



International Covenant on Civil and Political Rights

Distr.: General
29 April 2013

Original: English

Human Rights Committee

List of issues in relation to the third periodic report of the Czech Republic (CCPR/C/CZE/3), adopted by the Committee at its 107th session (11–28 March 2013)

Constitutional and legal framework within which the Covenant is implemented (art. 2)

1. With reference to the information provided by the State party that no institution to systematically address human rights issues in accordance with the Paris Principles was established during the period under review (para. 11)*, please indicate what steps are being taken, if any, to establish an independent statutory human rights institution with a broad human rights mandate and with competence to, inter alia, investigate individual complaints regarding violation of the rights enshrined in the Covenant, and take measures to remedy the attested violations, in line with the Paris Principles.
2. Please indicate what procedures are in place for the implementation of the Committee's Views under the Optional Protocol. Please indicate what concrete steps have been taken to implement the Views adopted by the Committee in respect of the State party, concerning violations of the Covenant.

Non-discrimination, equality between men and women, political participation, rights of minorities (arts. 2, 3, 25, 26 and 27)

3. Please indicate the measures taken to combat discrimination against women, including the steps taken to enhance the participation and representation of women in political and public life and to increase the representation of women in decision-making positions. Please also provide information on the work of the Committee for equal representation of women and men in politics and outline any of its achievements.
4. Please provide information on the measures taken to eradicate patriarchal stereotyped attitudes regarding the roles and tasks of women and men in the family and society in general. Has the State party conducted any awareness-raising campaigns to sensitize the population on the subject of discriminatory gender stereotypes?
5. Please comment on reports of racist and anti-Roma discourse among mainstream politicians at both national and local levels, and anti-Roma demonstrations organized by

* Paragraph numbers in brackets refer to the State party report published under the symbol CCPR/C/CZE/3, unless otherwise indicated.

far-right political groups. What measures are being taken by the State party to address this phenomenon?

6. With reference to the Strategy for Roma Integration for the period 2010-2013 (para. 240), please provide information about the methods by which the State party identifies nationals as belonging to the Roma community. Please also provide statistics on: (a) unemployment rates among Roma; (b) on the number of families belonging to the Roma community who benefited from subsidized municipal houses, progress made in promoting the right to housing of this community as well as in protecting them from eviction; (c) representation of Roma in civil service, including the police.

7. Please indicate whether Roma children continue to be overrepresented in “special schools” or “practical elementary schools” (para. 247) and separated from other children in mainstream schools. Please explain how this policy complies with rights under the Covenant. In this context, please provide further information on the implementation of the National Action Plan for Inclusive Education (para. 248) and comment on information that lack of financial resources and the resignation of members of the Ministry of Education’s working group tasked with implementing the National Action Plan for Inclusive Education has resulted in difficulties in its implementation.

8. Does the State party plan to remove the pig farm located on the site of a World War II Roma concentration camp?

9. Please provide information on the new Czech Election Code, in particular on how its provisions ensure that all citizens with disabilities of voting age have the right to vote and take part in public life on the same basis as others.

Right to life, violence against women, including domestic violence, and prohibition of torture and cruel, inhuman or degrading treatment (arts. 3, 6 and 7)

10. Please outline the measures taken by the State party to put an end to forced sterilization of Romani women. Please also provide information on the status and content of the new law on health services (para. 46), including on how it envisages clearly defining the requirements of free, prior and informed consent with regard to sterilization. Also provide further explanations on the exceptions to these requirements envisaged in the new legislation, in particular with respect to the basis for exception in “life-threatening” situations. Please indicate the measures taken by the State party to enable Romani women sterilized in a coercive and non-consensual manner to have access to free legal aid for the purpose of claiming compensation (para. 49). Please provide further information on the criminal prosecutions initiated and the reasons behind their suspension or discontinuance.

11. Please provide information on measures taken by the State party to amend legislation and policies with a view to better preventing and prosecuting acts of domestic and sexual violence against women and affording greater protection to victims. In addition, please provide information on: (a) the number of complaints received; (b) investigations carried out; (c) types of penalties imposed; (d) compensation awarded to victims; and (e) the number of safe shelters and any other services available to assist victims of domestic violence, as well as the number of women and girls in those shelters.

12. What is the status of the Act on the General Inspection of Security Forces which should have come into force by mid-2012 and under which an independent supervisory body was supposed to have been set up to investigate criminal acts and other unlawful conduct by police officers and officials from the Prison Service and the Customs Administration (para. 35). Please provide updated statistics from this supervisory authority on: (a) cases registered; (b) investigations carried out; (c) types of penalties imposed; and (d) any compensation awarded to the victims.

