



# Convention on the Elimination of All Forms of Discrimination against Women

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## Committee on the Elimination of Discrimination against Women Thirty-sixth session

### Summary record of the 751st meeting (Chamber A)

Held at Headquarters, New York, on Thursday, 17 August 2006, at 10 a.m.

Chairperson: Ms. Schöpp-Schilling (Vice-Chairperson)

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*In the absence of Ms. Manalo, Ms. Schöpp-Schilling, Vice-Chairperson, took the Chair.*

*The meeting was called to order at 10.05 a.m.*

**Consideration of reports submitted by States parties under article 18 of the Convention (continued)**

*Third periodic report of the Czech Republic (CEDAW/C/CZE/3; CEDAW/C/CZE/Q/3 and CEDAW/C/CZE /Q/3/Add.1)*

1. *At the invitation of the Chairperson, the representatives of the Czech Republic took places at the Committee table.*

2. **Mr. Sajda** (Czech Republic) noted that the report currently before the Committee (CEDAW/C/CZE/3) had been submitted in 2004 and said that he would focus his introductory remarks on changes that had taken place in the legislative and other spheres since then. The Czech Republic remained committed to improving the status of women in society and fulfilling its international legal obligations regarding human rights in general and women's rights in particular. As the Committee was aware, the Government had adopted a national action plan for promoting equality between men and women in 1998. The Committee's concluding comments on his Government's initial report (CEDAW/C/CZE/1) and the Beijing Platform for Action had formed the basis for the plan. The Government assessed progress under the plan each year and updated it accordingly. The last update had occurred in May 2006.

3. The plan focused on seven areas identified in the Beijing Platform for Action: (1) the principle of equality of women and men as part of Government policy; (2) legal guarantees of equality of women and men, and education to raise legal awareness; (3) equal opportunities for women and men in access to economic activities; (4) equal social status of women and men with respect to caring for children and other dependent family members; (5) consideration of women's reproductive function and physiological difference; (6) measures to combat violence against women; and (7) monitoring and evaluation of the effectiveness of the application of the principle of equal status for women and men. Two additional measures had been included for 2006: (1) analysis of relevant aspects of migration and integration policies with regard to equality of women and men, seeking to

identify inequalities and problems and to apply a gender perspective in the maintenance of records of illegal migration and residence of foreign nationals in the Czech Republic; and (2) respect for the principle of equality of women and men when formulating policy strategies and projects for development cooperation across all institutional structures and at all levels of decision-making.

4. The Ministry of Labour and Social Affairs had primary responsibility for coordinating Government policy related to the status of women in Czech society; however, gender focal points in all ministries, an ombudsman and two advisory bodies — the Government Council for Human Rights and the Government Council for Equal Opportunities for Women and Men — also contributed to the promotion of gender equality. The ombudsman protected individuals against actions by public authorities and other institutions that were contrary to the law or inconsistent with democratic principles and good governance. The two Government Councils operated as advisory bodies to the Government on systemic and conceptual issues. Within the Government Council for Human Rights, there was a Committee for the Elimination of All Forms of Discrimination against Women. In addition, the Czech Government cooperated closely with most of the leading NGOs involved in promoting equal opportunities for women and men.

5. In 2002 and 2003, the Ministry of Labour and Social Affairs had undertaken a project aimed at improving the public institutional structure with respect to issues of equality of women and men. Several of the recommendations that had come out of the project had already been implemented, notably the introduction, in 2004, of a requirement for gender analysis and sex-disaggregated statistics in papers submitted to the Government, the development of a methodology for gender budgeting and the provision of training on gender equality for Government officials.

6. The most important changes in the legal realm since submission of the third report concerned labour law and criminal law. A new Act on Employment, adopted in 2004, prohibited direct or indirect discrimination in employment on various grounds, including sex. The Act also provided for the adoption of various types of positive measures in support of disadvantaged population groups with the aim, *inter alia*, of achieving equal treatment for women and men. Under a new Act on Labour Inspection, adopted in

2005, labour inspectorates monitored breaches of labour law with respect to equal pay, equal treatment in the selection of employees for promotion, equal access to vocational training and equal working conditions for women and men.

7. The principle of gender equality had also been incorporated into a new Education Act that had entered into force on 1 January 2005. The Act prohibited discrimination in access to primary, secondary and tertiary education on the basis of sex and other grounds.

