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Summary record of the 10th meeting

Held at the Palais Wilson, Geneva, on Friday, 18 February 2022, at 3 p.m.

Chair: Mr. Abdel-Moneim

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The meeting was called to order at 3 p.m.

Consideration of reports *(continued)*

(a) Reports submitted by States parties in accordance with articles 16 and 17 of the Covenant *(continued)*

Third periodic report of Czechia (continued) (E/C.12/CZE/3; E/C.12/CZE/Q/3; E/C.12/CZE/RQ/3)

1. *At the invitation of the Chair, the delegation of Czechia joined the meeting.*
2. **The Chair** invited the delegation to continue replying to the questions raised by Committee members at the previous meeting.
3. **Mr. Janeček** (Czechia), speaking via video link, said that fathers made up only 1.8 per cent of persons who made use of parental leave entitlements. In 2022, the requirements of the European Union Work-Life Balance Directive would be incorporated into national law; consequently, paternity leave would be increased to 10 working days and two months of parental leave would be specifically earmarked for fathers. The division of roles between parents was often influenced by the fact that men generally earned higher salaries than women. A number of measures were in place to attempt to address that situation, including the expansion of preschool facilities, increased availability of part-time work and flexible working arrangements, and awareness-raising campaigns aimed at fathers.
4. The poverty indicator was set at 60 per cent of mean income and the proportion of the population thus defined as being affected by poverty had been relatively stable in recent years, at around 10 per cent, while the figures for deprivation and inequality had shown gradual improvements. The subsistence minimum, which served as the threshold for eligibility for certain social benefits, had remained the same for a number of years, before being raised by 13 per cent in 2020. With inflation and consumer prices now rising sharply, another increase might be necessary in the near future. In order to allow more flexibility in the system, housing costs were not included in the calculation of the subsistence minimum – while adjustments to the subsistence minimum required changes to legislation, standardized costs for housing and energy were set annually by ministerial decree and could thus be more easily adjusted.
5. **Ms. Mohylová** (Czechia), speaking via video link, said that the Government had pledged to prepare legislation on housing support within two years of the start of its mandate. The planned legislation would provide a range of tools for municipalities, set out financing methods and rules and support the use of environmentally friendly techniques and recycled materials in the housing construction sector. It would also introduce new standards for affordable social housing and ensure that older persons and persons with disabilities could choose between private housing and community accommodation settings with accessible services.
6. In April 2021, the Government had approved the Housing Strategy 2021+, aimed at increasing the social housing stock and improving housing affordability. Under the Strategy, institutional and legal frameworks would be established for social housing, the supply of good quality rental accommodation would be increased, and improvements would be made to rental agreement regulations. Property prices had risen much faster than income in recent years; as a result, it had become increasingly difficult for many people to afford to purchase a property and more were being forced to rent, which, in turn, had driven up rental prices. Funding from European and national programmes was being invested to expand the social housing stock. There was a need to create a social housing database to capture information on unregistered social housing units that were operated by municipalities, the private sector or non-governmental organizations. While municipalities should play a key role in the provision of social housing, coordination at the national level would ensure a consistent approach and uniform quality standards.
7. **Ms. Hlaváčová** (Czechia), speaking via video link, said that the scope of the Public Health Insurance Act had been expanded in 2021; as a result, foreign nationals who were not entitled to public health insurance were obliged to take out commercial health insurance for

stays of more than 90 days. Following amendments to the Act on the Residence of Foreign Nationals in August 2021, foreign nationals who were resident in the country must take out commercial health insurance with a specific company. Public health insurance had been expanded to cover the children of permanent residents, children who had applied for or been granted international protection and children who had been granted asylum. In urgent or emergency situations, health-care providers were obliged to provide care to anyone who required it.

8. The legislation on compensation for women subjected to forced sterilization between 1966 and 2012 had been designed to make it as easy as possible for the persons affected to apply to the scheme. Applicants simply needed to provide details of when and where the forced sterilization procedure had been performed; the State would then furnish the relevant documentation. The Government was not aware of any need to extend the time limit for the submission of claims beyond the three years following the adoption of the legislation regulating the scheme.

