eumidis-ii-roma-selected-findings>

“The at-risk-of poverty rate includes those living in households with an equivalised household income below the national at-risk-of-poverty threshold, which is 60 % of the annual median income after social transfers and annually published by Eurostat. The rate is lowest in the **Czech Republic** (58 %) – but it is still almost six times higher than that of the general population.” (pp. 13-14)

“Compared with the 2011 survey findings, the proportion of Roma living in households in which at least one person went to bed hungry at least once in the previous month declined in Bulgaria, the **Czech Republic**, Hungary and Romania. It did not change in Greece, Slovakia and Spain.” (p. 16)

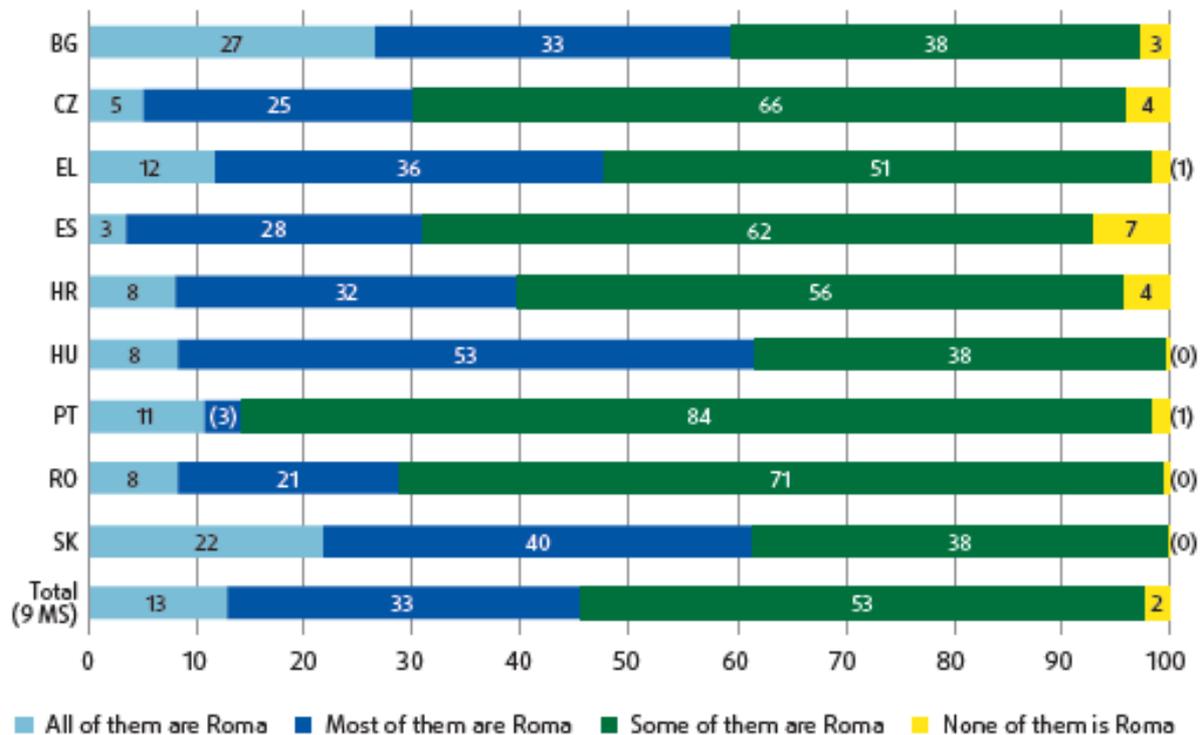
“A similar indicator computed for Roma aged 16 to 24 years based on the EU-MIDIS II ‘paid work’ rates shows that the proportion of young Roma not in work or education or further training is, on average, 63 %. Using it as a crude approximation of the Eurostat NEET rate, the comparison with 12 % of the general population of the same age group in the EU-28 illustrates the magnitude of the gap. This is particularly big between young Roma and the general population in the **Czech Republic**, where the share of Roma not in work or education or further training is six times higher than that of the general population.” (p. 21)

“All children who fall under the age defined as “compulsory schooling age” are obliged by law to attend school. In three out of the nine countries, almost all Roma children who should be in education (pre-primary, primary, lower secondary or upper secondary) attend school – 99 % in Spain, 98 % in the **Czech Republic**, and 98 % in Hungary.” (p. 24)