8. In the area of criminal law, there had been important changes in legislation concerning domestic violence and trafficking in human beings. In 2004, domestic violence had been established as a distinct criminal offence with specific penalties. Under the law, domestic violence was now defined as abuse (whether physical or psychological) aimed at persons living in the same dwelling as the abuser. A new act adopted in 2006, which would come into force on 1 January 2007, would further enhance protection for victims of domestic violence. It provided for banishment of the offender from the common dwelling for 10 days and care for the victim at an intervention centre, including psychological, social and legal assistance. Under the law, a person at risk of domestic violence could request an emergency ruling from the court which would force the aggressor to leave the common dwelling and the immediate neighbourhood for a certain period of time.

9. Two amendments to the Criminal Code had significantly modified the penal provisions relating to trafficking in human beings, broadening the definition to include trafficking for any purpose, not just for sexual purposes, and trafficking within the country as well as cross-border trafficking. The amendments also put trafficking in human beings on the list of the most serious crimes, which enabled investigative and prosecuting bodies to use certain special investigative procedures. In accordance with the definition contained in the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime (the Palermo Protocol), the Czech Criminal Code drew a distinction between trafficking in children and trafficking in adults. Following the Committee's recommendation of 2002, the Government had also adopted a national strategy to combat trafficking in human beings.

10. Progress in strengthening the legal framework for gender equality had significantly reduced the barriers hindering application of the principle of equal treatment for women and men. Gender stereotypes in Czech society were gradually being eliminated, and, thanks to gender mainstreaming, there was now greater general awareness of gender equality issues. To disseminate information and promote the principle of gender equality, in October 2003 the Government had launched a public information campaign, focusing in particular on gender stereotypes and the issue of domestic violence. The campaign placed special emphasis on violence prevention among young people aged 15 to 25. The information provided sought to teach young people the basic facts about domestic violence and enable them to recognize the warning signs of such violence early in a relationship. An educational computer game developed as part of the campaign provided guidance on what distinguished normal behaviour from violent behaviour in a relationship.

11. In the coming year, the Government would begin an information campaign aimed at overcoming gender stereotypes. In the employment area, the campaign would focus on access for women to senior positions. In the family sphere, the focus would be on balancing the roles of women and men in the family. In the area of public administration, the campaign would promote the participation of women in decision-making and management. The long-term campaign would encourage ongoing public discussion, promoting the elimination of gender stereotypes and highlighting the benefits of achieving equality of opportunities for women and men.

12. Another area of concern for the Government was reducing the differences in remuneration between women and men and enhancing the involvement of women in decision-making processes. Currently, women earned about 25 per cent less than men, a phenomenon which was related to the fact that women held fewer high-level positions in both the public and the private sectors. For example, women made up only 12.3 per cent of the Senate and only 15.5 per cent of the newly elected Chamber of Deputies. While the employment rate among women in the Czech Republic was high compared to other countries, including other member States of the European Union, fewer women of childbearing age were employed than men in the same age group and the unemployment rate among women

was higher (9.8 per cent versus 6.2 per cent among men in December 2005). The Government was seeking to rectify those imbalances through consistent enforcement of the policy of generating equal opportunities for men and women, through application of the principle of equal treatment for men and women and through the creation of favourable conditions for harmonizing professional and family life.

13. The Czech Republic had a long tradition of helping working parents with the care of preschool children. A wide network of kindergartens provided affordable childcare for all Czech families. In addition, cash assistance amounting to 70 per cent of a person's salary was available during the 28-week maternity leave period following the birth of a child. After six weeks had elapsed, the money could be paid to either parent, depending on which of them stayed at home to care for the baby. In addition, a parent who cared for a child up to the age of four was entitled to a parental benefit of approximately 3,700 Czech koruny a month. As of 1 January 2007, the amount would rise to 7,600 koruny, slightly less than the minimum monthly wage of 8,000 koruny.

14. Finally, the Czech Government was aware that Roma women might be subject to double discrimination on the basis of both sex and ethnic origin. Various activities in support of Roma women had been implemented in the framework of the Decade of Roma Inclusion, 2005-2015, an international initiative in which the Czech Government was participating, including training events and cooperation with NGOs in projects relating to gender mainstreaming and Roma women. A project benefiting the Roma population supported by the European Social Fund was also in progress.