9. The Government was making progress in the area of deinstitutionalization of psychiatric care. The 30 mental health centres planned as part of the national strategy were now in operation, and 24 of them had moved out of the pilot phase and were in receipt of stable funding from the Ministry of Health. In addition, three multidisciplinary teams had been set up to provide mental health care for children and adolescents.

10. **Mr. Machačka** (Czechia), speaking via video link, said that the Government planned to revise the regulations on civil unions. With regard to gender recognition, while the Government was aware that the regulations in place needed to be aligned with the standards set out by the European Court of Human Rights, it had not yet established a specific plan.

11. The Office of the Public Defender of Rights (Ombudsperson) had conducted a survey on the status and situation of intersex persons and issued recommendations on data collection and awareness-raising among medical practitioners.

12. **Ms. Sršňová** (Czechia), speaking via video link, said that Czechia had adopted a climate protection policy in 2017 to promote greenhouse gas reduction and the country's long-term transition to a sustainable low-emission economy. Its Strategy on Adaptation to Climate Change identified the areas that would be most affected by climate change, including public health and the urban landscape. Reports such as the country's seventh national communication under the United Nations Framework Convention on Climate Change described the measures taken to reduce greenhouse gases and promote climate adaptation, including efforts to address the risks that air temperature extremes posed to public health, infrastructure and transport systems. The country intended to take steps to address the higher rate of heat-related mortality faced by persons with lower socioeconomic status.

13. **Mr. Uprimny**, speaking via video link, said that he wished to commend the State party for its policy on illegal drug use, which, through the application of harm reduction principles, had achieved significant reductions in overdose deaths and the prevalence of HIV among persons who inject drugs. He wished to know whether the Government planned to implement a permanent funding mechanism to ensure that the policy would be sustainable.

14. **Mr. Windfuhr** said that he wished to know whether the State party's climate adaptation policy took account of the particular impact that climate change might have on certain groups, such as farmers, and the specific adaptations they might need.

15. **Ms. Baršová** (Czechia), speaking via video link, said that funding for the drug policy was largely coordinated by the Government Council for Drug Policy Coordination, which was administered by the Office of the Government. Further information on the system of funding would be provided in writing.

16. **Mr. Černý** (Czechia), speaking via video link, said that the Education Policy Strategy 2030+ was the country's main strategic document on education. A separate strategic plan for higher education had gone into effect in 2021. Of the 300,000 students in higher education in the country, about 10 per cent were studying in private institutions.

17. The current action plan on the inclusion of students with special needs would expire in 2022; the next plan was currently being developed. A student with a type of disability,

whether health-related, social, psychosocial or any other, was considered to have special needs. The Government aimed to have most children with special needs studying in mainstream schools. A small number of schools existed for children with specific special needs, but students could be placed in them only with their parents' consent. If the parents did not consent, the child had to be educated in a mainstream school.

18. School counselling centres, which were external to schools, worked to identify students' special educational needs or gifts, recommend appropriate support measures and evaluate support measures in place. Decisions about support measures were made by the staff psychologists and special educators at the centres, not by doctors, although the views of doctors could be taken into account.

19. The support measures available were categorized in five levels. Measures falling within the first level were intended for students with mild educational difficulties that required minimal adjustments to teaching methods or the organization of classes and assessments. Those measures could be taken directly by the schools, and a school could decide at its discretion whether to contact a school counselling centre for advice. Many of the measures falling within the higher levels involved the use of specialized pedagogical methods and were intended for students who needed a professional pedagogical or psychological diagnosis. Under an amendment to Decree No. 27/2016 Coll., on the education of pupils with special educational needs and gifted pupils, some support measures had been moved from the higher levels to the first level, which meant that schools could implement them more quickly and more easily.

20. Since 2016, almost 8 billion koruny had been spent on support measures. There were more than 16,000 teaching assistant positions in schools. A new initiative would be launched in 2022 to make a school psychologist or special educator available in every school to help children with special needs. Efforts were also under way to make a certain number of teaching assistants available in schools, regardless of whether support measures were in place, which would give schools greater flexibility in deciding how the assistants' time should be used.

21. Formal education was provided in preschools and primary and secondary schools, as well as primary art schools. All schools in the formal system – public, private and denominational – were listed on the register of school facilities. Interest-based after-school activities provided in leisure centres and school clubs were also considered part of the formal education system and included on the register. Informal education was provided by non-governmental organizations, which received funding from the State through grant programmes.