“The 2013 Council Recommendation requires the elimination of school segregation. Official statistics on school segregation do not exist. Therefore, EU-MIDIS II asked respondents to estimate the proportion of Roma among the classmates or schoolmates of children in their households, allowing the calculation of proxy indicators for assessing levels of segregation in educational settings. The results show that the proportion of Roma children attending schools in which all schoolmates are Roma ranges from 27 % in Bulgaria to 3 % in Spain.” (p. 27)

See figure below:

Figure 12: School segregation – concentration of Roma children aged 6-15 years in school, by EU Member State (%) ^{a,b,c}



“The survey also asked respondents if they needed a medical examination or treatment during the past 12 months; if so, whether they had that examination/treatment; and, in case they did not, why. Overall, depending on the country, between 1 % and 7 % of respondents indicated that it was not possible for them to get the necessary care or treatment. The results for the **Czech Republic**, Hungary, Portugal and Spain – where the lowest rates of unmet medical care needs were recorded – are less reliable due to the small number of observations.” (p. 30)

“A considerable number of Roma feel that pollution, grime and other environmental problems – such as smoke, dust and unpleasant smells or polluted water – are a problem, particularly in the **Czech Republic** and Portugal, where 42 % and 37 %, respectively, indicate this to be an issue. This is the case for nearly one in every three Roma in Croatia and Greece, and for more than every fourth in Bulgaria, Spain and Slovakia. Romania is the only country in which the share of Roma living in a polluted environment is lower than that of the general population. The picture regarding crime, violence and vandalism in the local area is more diverse. The highest share of Roma affected by such problems live in the **Czech Republic** and Spain (45 % and 41 %, respectively). By contrast, only 9 % of Roma indicate problems with crime, violence and vandalism in Bulgaria – though 26.8 % of the general population cites problems with these issues.” (p. 34)

Incitement in media content and political discourse in Member States of the European Union (November 2016)

<http://fra.europa.eu/en/publication/2016/incitement-media-content-and-political-discourse-member-states-european-union>

“Between 1 January 2014 and 1 September 2016, courts, national equality bodies, independent press councils and independent regulatory or supervisory bodies for broadcasting organisations ruled that media content and political discourse in several

Members states incited against ethnic and national minorities, among which Austria, Bulgaria, the **Czech Republic**, Italy, the Netherlands, Poland or Romania.

The Constitutional Court in the **Czech Republic** clarified in June 2015 that parliamentary immunity only applies to statements that contribute to debates in parliament or that serve to impart information or communicate opinions to other parliamentarians. This meant that charges brought by the police against a member of parliament for anti-Roma statements he posted on a public Facebook page held.

In another case concerning anti-Roma statements posted on a public Facebook page, a **Czech** politician was found to incite to hatred against a group of persons as a result of election materials he posted online. The District court of Nový Jičín ruled in March 2015 that using slogans such as “The Final Solution to the Roma issue”, together with pictures of white sheep pushing out black sheep can be likened to Nazi slogans.” (pp. 9-10)

[Violence, threats and pressures against journalists and other media actors in the European Union \(November 2016\)](http://fra.europa.eu/en/publication/2016/violence-threats-and-pressures-against-journalists-and-other-media-actors-european)

<http://fra.europa.eu/en/publication/2016/violence-threats-and-pressures-against-journalists-and-other-media-actors-european>

“In the **Czech Republic**, in February 2016, participants in an anti-Islam demonstration attacked reporters and cameramen, damaged their equipment and disconnected them from the power source. The journalists turned to police officers who were present at the scene for help, and these allegedly refused to help, saying it was the journalists’ fault and the result of their having lied in their reports.” (p. 12)

“Reminiscent of the concentration of media ownership in the hands of one individual in Italy (Silvio Berlusconi) and in France (Serge Dassault), Reporters Without Borders claims that the situation in the **Czech Republic** embodies the concentration of money, politics and media: Andrej Babiš, the Minister of Finance and Deputy Prime Minister, is the country’s second richest man, owns one of its most powerful media houses (MAFRA) and a large agro-industrial conglomerate, Agrofert.” (p. 17)

[Criminal detention and alternatives: fundamental rights aspects in EU cross-border transfers \(November 2016\)](http://fra.europa.eu/en/publication/2016/criminal-detention-and-alternatives-fundamental-rights-aspects-eu-cross-border)

<http://fra.europa.eu/en/publication/2016/criminal-detention-and-alternatives-fundamental-rights-aspects-eu-cross-border>