Elimination of slavery and servitude (art. 8)

13. Please provide updated information on: (a) the progress made to prevent trafficking in persons, which is allegedly prevalent among women and girls for employment, prostitution and exploitation; (b) the prevalence of this phenomenon, expressed in up-to-date statistical data, disaggregated by gender, age and ethnic origin; (c) the number of prosecutions, convictions and sanctions imposed on persons involved in human trafficking; (d) the successes and constraints of the various programmes intended to assist victims of trafficking, including the availability of adequate shelter facilities. Please also explain what protection and assistance is available to victims of trafficking who, due to security risks, are not able or willing to cooperate with the authorities responsible for criminal proceedings. Please provide more detailed information on the links established between criminal groups and State authorities concerning the granting of residence permits to trafficked persons (para. 57). How has the State party addressed this phenomenon?

Right to liberty and security of person, treatment of persons deprived of their liberty, fair trial and independence of the judiciary (arts. 7, 9, 10, 14 and 24)

14. What is the status of the new law on health services which, according to the State party's follow-up report, was supposed to, inter alia, amend the conditions for involuntary hospitalization? Has the Low-Threshold Centre for Legal Aid providing legal aid to persons without full legal capacity (CCPR/C/CZE/CO/2/Add.1, para 13.) been established? If so, please provide information on the number of cases of involuntary hospitalized persons registered to date, and indicate in how many cases legal aid has been granted and with what outcome.

15. What steps has the State party taken to ensure that social-care services are provided on the basis of free and informed consent, and that people with disabilities are protected against arbitrary deprivation of liberty in social-care settings? Please also indicate whether an independent inspection mechanism is in place to monitor the quality of care and supervision in mental-health and social-care institutions.

16. With regard to the State party's information that cage/net beds are not an acceptable means of restraint in health-care facilities (paras. 110-111), please comment on reports that they are still in use as a means of restraint in social-care homes and psychiatric institutions.

17. In the light of the Committee's previous concluding observations (CCPR/C/CZE/CO/2, para. 15), please explain in further detail how the State party considers detention of foreigners under the age of 18 for up to 90 days is compatible with articles 10 and 24 of the Covenant.

18. Please confirm information that legislation was adopted in January 2011, extending the maximum period of immigration detention to 18 months. If so, please indicate on what basis this amendment was made and whether the State party considers such an amendment to be compatible with the Covenant. On what basis, if any, may such cases of detention be reviewed? Please also provide information regarding the regime governing the detention of juvenile asylum seekers.

19. Please comment on reports of overcrowding and insufficient staff in the prison system which leads to poor sanitary conditions and security risks. Please also provide information on the conditions of work of prisoners, including the restrictions on access to work, sanctions imposed on prisoners refusing to work, and the deduction of imprisonment costs from prisoners' salaries.

20. Please respond to reports that, although illegal in many forms, child abuse, including sexual abuse, is a problem in the State party. In this regard, please provide statistical

information on the number of child abuse cases during the reporting period, as well as the measures taken by the State party to combat this phenomenon.

21. Please indicate the measures taken to ensure that legislation explicitly prohibiting corporal punishment in the home and other care settings is enacted and enforced. Has the State party taken any steps to raise awareness among the public of non-violent forms of punishment for children?

22. Please provide information on the age of criminal responsibility in the State party and how the State ensures that juvenile persons are treated in a manner commensurate with their age, as well as provided with appropriate assistance in the presentation and preparation of their defence during the pretrial stage of criminal proceedings?

23. What was the outcome of the pilot project set up to uncover corruption through the use of a special anti-corruption telephone line? Please provide statistical information on the number of calls received which related to allegations of corruption within the police service and the judiciary, as well as any investigations and/or prosecutions that resulted therefrom.

Freedom of expression (art. 19)

24. Please indicate how the crime of slander adopted in the new Criminal Code is compatible with the Covenant, in particular with regard to the Committee's most recent general comment No. 34 (2011) on freedoms of opinion and expression.

Dissemination of information relating to the Covenant and the Optional Protocol (art. 2)

25. Please provide information on the steps taken to disseminate information on the Covenant, the submission of the third periodic report of the State party, and its forthcoming examination by the Committee. Please also provide more information on the involvement of representatives of ethnic and minority groups, civil society, and non-governmental organizations in the preparatory process of the report.