15. **The Chairperson** asked for an update on the political situation in the Czech Republic following the resignation of the Government the previous day.

16. **Mr. Sajda** (Czech Republic) explained that the elections held two months earlier had resulted in a split Parliament: exactly half of the 200 seats had been won by candidates of the left, exactly half by candidates of the right. Consequently, it had been very difficult to negotiate the formation of a new Government. However, a new speaker of Parliament had just been elected, and that day a new Prime Minister would be elected. He or she would then have 30 days to form a new Government and win a vote of confidence in

Parliament. A new Government should therefore be in place within the next month. Admittedly, the process had been rather prolonged, but such a situation of uncertainty might occur in any country following democratic elections. In any case, it was unlikely that the current political situation would affect any of the issues of concern to the Committee.

#### *Articles 1 to 6*

17. **Ms. Šimonović** noted that the Czech Constitution as amended in 2002 gave international agreements precedence over domestic law. However, in its response to question 2 in the list of issues and questions (CEDAW/C/CZE/Q/3/Add.1) concerning direct use of the Convention in court cases, the State party had indicated that no data were available on such cases. She wondered whether that meant that the Convention was not used as a legally binding human rights instrument protecting women's rights before the Czech courts. She would also like to know whether the Government was doing anything to ensure that law enforcement personnel, members of the judiciary and legal professionals in general were sufficiently familiar with the Convention and its Optional Protocol.

18. The report indicated that the Government intended to submit comprehensive legislation on protection against discrimination. She would like an update on the status of that legislation and additional information on its specific provisions with regard to discrimination against women. The information provided by the delegation also said that the report had been adopted by the Government but had not been sent to Parliament. She would recommend that future reports be submitted to Parliament in order to raise the visibility of what the Government was doing to implement the Convention.

19. **Ms. Morvai** sought additional information on the Czech national machinery for the advancement of women. Specifically, she would like to know more about the role, powers and working methods of the Government Council for Equal Opportunities for Women and Men. She wondered, for example, whether the Council's advisory function included mandatory review of draft legislation to ensure that it met gender equality requirements. She would also appreciate information about the Council's budget and staff.

20. The delegation had indicated that the Government cooperated closely with non-governmental

organizations. She wished to know what concrete form that cooperation took. In particular, she wondered whether the Government held regular meetings with NGOs, how it chose the NGOs with which it would work, how resources available from the European Union were allotted to NGOs, whether the Government advised NGOs on how to apply for such funds and whether the Government itself provided any funding for non-governmental organizations.

21. The previous speaker had already asked about training and promotion of the Convention and Optional Protocol for those responsible for applying their provisions. She wondered whether there were any educational efforts directed at those whom the Convention protected. Did the Government or the national machinery have any programmes targeting, for example, women's NGOs and lawyers who provided legal aid to women aimed at raising awareness about the Convention and about the Optional Protocol and the fact that, under the latter, individuals and groups were entitled to submit complaints to the Committee.

22. She understood that the State party did not have statistics on the use of the Convention in actual cases, but she wondered whether the delegation could provide information on jurisprudence relating to gender equality in general in the Czech Republic. Had any cases of sex discrimination been brought before the labour courts, for instance? If so, how many and what had the outcomes been? Similarly, she would like to know how many individuals had been prosecuted under the new domestic violence law, how many had been convicted and what punishments had been imposed.

23. **Ms. Saiga** asked for more information about the Government Council for Human Rights, the Government Council for Equal Opportunities for Women and Men and their subsidiary committees. She requested details of their respective levels of authority, memberships, structures, functions, tasks and resources. How did they liaise with each other, coordinate with the gender focal points mentioned in the introductory statement, and monitor their activities? How often did they meet?

24. **The Chairperson**, speaking as a member of the Committee, asked why the Czech Republic had not yet accepted the amendment to article 20, paragraph 1. She also asked whether the Committee's concluding comments would be examined by Parliament. Since it was Government policy to apply the principle of

gender equality to international cooperation, she wondered whether the Committee's concluding comments with regard to developing countries were systematically taken into account by the Ministry of Foreign Affairs when it decided which projects to assist. How independent were the two Government Councils? For example, could they write shadow reports? Were there any institutionalized anti-discrimination mechanisms at the local and regional government levels, or were there any plans to introduce them? She asked whether the training in gender equality, mainstreaming and indirect discrimination given to Government ministers and officials was continuous and mandatory. How did gender mainstreaming, which had been widely integrated into legislation, work in day-to-day practice? Finally, since some responsibilities for education had been devolved to local or regional governments, she wondered how gender equality in that field was monitored by the national Government.