“To enhance cooperation regarding sentenced persons between Germany and the **Czech Republic** and Poland, specific contact points have been established. Two “European Contact Points” exist in the Polish-German and the **Czech**-German border regions; they provide help with organizing and supervising community service in the respective home countries of the sentenced offenders. As for the contact point at the Polish-German border, the European Union has funded a cooperative mechanism with the purpose of organizing and supervising community services in the respective home countries of the sentenced offenders. Once a week, a representative of a legal assistance organization runs consultations for Polish citizens who have been in conflict with German law. The centre also plays a mediatory role between victims and perpetrators.” (p. 33)

“Regarding the Framework Decision on probation and alternative sanctions, only four states have recorded refusals. The **Czech** Ministry of Justice reported cases where the persons were not found on the territory of the **Czech Republic** and it was not possible to deliver the judgments or start execution.” (p. 47)

“Financial surety is an alternative to pre-trial detention in 16 Member States, while a ban on driving may be ordered in France, Poland, Romania, Slovakia and Spain. A ban on carrying alcoholic beverages may be issued in both the **Czech Republic** and Romania, while in both France and Romania, a ban on writing cheques during one’s pre-trial stage can be imposed.” (p. 67)

“Data show that 25 of the 28 EU Member States offer suspended sentences. Conditional sentencing appears to be a less available alternative: 16 out of 28 offer conditional sentences (Belgium, Cyprus, the **Czech Republic**, Germany, Estonia, Finland, France, Croatia, Hungary, Ireland, Malta, Poland, Romania, Sweden, Slovenia, and the United Kingdom).” (p. 67)

“Restrictions of movement as an alternative sanction can come in many forms. These include house arrest with electronic monitoring; prohibitions on entering certain locations; limitations on leaving the country; or deportation orders. House arrest with electronic monitoring is commonly used among EU Member States. The states that allow electronic monitoring include: Austria, Belgium, Cyprus, the **Czech Republic**, Denmark, Estonia, Finland, France, Ireland, Italy, Latvia, Poland, Portugal and Spain.” (p. 69)

“Some alternatives to detention are particularly suitable for children. Non-institutionalised educational measures are a less disruptive form of tackling offending behaviour because children are typically able to continue to live at home and continue going to their regular school. [...] In the **Czech Republic**, a number of educational limitations or educational measures can be imposed. These measures do not necessarily have to be school-related. Indeed, the ECtHR has stated that the words “educational supervision” must not be equated rigidly with notions of classroom teaching, but should embrace many aspects of the exercise, including supervision by parents and local authorities.” (p. 76)

“Only nine Member States (Belgium, the **Czech Republic**, Germany, Finland, Hungary, Portugal, Romania, Spain and Sweden) included the right to legal assistance in their statutes concerning transfer of prisoners.” (p. 89)

“The [European Supervision Order] has not been used much by Member States. Therefore, the research showed that, in numerous states, relevant procedures have not been established and it has been not determined how consent will be obtained. This is the case in Austria, Croatia, the **Czech Republic**, Denmark, Estonia, Finland, France, Lithuania, Latvia, the Netherlands, Poland, Portugal and Romania.” (p. 94)

“Member States that have, either as issuing state or executing state, established in law the right of victims to be informed of suspects’, accused or sentenced persons’ release include Belgium, Croatia, the **Czech Republic**, France, Lithuania, Malta, Poland, and Portugal.” (p. 102)

“In about one third of Member States, victims have a right to receive information on decisions to transfer prisoners/suspects. These Member States have established a positive duty to inform victims on decisions to transfer perpetrators of crime against them either through law (Belgium, the **Czech Republic** and the United Kingdom) or practice [...]” (p. 104)

Rights of suspected and accused persons across the EU: translation, interpretation and information (November 2016)

<http://fra.europa.eu/en/publication/2016/rights-suspected-and-accused-persons-across-eu-translation-interpretation-and>

“In terms of who has the responsibility for determining the need for interpretation during the pre-trial stage, in the vast majority of the 27 Member States bound by the directive, legislation specifies who is responsible for that determination. In most Member States (21), this is prescribed in the criminal codes, [...] The remaining five Member States (the **Czech Republic**, Hungary, Malta, Romania, and Spain) do not explicitly set this out in law; instead, reference is made to established practices that are in place to clarify who is responsible for determining the need for interpretation.” (p. 32)

“Alternatively, the translation of written communications with legal counsel is sometimes covered by legal aid granted to the accused (for example, in the **Czech Republic** and France).” (p. 44)

