

**Economic and Social Council**Distr.: General
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Committee on Economic, Social and Cultural Rights**List of issues in relation to the third periodic report of
Czechia*****A. General information**

1. Please provide information on the measures taken or envisaged to incorporate into the Charter of Fundamental Rights and Freedoms all the rights and principles enshrined in the Covenant. Please provide examples of cases in which the domestic courts have invoked or applied the Covenant. Please also provide information on the steps taken to ensure the independence and impartiality of the judiciary.
2. Please provide information on the adaptation and mitigation measures taken or envisaged by the State party at home and abroad to address the adverse effects of climate change on the enjoyment of economic, social and cultural rights, in particular for disadvantaged groups. Please inform the Committee on the progress made on meeting the nationally determined contributions for reducing emissions that the State party has set itself under the Paris Agreement on climate change and on the contributions that it proposes to make to the Green Climate Fund.

B. Issues relating to the general provisions of the Covenant (arts. 1–5)**Maximum available resources (art. 2 (1))**

3. In order for the Committee to assess whether the State party is using the maximum available resources to realize the rights recognized in the Covenant, please provide information on the evolution over the past 10 years of:
 - (a) The proportion of persons living below the poverty line and the levels of inequality, defined as the ratio between the total income accruing to the richest decile of the population and the total income of the poorest 40 per cent of the population;
 - (b) The proportion of public revenue that is generated through taxes;
 - (c) The tax rates levied on corporate profits and on personal income, the value added tax rate (exclusive of the value added tax on luxury items, tobacco, alcohol, sugary drinks and snacks, and gasoline) and the percentage of total revenue that is generated from personal income taxes collected from the richest decile of the population;
 - (d) Public expenditure as a percentage of gross domestic product and, within total public expenditure, the proportion of the public budget that is allocated to social spending (social security, food, water and sanitation, housing, health and education);
 - (e) Inflation-adjusted absolute levels of social spending.

* Adopted by the pre-sessional working group at its sixty-sixth session (9–13 March 2020).



Non-discrimination (art. 2 (2))

4. Please provide information on the steps taken to ensure the prohibition of direct, indirect and multiple forms of discrimination on all grounds, as provided for in article 2 (2) of the Covenant. Please indicate the number of administrative and judicial cases of discrimination that have been investigated, the decision rendered in each case and whether any compensation has been awarded to the victims. In particular, please provide information concerning: (a) cases of discrimination on grounds that are not specified in the Anti-Discrimination Act or the Employment Act, such as colour and descent; (b) the legal provisions invoked in these cases; and (c) the remedies provided to the victims. Please also indicate the steps taken to increase public awareness of the procedures and mechanisms available to victims of discrimination to report and seek redress.

5. Please explain how the rules concerning the shifting of the burden of proof apply in cases of discrimination in the enjoyment of all economic, social and cultural rights. Please indicate what steps have been taken, if any, to ensure that the sharing of the burden of proof applies in all cases and on all grounds of discrimination.

6. Please provide information on the impact of the programmes and policies adopted, including the Roma Integration Strategy up to 2020 and the mobilization and empowerment of Roma stakeholders by the National Roma Platform, to combat the marginalization of and discrimination against Roma in the fields of education, employment, housing and health. In this regard, please specify the main challenges faced and the measures taken or envisaged to overcome them.

7. Please indicate the measures taken to prevent and combat discrimination against migrants, notably migrant workers, irrespective of their migratory status, asylum seekers and refugees in access to housing, employment, social security and health care. Please comment on the impact of those measures. Please also provide information on the steps taken to ensure that migrant children in detention have full access to their Covenant rights, including the right to education and health care. In this regard, please provide statistical data on the number of children in migration detention, including children detained with their family members and unaccompanied minors.

8. Please provide disaggregated statistics on the number of stateless persons in the State party. Please indicate the steps that have been taken to establish a dedicated statelessness determination procedure. Please describe the measures taken to ensure that stateless persons are provided with valid identity documents and clarify whether, with such documents, they can access housing, health-care services, education and employment without discrimination.

9. Please provide an update on: (a) the procedure and conditions of gender reassignment; (b) the status of the same-sex marriage bill, which was presented to the Chamber of Deputies in 2018; and (c) the measures taken to combat prejudice and discrimination based on sexual orientation and gender identity.