25. **Mr. Sajda** (Czech Republic) referred to paragraph 12 of his country's periodic report (CEDAW/C/CZE/3) for a full description of the role of the Government Council for Equal Opportunities for Women and Men, an advisory body set up in 2001. With regard to its authority, he said that around 80 per cent of its recommendations to the Government had been accepted. Its 23 members, both male and female, were mostly high-level ministerial officials, but five seats were reserved for representatives of NGOs and women's organizations. The current chairperson was a woman member of Parliament and he was the vice-chairperson. All those interested could attend its public sessions, at which all relevant issues could be discussed and special committees set up to examine them if necessary. The Council had no predetermined budget but all special projects and activities were funded by grants from the Ministry of Labour and Social Affairs. Neither of the Councils was sufficiently independent from the Government to be authorized to draft shadow reports.

26. The Czech Government had fully supported the amendment to article 20, paragraph 1, at the sixty-first session of the General Assembly, but a technical problem was delaying its acceptance.

27. **Ms. Otáhalová** (Czech Republic) said that the Government Council for Human Rights, chaired by the Government Commissioner for Human Rights, was also an advisory body, established by Government

decree, with its own statute and working methods. Like the Government Council for Equal Opportunities for Women and Men, it had no budget of its own. Half of its 20 members were ministerial representatives and the other half were independent experts, mostly from NGOs. The Council secretariat coordinated the activities of its various committees, whose composition was divided along the same lines. The main role of the Government Council for Human Rights and the various subsidiary committees was to monitor the state of human rights in the country and to suggest any improvements that were needed.

28. **Ms. Zdražilová** (Czech Republic) said that the main tasks of the ministerial gender focal points, which met regularly, were devising special action plans on gender equality issues, making them public through the Internet and sending them to the Ministry of Labour and Social Affairs, in order for it to compile a national action plan. The Czech Government cooperated closely with a number of NGOs, sending them all the relevant draft legislation for their comments and supplying them with materials for their training courses, conferences and seminars on gender issues. It also involved them fully in the promotion of gender equality, in particular in the areas of training, human development, employment and the family. By means of grants, it assisted a large number of NGOs that dispensed social services, such as helping the victims of domestic violence and human trafficking.

29. **Mr. Sajda** (Czech Republic) said that gender-related training for all Government ministers and officials and members of Parliament was continuous. Leading experts, sometimes at Government level, could be invited from other countries to give the training; Mr. Šplída, European Commissioner, had also offered his services. At the local and regional levels, no institutionalized gender equality body had been set up, but much was being done through gender budgeting, which could prove more effective.

30. **Mr. Schorm** (Czech Republic) said that the Ministry of Justice had made training in the Convention, its Optional Protocol and other international instruments, together with national legislation on gender issues, mandatory for members of the judiciary and prosecution services. Since demand was low, however, few specialized training courses were available, with preference for more general seminars on subjects such as domestic violence. The same problem of weak demand had also been detected

among Czech lawyers. The information on the Convention and other international instruments published and disseminated by the Ministry of Justice did no more than complement the work done by the Ministry of Labour and Social Affairs, the key Government department for the issue. All such instruments were made public and all those concerned were expected to have full knowledge of them.

31. So far very little legal action had been taken before the courts in relation to gender discrimination; a recent case involving the recruitment of a company manager was currently being heard but proceedings had been delayed. The media were following the case closely and no doubt the public would be kept informed of its outcome, which should raise public awareness of the matter. Despite recognition by the Constitutional Court of the incorporation of the Convention into domestic law, in 1994, the Convention had rarely been invoked in the courts simply because Czech citizens were better acquainted with national and European legislation. He added that men were also bringing cases before the Constitutional Court to contest discriminatory treatment, for instance with regard to retirement age and parental rights.

32. **Mr. Bureš** (Czech Republic) said that the new legislation on domestic violence had included the offence of physical and psychological maltreatment in the same household in the Criminal Code since 2004. Under the legislation, there had been 108 investigations in 2004, 421 in 2005, and 263 in the first half of 2006. In 2004, 41 persons had been convicted, rising to 368 in 2005; one person had been sentenced in 2004, and 134 in 2005. Sentences could range from two to eight years' imprisonment, but he could supply no figures on the length of sentences handed down.