“In eight of the Member States (Austria, the **Czech Republic**, Greece, Croatia, the Netherlands, Romania, Slovakia, and Slovenia) that have a register, the legislation explicitly obliges criminal justice professionals to use it when choosing a legal interpreter or translator for each individual case.” (p. 47)

“Another requirement includes a minimum level of education. In nine Member States, interpreters and translators are required to attain a certificate of higher education, either in their home country or another country (Croatia, the **Czech Republic**, Estonia, Finland, Greece, the Netherlands, Poland, Romania, and Slovenia). Some Member States also have some form of vocational training focussed specifically on legal interpreting and translating – which must be completed before an individual can join a register (for instance, Croatia, the **Czech Republic**, and Slovakia).” (p. 49)

“In the majority of Member States, however, regular procedures for challenging procedural decisions or actions apply – meaning suspects or accused persons are free to challenge any decision of law enforcement authorities, including decisions about interpretation or translation. All procedural complaints are examined in accordance with the same rules and there are no procedures to deal specifically with complaints about interpretation or translation. [...] In the **Czech Republic**, complaints about the absence or quality of interpretation and translation are admissible as general complaints against “any decisions” of law enforcement authorities.” (p. 57)

“Some Member States’ laws explicitly link the obligation to inform someone of their rights with issuing a specific written decision or written notification. This is the case, for example, in Bulgaria, the **Czech Republic**, Germany, Hungary, Lithuania, Latvia, Poland, Portugal, Romania, Spain, Slovakia, and Sweden.” (p. 64)

“The letters of rights used in 12 Member States (the **Czech Republic**, Estonia, France, Germany, Greece, Italy, Lithuania, Latvia, Malta, the Netherlands, Poland and Romania) and in Scotland cover all the rights set out in the directive.” (p. 72)

“Eleven Member States have an official Letter of Rights adapted for persons who are arrested under an EAW. Finland and Latvia include these rights within the general Letter of Rights. The nine other Member States (Cyprus, the **Czech Republic**, Estonia, Greece, France, Poland, Malta, the Netherlands, and Sweden) have a separate, specific letter for EAW cases.” (p. 75)

“National legislation most commonly permits restricting access to case materials at the pre-trial stage when this could negatively affect ongoing investigations. Indeed, this is the only ground foreseen for refusing access in some Member States’ legislation[...]. In most cases, the law explicitly mentions this factor, though some Member States’ legislation uses more general terms. The Criminal Procedure Code of the **Czech Republic** allows refusal if there

are “serious reasons for doing so”, but commentaries note that this typically involves cases where results of police investigations would be compromised by granting access – for example, by affecting the objectivity of witnesses. As highlighted by Fair Trials International, such vague formulations can lead to an overuse of the refusal grounds.” (p. 80)

“In some Member States, no judicial review is foreseen during police investigations, and remedies can only be sought via the prosecution system at this stage. Examples include the **Czech Republic**, Poland, Romania, or Slovakia, where decisions made by the police are reviewed by the prosecutor, and decisions made by the prosecutor are reviewed by a superior prosecutor.” (p. 82)

“As partly described in previous sections, the legislation of many Member States foresees full access to case files upon the completion of criminal investigations. This is the case, for example, in Bulgaria, the **Czech Republic**, Germany, France, Estonia, Hungary, Poland, Romania and Sweden.” (p. 84)

“In 24 Member States, national rules explicitly entitle suspects or accused persons with hearing and speech impairments to sign language interpretation or other forms of communication assistance – for example, in writing or, as in the **Czech Republic**, via real-time transcription of spoken words. [...]

Four of these 24 Member States – the **Czech Republic**, Germany, Latvia and the United Kingdom (Scotland and Northern Ireland) – additionally include provisions on interpretation or translation for persons with visual impairments. The laws in the **Czech Republic** and Germany explicitly provide persons with visual disabilities the right to demand the most suitable form of communication (including braille, large print, electronic, acoustic, oral, telephonic or other forms).” (p. 93)

[Ensuring justice for hate crime victims: professional perspectives \(April 2016\)](http://fra.europa.eu/en/publication/2016/ensuring-justice-hate-crime-victims-professional-perspectives)
<http://fra.europa.eu/en/publication/2016/ensuring-justice-hate-crime-victims-professional-perspectives>