Equal rights of men and women (art. 3)

10. Please provide information on the implementation and impact of the measures taken, including the +1 Strategy, to promote women's representation in managerial and decision-making positions in both the public and the private sectors.

C. Issues relating to the specific provisions of the Covenant (arts. 6–15)**Right to work (art. 6)**

11. Please provide information, including disaggregated data, on the impact of the measures, such as those listed in paragraphs 37 to 39 of the State party's report (E/C.12/CZE/3), that were taken to reduce unemployment, especially among persons with disabilities, women with children, young people, persons aged 50 and above, Roma young people and young people with migrant backgrounds.

12. Please provide information, including disaggregated statistics for the reporting period, on informal employment and the impact of the measures taken to promote the

regularization of such employment and to ensure protection for all persons working in the informal sector of the economy.

Right to just and favourable conditions of work (art. 7)

13. Please provide detailed information on the measures taken to ensure that the minimum wage is sufficient to provide workers and their families with a decent standard of living. Please also provide information on compliance with the minimum wage, including compliance rates and sanctions imposed on employers found guilty of non-compliance.

14. Please provide information on the impact of the measures taken to reduce the gender pay gap, such as the project entitled “Gender equality in the labour market, focusing on (in)equality in the remuneration of women and men: from 22 per cent to equality” and the implementation of the “Logib” equal pay verification software. Please also provide information on the impact of the measures taken to address horizontal and vertical gender segregation, particularly in public administration, including the implementation of the Gender Equality Promotion Priorities and Procedures. In particular, please describe the measures taken to address the lack of sharing of parental responsibilities and of childcare options and the difficulties experienced by women re-entering the labour market after maternity leave, and the impact of those measures.

15. Please provide further information on the results of the anonymous survey conducted in 2016 on sexual harassment within some of the State party’s ministries, and on the guidelines on how to handle cases of sexual harassment in public administrative bodies, which were expected in 2019. Please also indicate what measures have been taken to combat sexual harassment in the private sector.

Trade union rights (art. 8)

16. Please provide information on the steps taken to:

(a) Regulate through legislation the right to strike in situations other than disputes regarding the conclusion of collective agreements;

(b) Amend the two thirds voting requirement in section 17 of the Collective Bargaining Act (Act No. 2/1991), in order to ensure that the right to strike and the right to collective bargaining are fully respected, in accordance with article 8 of the Covenant.

Right to social security (art. 9)

17. Please indicate whether the State party has reversed the cuts to social security benefits that were introduced under its austerity measures programme. Please describe the measures adopted to ensure that these cuts, especially those made to non-contributory benefits, do not disproportionately affect disadvantaged and marginalized individuals and groups in their enjoyment of the Covenant rights.

18. With reference to paragraph 83 of the State party’s report (E/C.12/CZE/3), please provide additional information, including disaggregated data on the number of beneficiaries, on social security benefits from non-contributory schemes. Please specify the eligibility criteria for each type of assistance.

Protection of the family and children (art. 10)

19. Please provide information on the steps taken to reduce the number of children living in institutions, including by increasing the provision of community-based services or foster care, and on the impact of those steps. Please provide statistics on the number of institutionalized children, disaggregated by sex, age, ethnic origin, disability, disadvantaged background and locality, and indicate the reasons for their institutionalization.

20. Please provide information on the implementation of the 2013–2017 National Action Plan Promoting Positive Ageing and on the annual monitoring of the Plan, as well as on the effectiveness of other policies aimed at protecting the Covenant rights of older persons. Please provide an update on the 2019–2022 Preparation for Ageing Strategy and on the participation of and consultation with civil society in the development of the strategy.

Right to an adequate standard of living (art. 11)

21. Please provide information on the impact of measures taken, including the 2015–2025 Social Housing Concept, the 2016 Social Housing – Methodological and Information Support for Social Agendas programme, and the Concept for the Prevention and Handling of Homelessness up to 2020, to ensure access to adequate housing for all, particularly disadvantaged and marginalized groups, including Roma. Please also provide:

(a) Additional information on the housing schemes described in paragraph 139 of the State party’s report (E/C.12/CZE/3), including statistical data on the beneficiaries thereof, disaggregated by sex, age, ethnicity, income and locality;

(b) An update on the adoption of a social housing law and the establishment of a comprehensive social housing system;

(c) Information on the measures taken to facilitate access to housing allowance and supplements by marginalized individuals and groups in vulnerable situations and to ensure that these benefits are sufficient to provide them with access to adequate housing;

(d) Information on the steps taken to bring legislation on evictions into compliance with international standards and on existing mechanisms to ensure that persons affected by forced evictions are provided with alternative housing and/or adequate compensation;

(e) Disaggregated data on the number of beneficiaries of housing allowance and supplements during the reporting period.