33. In 2003, the Ministry of the Interior had been instructed to inform all municipalities of the Committee's recommendations and to request that they implement them in all their activities. Regular meetings had been held with regional administrative directors, who in turn disseminated information on the Convention to all municipalities.

34. **Ms. Otáhalová** (Czech Republic) said that the proposed anti-discrimination legislation had been rejected by Parliament, but the new Act on Equal Treatment and Protection against Discrimination, extending provisions to cover discrimination on grounds of race, age and disability, would shortly be

brought before it. Moreover, gender equality rights were protected under the provisions of other existing laws.

35. **Mr. Sajda** (Czech Republic) added that the new draft legislation would be brought before Parliament in September 2006.

36. **Ms. Simms** asked for clearer details of the gender focal points. Who were they, what were their status and tasks, what authority did they wield and did their influence vary from one ministry to another? She also asked what special measures, if any, had been adopted to ensure that women enjoyed equal employment opportunities.

37. **The Chairperson**, speaking as a member of the Committee, asked whether the Committee's general recommendations, in particular those relating to temporary special measures, had been translated into the Czech language and disseminated among the population. It was a matter of concern that certain ministries, in particular the Ministry of Justice, viewed such measures as incompatible with the principle of the individual equality of all persons in a democratic society. She pointed out that the European Court of Justice had, in a number of cases, ruled that it was acceptable to give preference in recruitment to equally qualified women in areas where women were underrepresented. She would therefore like to know why the Ministry of Justice was so reluctant to introduce temporary special measures, with specific targets and timetables.

38. She asked whether the Act on Officials of Territorial Self-Governing Units was applicable at the local government level or only at the national level. She also asked whether the Act on Employment, which provided for the possibility of temporary special measures, applied to the private sector as well as the public sector, and, if it did, requested examples of efforts made by the private sector to introduce temporary special measures.

39. **Mr. Sajda** (Czech Republic) said that one person in each ministry was designated as a gender focal point and reported directly to the relevant deputy minister, who had ultimate responsibility for implementation of the document entitled "Government priorities and procedures for promoting equality between men and women". That document established priorities for every ministry, which were to be implemented by all officials, from the bottom to the top levels. To date, the

Ministry of the Interior had made particular progress in that regard. In each ministry, a number of people were involved in supporting the work of the gender focal point.

40. **Mr. Bureš** (Czech Republic) said that the Ministry of the Interior had issued a binding regulation for the whole Ministry and the police, which set out priorities for achieving gender equality and measures for implementation, in areas such as recruitment, training and reporting. The Ministry also produced a detailed annual report on the implementation of those priorities. The topic of women's rights was an integral part of the training of all Ministry officials and police officers. The number of women police officers had increased. One of the five deputy ministers of the interior was a woman, and a number of departmental directors were also women.

41. **Mr. Sajda** (Czech Republic) said that there was no specific domestic law implementing the Convention and the Optional Protocol. However, provisions for the protection of women's rights had long been enshrined in a number of other relevant laws, such as the Criminal Code, the Labour Code and the Civil Code. The Act on Employment applied to both the public and the private sectors, and the media and NGOs kept a close watch on its implementation. There had been several cases of women successfully making complaints of discrimination.

42. **Ms. Coker-Appiah** commended the action taken by the State party to eliminate gender stereotypes but said that, so far, the main focus had been on men's participation in housework and child-rearing. Little had been done to address the issue of inequality in marriage, in the sense that, in a patriarchal society, women were regarded as subordinate to men and as sexual objects for the gratification of men. In such a climate, domestic violence, including sexual violence, was more likely to occur. She would like to know what was being done to address that issue. Noting that the report said that schools were permitted to use textbooks other than those approved by the Ministry of Education, she asked what was being done to ensure that gender stereotypes were eliminated from all textbooks used in both State and private schools.