“One of the main findings of this report is that the vast majority of professionals interviewed, including professionals across all three professional groups from Bulgaria, Cyprus, the **Czech Republic**, Finland, and the United Kingdom, agreed that the effectiveness of criminal justice is severely impaired by the systemic underreporting of victims of hate crime.” (p. 27)

[Professionally speaking: challenges to achieving equality for LGBT people \(March 2016\)](http://fra.europa.eu/en/publication/2016/professional-views-lgbt-equality)
<http://fra.europa.eu/en/publication/2016/professional-views-lgbt-equality>

“Article 35 of the EU Charter of Fundamental Rights stresses that individuals are entitled to healthcare and a high level of human health protection. EU legislation protecting LGBT people against discrimination beyond the employment sector in areas such as access to healthcare is limited. Although the existing law implementing the principle of equal treatment between women and men is to a certain extent relevant to discrimination on grounds of gender identity, there is no EU legal framework when it comes to discrimination on grounds of sexual orientation in any area outside employment. However, national legislation to prevent discrimination on the ground of sexual orientation in the provision of goods and services has been adopted by a number of EU Member States (Belgium, Bulgaria, Croatia, the **Czech Republic**, Denmark, Hungary, Lithuania, Romania, Slovakia, Slovenia, Spain and the United Kingdom).” (p. 64)

“A number of practitioners sought information when they began to have trans clients, sometimes using international resources. For example, Slovakian professionals draw on the more extensive information available in the **Czech Republic** in an accessible language. There is some evidence of training taking place in other healthcare settings.” (p. 77)

Protection against discrimination on grounds of sexual orientation, gender identity and sex characteristics in the EU – Comparative legal analysis – Update 2015 (December 2015)

<http://fra.europa.eu/en/publication/2015/lgbti-comparative-legal-update-2015>

“However, in some contexts, continuity in legal identity is in trans people’s interest. For example, in the **Czech Republic**, gender-specific birth numbers are often used for loans and mortgages or by some institutions to identify an individual. Accordingly, while the Act on Inhabitancies and Social Security Numbers allows for a change in the birth number, it has been debated whether introducing gender-neutral resident identifiers would be a better solution.” (p. 23)

“In the **Czech Republic**, the concept of “sexual identification” in the Anti-Discrimination Act possibly covers gender identity and expression. In Germany, trans persons are protected under the ground ‘sexual identity’, which covers transsexuals.” (p. 29)

“it should be noted that in some EU Member States where incitement to hatred, violence or discrimination against LGBTI people is not explicitly defined as constituting a criminal offence, generally worded offences have sometimes been used to protect LGBTI persons from homophobic or transphobic expressions. This has been the case in nine Member States (Bulgaria, Cyprus, the **Czech Republic**, Germany, Italy, Luxembourg, Latvia, Poland and Slovakia).” (p. 62)

“Sex (re)assignment and sex-related surgery appears to be performed on intersex children, and young people, in at least 21 EU Member States (Austria, Belgium, Bulgaria, the **Czech Republic**, Denmark, Estonia, Finland, France, Germany, Hungary, Ireland, Italy, Latvia, Lithuania, Malta, the Netherlands, Poland, Slovakia, Spain, Sweden and the United Kingdom). However, it is not known how frequently such operations are conducted. In all of these countries, the patient and/or legal representative’s informed consent is required for surgery, except in medical emergencies.

Legislation or medical practice in eight Member States (Austria, Belgium, Bulgaria, the **Czech Republic**, Estonia, Hungary, Poland and Sweden), requires consent by the legal representative, independently of the child’s ability to decide. In Spain, this is the case when a medical intervention entails ‘a serious risk’ for the child.” (pp. 75-76)

“In five Member States (Austria, the **Czech Republic**, Finland, Germany, Slovenia), a marriage between persons of the same sex entered into abroad is equated with a registered partnership, and the same-sex spouse is accordingly considered a member of the family.” (p. 83)

“The remaining 17 Member States do not treat same-sex spouses as legal spouses, since they do not allow marriage between same-sex partners (in view of the changes in Finland, where laws allowing same-sex marriage were adopted, this number may fall to 16 by 2017). Three of these Member States (Austria, the **Czech Republic**, and Germany) are likely to treat same-sex spouses as registered partners for purposes of family reunification.” (p. 88)