22. Under the Education Act, all children, including those who were not citizens of the Czech Republic or another European Union country, had the right to attend preschool, primary school and interest-based education, regardless of whether they were legally resident in the country. In order to attend secondary and higher-level education, however, pupils must be legally resident in the Czech Republic for at least 90 days. As of 2021, foreign children could attend intensive Czech language courses for their first year in the country.

23. The educational situation of Roma children was problematic, but the Government was making every effort to resolve it. The number of students being taught under the framework educational programme for children with mild mental disabilities had fallen because the programme had been gradually phased out and had ended in 2021. As part of their individual study plans, children with mild disabilities could pursue modified outcomes in the necessary areas. The Ministry of Education also ran grant programmes to support the education of Roma and socially disadvantaged pupils.

24. **Ms. Jandlová** (Czechia), speaking via video link, said that cultural rights mainly came under the competence of the Ministry of Culture. Pursuant to the State Cultural Policy – the strategic framework document for the cultural and creative sector – the Ministry monitored the fulfilment of citizens' cultural rights, such as the rights to have access to and participate in culture and to use public cultural services. The current Policy, which ran from 2021 to 2025, set out strategic goals, which included continuing to expand the availability and accessibility of culture and supporting digitization, free access to the most important State institutions, the development of cultural and creative centres in the regions, the protection of cultural heritage, the further development of performing arts and the introduction of the legal

status of artists. The Ministry would work to ensure that the potential importance of the cultural and creative sector for the economy was properly taken into account. The new State Cultural Policy did not replace, but rather complemented, the other instruments that had been adopted. There were specific strategies for the development of museums and libraries, for example, that allowed for more targeted measures to be taken.

25. **Mr. Machačka** (Czechia) said that the National Strategy for Open Access to Scientific Information had run from 2017 to 2020. The issues covered by the Strategy had subsequently been incorporated into the National Research, Development and Innovation Policy. There were two approaches to ensuring open access to scientific information: under the green standard, authors published their articles in any journal, and copies were archived in freely accessible databases or repositories, while under the gold standard, authors published their articles directly in open sources, such as generally accessible journals and periodicals. That area was governed by 2019 European Union directive 2019/1024 on open data and the re-use of public sector information. In order to implement the directive, it was first necessary to amend the relevant legislation on scientific research to introduce the obligation to publish research data on request, if there were no conflicting interests, such as protection of personal data, intellectual property, business secrets or national security, and in compliance with the findable, accessible, interoperable and reusable (FAIR) principles for scientific data management. Published research data should be available free of charge, integrated into public research systems and directly accessible in the future. The legislative amendment had been submitted to Parliament in 2021, but there had not been enough time for it to be adopted before the general election in October. The amendment would be submitted to the new Chamber of Deputies shortly, and was expected to enter into force by the end of 2022.

26. **Mr. Emuze** said that the Committee was grateful to the delegation for the frank and constructive dialogue. It welcomed the developments in the implementation of the Covenant by the State party, in particular the legislation and different strategies targeting the most disadvantaged and marginalized groups. However, he wished to draw the State party's attention to a number of remaining challenges, including in relation to the establishment of a national human rights institution, discrimination against Roma persons, migrants and lesbian, gay, bisexual, transgender and intersex persons, and the gender pay gap. It was critical to intensify efforts to address the situation of children and persons with disabilities in institutional facilities. He encouraged the State party to ratify the Optional Protocol to the Covenant.

27. **Ms. Baršová** (Czechia) said that her delegation appreciated the constructive dialogue with the Committee. The State party was aware that, although it had made some improvements in the area of economic, social and cultural rights, it continued to face many challenges, particularly in respect of the enjoyment of those rights by vulnerable groups, such as the Roma, persons with disabilities, migrants, and lesbian, gay, bisexual, transgender, queer and intersex persons. The Government would reflect on all of the issues that had been raised, and efforts would be made to improve the situation where necessary. They would focus on matters such as protection against discrimination, the creation of the national human rights institution and recovery from the COVID-19 pandemic.

The meeting rose at 4.25 p.m.