22. Please provide information, including statistical data, on the impact of the measures described in paragraphs 118 and 119 of the State party’s report (E/C.12/CZE/3) on poverty reduction and social inclusion, including the 2014–2020 Social Inclusion Strategy. Please indicate what steps have been taken or are envisaged to address the adverse effects of the designation of certain areas as “housing benefit-free zones”, such as further social exclusion of the most disadvantaged and marginalized groups, including Roma and homeless persons. In this regard, please provide an update on the legal action against “housing benefit-free zones” currently pending before the Constitutional Court.

Right to physical and mental health (art. 12)

23. Please indicate the measures taken to guarantee that health-care services are accessible to and affordable for all individuals and groups, including migrants in irregular situations. Please also provide more information on:

(a) The development of action plans for the 2020 National Strategy for the Protection and Promotion of Health and the Prevention of Disease;

(b) The impact of the project for the effective promotion of the health of persons at risk of poverty and social exclusion on socially excluded groups and individuals, including Roma;

(c) The extent to which the new legal provisions mentioned in paragraph 104 of the State party’s report (E/C.12/CZE/3) ensure that migrants in irregular situations have access to health-care services, without discrimination based on their migratory status;

(d) The preparation of the 2019–2027 National Strategy for the Prevention and Reduction of Damage by Addictive Behaviour (E/C.12/CZE/3, para. 163).

24. Please provide an update on the progress achieved towards the deinstitutionalization of persons with mental health conditions in favour of non-residential and community-based services. Please also indicate the measures taken to ensure the full implementation of the Committee’s previous recommendations (E/C.12/CZE/CO/2, para. 18), particularly concerning the deinstitutionalization of persons with psychosocial disabilities and older persons. Please also provide information on: (a) the establishment of 30 mental health centres that provide mobile multidisciplinary teams working in the natural environment of persons with mental disabilities (E/C.12/CZE/3, para. 170); (b) the implementation of the Strategy for the Reform of Psychiatric Care (2014–2020); and (c) the availability and accessibility of community-based social services, including disaggregated data on the number of beneficiaries.

Right to education (arts. 13–14)

25. Please describe the implementation and impact of the measures adopted, including the 2017 amendment to the Schools Act (Act No. 82/2015 Coll.), the 2016–2018 and 2019–2020 Inclusive Education Action Plans, and the Education Policy Strategy 2020, to eradicate segregation in education and promote integrated and inclusive education for all children, including children with disabilities and Roma children. Please indicate the status of the proposed amendments to Decree No. 27/2016 Coll. on the Education of Pupils with Special Educational Needs and Gifted Pupils. Please explain how the State party ensures that these proposed amendments will not negatively affect the right of children to inclusive education.

26. Please provide information on the measures taken to ensure equal access to all levels of education by children of migrants, irrespective of their migratory status, asylum seekers, refugees and stateless persons.

Cultural rights (art. 15)

27. Please provide information on the implementation of the 2015–2020 State Cultural Policy and strategy documents described in paragraph 196 of the State party's report (E/C.12/CZE/3), including the achievements, the challenges faced and the measures taken to address them. Please also provide information on the conditions for the preservation and development of minority cultures, traditions and languages under the Act on the Rights of Members of National Minorities. Please indicate what measures have been taken to promote the use of minority languages, particularly in the fields of education, public services and the media.

28. Please provide information on the measures taken, including the 2017–2020 National Strategy for Open Access to Scientific Information, to ensure that disadvantaged and marginalized groups have affordable access to the benefits of scientific progress and its applications, and on the implementation of those measures. Please indicate whether and how the State party plans to increase research and development expenditure in the fields of agricultural sciences, social sciences and humanities and to ensure equitable distribution of such expenditure across all sectors and regions.