“Seventeen Member States currently grant family reunification rights to same-sex partners of third country nationals. Ten extend the right to family reunification to same-sex partners in de

facto relationships [...], while seven (the **Czech Republic**, Germany, Hungary, Ireland, Luxembourg, Malta and Slovenia) restrict this possibility to registered partnerships. Three (Austria, the **Czech Republic**, Germany) are likely to treat same-sex spouses as registered partners for purposes of family reunification.” (p. 89)

“Whether registered partners are included in the definition of ‘family member’ can be difficult to determine, as there is considerable vagueness and a lack of clear guidelines. Sometimes national laws relating to third-country nationals are not coordinated with rules of international private law, and this causes legal uncertainty. Additionally, national laws may not define ‘family member’, or may not specify whether the definition of partner encompasses same-sex partners. Often no case law exists to confirm either interpretation. This may prove detrimental for involved parties. It appears that same-sex registered partners would be granted a right to residence in 16 Member States (Austria, 600 Belgium, the **Czech Republic**, Denmark, Germany, Finland, Hungary, Ireland, Lithuania, Luxembourg, the Netherlands, Portugal, Slovenia (starting in January 2015), Spain, Sweden and the United Kingdom). This was the case in only 12 Member States in 2010 (Austria, Belgium, the **Czech Republic**, Denmark, Finland, Germany, Ireland, Luxembourg, the Netherlands, Spain, Sweden and the United Kingdom). [...]

In some cases, national law only grants the right to residence to same-sex partners if a registered partnership already existed in the country of origin. This condition appears problematic given that it is reasonable to assume that the vast majority of asylum seekers flee from countries that persecute LGBTI people, and where registration is not possible. The right to residence for same-sex partners of asylum seekers and refugees is restricted to registered partners and does not include unmarried unregistered cohabitants at least in Austria, Belgium, Croatia, the **Czech Republic**, Germany, Ireland, Lithuania, Luxembourg and Slovenia” (pp. 92-93)

Surveillance by intelligence services: fundamental rights safeguards and remedies in the EU

<http://fra.europa.eu/en/publication/2015/surveillance-intelligence-services>

“The obligation to information and the right to access are not provided for in eight Member States (the **Czech Republic**, Ireland, Latvia, Lithuania, Poland, Slovakia, Spain and the United Kingdom). This is attributable either to national data protection laws, which do not apply, or to derogations enshrined in specific laws. [...]

Czech law illustrates this approach: the data protection law is not applicable and the specific laws stipulate that the intelligence service does not have to inform the persons whose rights they interfere with, nor do they have to provide access to the data.” (p. 62)

Guardianship systems for children deprived of parental care in the European Union (October 2015)

<http://fra.europa.eu/en/publication/2015/guardianship-children-deprived-parental-care>

“In many Member States (such as the **Czech Republic** or Denmark for instance), provisions for appointing a guardian coexist with provisions for appointing custodians. In other Member States, they coexist with provisions for the appointment of representatives. While the appointment of a guardian or custodian is envisaged under general welfare law, stemming from the state’s responsibility to safeguard the child’s wellbeing and protect children deprived of parental care, the appointment of representatives or so-called guardians ad litem is envisaged to enable children to participate in administrative, criminal or other proceedings. This is the case in Ireland, for example.” (p. 22)

“In the **Czech Republic**, a custodian (poručník) is responsible for the well-being and best interests of the child, while the guardian (opatrovník) has a limited mandate to represent the child in certain proceedings. The same situation exists in Portugal, where the appointed guardian (guardião) represents the child in different legal proceedings while a so-called tutor (tutor) exercises other parental rights and duties of child care.” (p. 23)

“In the **Czech Republic**, in all cases concerning children in a vulnerable situation, which includes cases of child victims of trafficking, the police has to inform the Authority for the Social and Legal Protection of Children or the child’s guardian. In the case of unaccompanied children, employees of this authority have a legal duty to fulfil the function of guardian until it is officially assigned by a court or the child is transferred to another legal representative or an individual responsible for the care of the child. To facilitate immediate appointment of guardians, all offices of the Authority of the Social and Legal Protection of Children have a telephone hotline which is active outside working hours. These emergency employees are available to go to meet and provide support to the child as quickly as possible. Courts also respond in a similar emergency mode and can immediately approve a recommendation from the Authority of the Social and Legal Protection of Children to assign a guardian.” (p. 46)

“In the **Czech Republic** for instance, national law states that the appointment of a guardian must take place immediately, without, however, setting a timeframe for the appointment procedures. Similarly, in Sweden the Act on Legal Guardian for Unaccompanied Children emphasises that the appointment of a guardian (godman) is an urgent matter and provides that the guardian (godman) should be appointed ‘as soon as possible’.” (p. 46-47)

“Similarly, in the **Czech Republic** the Authority of the Social and Legal Protection of Children automatically fulfils the function of guardian until this position is assigned officially by a court. The court can immediately approve a recommendation from the Authority of the Social and Legal Protection of Children in assigning a guardian. Finally, in the third group of Member States, temporary guardianship is assigned to a natural person who acts on behalf of the guardianship appointing authority, when this is not the same entity that normally exercises guardianship tasks.” (p. 48)

“In some Member States the court is entrusted with more effective and systematic monitoring. For example, in the **Czech Republic** and in Italy the court has to approve all important decisions affecting the child taken by the guardian. In Croatia, the guardianship authority has the power to restrict the guardian’s authority and tasks.” (p. 49)

Freedom to conduct a business: exploring the dimensions of a fundamental right (August 2015)

<http://fra.europa.eu/en/publication/2015/freedom-conduct-business-exploring-dimensions-fundamental-right>

“References that can be seen as close to verbatim to Article 16 of the Charter or that have been subsequently interpreted by national courts as encompassing the right to conduct a business can be found in the constitutions of 22 EU Member States. Some constitutional texts directly grant the freedom to conduct a business (such as the constitutions of the **Czech Republic** or Sweden), others the right to engage freely in entrepreneurial or commercial activities (Cyprus, Estonia), or they provide another sufficiently direct foundation for the constitutional protection of this right, such as the Italian Constitution, which enshrines the freedom of private economic enterprise.” (p. 26)

“A regional authority in the **Czech Republic** adopted a decree limiting the opening hours of a bar owned by the plaintiff, while leaving the determination of opening hours of other bars up to their owners. The High Court held that, as the decree limited exclusively the business of the plaintiff, it was not possible to consider it a normative administrative act. The decree was considered an individual act regulating the right and obligations of an individual. The plaintiff was therefore entitled to damages resulting from the violation of his right to conduct a business or to engage in other economic activities.” (p. 34)

Severe labour exploitation: workers moving within or into the European Union (June 2015)

<http://fra.europa.eu/en/publication/2015/severe-labour-exploitation-workers-moving-within-or-european-union>

Promising practice: Enhancing undocumented migrants’ rights in central Europe

“This project involved research in the **Czech Republic**, Hungary, Poland, Romania and Slovakia to analyse the relevance of the Employer Sanctions Directive for migrants in these countries, with the aim of enhancing the protection of undocumented migrant workers from labour exploitation and increasing knowledge about the rights deriving from the directive. The project was funded by the European Programme for Integration and Migration.” (p. 31)

“Respondents in the majority of EU Member States rarely indicated illegal forms of child labour as a common form of labour exploitation. When mentioned, labour exploitation involving children was linked to begging – for example in Austria, the **Czech Republic**, Greece, the Netherlands, Poland and Slovakia – while an expert in Portugal referred to cases of child labour involving Romanian children in olive picking.” (p. 40)

“Desk research revealed that in 12 EU Member States public authorities with powers of inspection are in some way or other tasked with supporting workers in a manner that can also benefit victims of severe labour exploitation. In five EU Member States – the **Czech Republic**, France, Poland, Portugal and Slovakia – such authorities can oblige the exploiter to pay remuneration due. This is to be considered a promising practice.” (p. 82)

“Desk research conducted in all 28 Member States revealed that in at least half of the Member States [...] trade unions are entitled to lodge complaints on behalf of victims. In addition, labour inspectorates or similar monitoring authorities in more than 10 Member States can support or even act on behalf of workers in proceedings (the **Czech Republic**, Estonia, France, Latvia, Lithuania, Malta, the Netherlands, Poland, Portugal, Romania, Slovakia and Spain). In about a quarter of Member States, interested private parties, including NGOs, can intervene on behalf of victims (Bulgaria, the **Czech Republic**, France, Poland, Portugal, Slovakia and Spain).” (p. 85)

“Even where proceedings succeed, interviewees consider that the penalties imposed on employers are sometimes inadequate. Fines for employers who exploit foreign workers are thought to be too low in, for example, Austria, Belgium, the **Czech Republic**, Lithuania and the United Kingdom.” (p. 89)

Implementing the UN CRPD: An overview of legal reforms in EU Member States (May 2015)

<http://fra.europa.eu/en/publication/2015/implementing-un-crpd-overview-legal-reforms-eu-member-states>

“Other reforms focus on specific aspects of accessibility identified by Article 9 of the CRPD. Concerning the accessibility of the physical environment, FRA evidence shows that 15

Member States (Austria, Belgium, **Czech Republic**, Denmark, Finland, France, Hungary, Ireland, Italy, Lithuania, Luxembourg, Poland, Portugal, Spain and the United Kingdom) have mandatory accessibility standards for the construction, and alteration of national and local authority buildings, often in line with EU-level standards. In a number of cases, these standards were updated following CRPD ratification.” (p. 8)

“Member States, including the **Czech Republic**, Hungary, Latvia and Malta, have reformed their civil codes to comply with Article 12, although in several cases the law continues to permit some restrictions on legal capacity. For example, the revised **Czech** Civil Code, which came into force on 1 January 2014, stipulates that a person’s legal capacity may be partially limited, with courts deciding the scope of the legal capacity limitation. The decision must be revised every three years or upon request of the person.” (p. 9)

Legal entry channels to the EU for persons in need of international protection: a toolbox (March 2015)

<http://fra.europa.eu/en/publication/2015/legal-entry-channels-eu-persons-need-international-protection-toolbox>

Promising practice: Offering medical treatment to injured persons in the Czech Republic

“The **Czech** authorities evacuated 39 persons who were injured as a result of the violent clashes with the police forces in the Ukrainian capital in February-March 2014. They were brought to **Czech** medical facilities for treatment and recovery. In the case of children, their legal representatives were allowed to accompany them. The evacuation was carried out as part of the **Czech** MEDEVAC Programme targeting persons with medical problems in war-ridden countries or areas where adequate medical treatment is not available. The programme has been used in the past to provide medical treatment to persons evacuated from Iraq, Kosovo and Cambodia, primarily children.” (p. 15)

Victims of crime in the EU: the extent and nature of support for victims (January 2015)

<http://fra.europa.eu/en/publication/2014/victims-crime-eu-extent-and-nature-support-victims>

“The influence of this compensation-oriented approach to victims and victim support can be identified in the criminal law framework of numerous other EU Member States where some form of private, auxiliary (alongside the public prosecutor) or subsidiary (instead of the public prosecutor) prosecution is possible. Subsidiary prosecution – where the prosecutor decides to step aside and the victim is allowed to step in – presents a particularly strong acknowledgment of the victim’s legitimate interest in the prosecution and conviction of the offender. In some EU Member States, such as Belgium, Hungary, Poland and Sweden, private prosecution is available. It is mostly for minor offences and might be subject to further conditions, such as the prior refusal of the prosecution to act. In others, such as Poland, various forms of prosecution – private, auxiliary and subsidiary – are available. In the **Czech Republic**, subsidiary prosecution is not possible but an adhesive claim for damages can be made within criminal proceedings.” (p. 30)

“The responsibility of Member States under Articles 8 and 9 of the Victims’ Directive to ensure that support services are of sufficiently high quality implies that the government must implement a system of quality control. The necessity to assess whether victim support services meet defined standards has led to systems of accreditation or recognition in several Member States with regard to generic support services (e.g. in the **Czech Republic** and in

France) or with regard to specialised services (e.g. in Austria in the area of violence against women and in Belgium for NGOs supporting victims of trafficking).” (p. 66)

“In newer EU Member States such as the **Czech Republic**, Hungary, Latvia, Lithuania and Romania, social work, as with volunteerism, is a relatively recent development, beginning in the late 1990s. Such Member States, where civil society activities were suppressed over decades of authoritarian rule, today show encouraging signs of increased citizen involvement in victim support.” (p. 67)

Promising practice: Ensuring special measures for victims of trafficking

“In the **Czech Republic**, La Strada Czech Republic carries out both reactive and proactive fieldwork seeking to identify cases of human trafficking. This includes the dissemination of information material on prevention and awareness-raising initiatives.” (p. 86)

“In Austria, an inter-ministerial working group developed standards for counselling women, children and situational violence. In Belgium, the government needs to approve a victim support organisation for it to be recognised and receive funding. Required quality aspects concern, for instance, specific principles and criteria for staff training. The **Czech Republic** has designed a similar scheme and the Netherlands has one in operation. Croatian legislation enacted in 2013 gives detailed criteria for the delivery of service, including on the rights of victims and on what information must be provided.” (p. 91)