43. **Ms. Gaspard** said that, according to independent information she had received, gender stereotypes persisted in the Czech Republic: for example, it was almost unheard of for men to help with cooking and

housework. The stereotype of men as breadwinners and providers persisted among the population at large, despite the fact that women made up a significant proportion of the working population. She wondered whether the persistence of stereotypes was a factor in the country's low birth rate. Perhaps it was difficult for women, who were increasingly educated and independent, to reconcile their personal and professional lives. She was concerned that there appeared to be no real strategy for combating stereotypes. Referring to the public information campaign to overcome gender stereotypes, she asked what form the campaign would take and whether researchers and NGOs had been involved in preparing it.

44. **Ms. Tan**, welcoming the steps that had been taken to protect women and girls from domestic violence, said that there should be zero tolerance of such violence at all levels of society and in all age groups. She also welcomed the new act, due to come into effect in January 2007, under which the police would have the power to compel an offender to leave the shared home for a period of 10 days. She noted that the victim could also request the courts to issue such an exclusion order and a restraining order. However, such measures might not be enough to protect the victim. She would like to know whether the police had the power to impose a restraining order at the same time as an exclusion order so as to prevent stalking and harassment of the victim. She also asked whether there were penalties for breach of such orders and, if not, whether the State party would consider introducing them. If the victim needed to apply to the courts for a restraining order, the procedure should be simple and affordable.

45. Noting that one of the grounds for issuing an exclusion order was that evidence of previous attacks indicated that further attacks were likely, she asked whether an offender with no prior record of domestic violence was therefore less likely to be ordered by police to leave the shared home. Another ground for issuing such an order was that an especially serious violation of human dignity was likely to occur. She wished to know what circumstances would constitute an "especially serious violation". Such circumstances should be clearly defined.

46. **Ms. Simms** requested clarification of the distinction drawn between trafficking in women and the commercial sexual exploitation of children. Noting that Russian-speaking and Bulgarian groups had been

identified as the main perpetrators of trafficking in women and organized prostitution, she asked whether those ethnic groups had been specifically targeted by the police, whether there were police officers who spoke the relevant languages and how many arrests had been made. She also wished to know why those ethnic groups were particularly involved in trafficking and prostitution — for example, whether poverty was a factor — and whether they operated mainly within their own groups or were also involved in exploitation of members of the mainstream population.

47. **Mr. Sajda** said that there was a long tradition in the Czech Republic of equality in marriage and that rape within marriage was a criminal offence.

48. **Ms. Švecová** (Czech Republic) said that the elimination of stereotypes was a long-term task. However, on the basis of the Committee's previous recommendations, the Ministry of Education had analysed existing textbooks and prepared guidelines for the approval of new ones. In addition, training was being provided for teachers and other education professionals with a view to combating stereotypes.

49. **Mr. Sajda** (Czech Republic) said that all school textbooks had to be approved by the Ministry of Education and had been revised to reflect the principle of equality of men and women. Men were increasingly helping with domestic chores. In addition, allowances were available from the State budget for either the mother or the father of a child to take primary responsibility for childcare. Responding to a comment made by Ms. Gaspard, he said that the Czech Republic did have a strategy for combating stereotypes in the form of the document on priorities and procedures previously mentioned, which covered every field of human activity.

50. Acknowledging that the demographic situation in his country was one of the worst in Europe, he said that, before the collapse of communism in 1989, most women had had their first child between the ages of 23 and 25. Since then, women had become more independent, and it was now more usual for them to have their first child after the age of 30. However, in 2006, the population was to increase for the first time in 10 years and the increase was forecast to continue over the next four or five years. Research was under way to analyse the social, economic and other factors affecting demographic trends.

51. **Ms. Zdražilová** (Czech Republic), referring to efforts to combat domestic violence, said that a compact disc had been produced, focusing on educating young people about the problem. A countrywide campaign was also being conducted to combat gender stereotypes within the family, through television, radio and billboard advertising. Regrettably, few NGOs had chosen to be involved in that campaign.

52. **Mr. Sajda** (Czech Republic) said that, naturally, there was a policy of zero tolerance of domestic violence, and the provision of comprehensive protection for victims was a top priority. Special intervention centres were available where victims could receive social, legal and psychological assistance. Where necessary, the whereabouts of such centres was concealed from the perpetrator, and protection could also be afforded to witnesses in court cases. The issuing of an exclusion order was not dependent on the perpetrator having a prior record of similar offences.

53. **Mr. Bureš** (Czech Republic) said that, under the new act due to come into force in January 2007, the police could prohibit a perpetrator of domestic violence from entering any area, not just the shared home, where the victim was deemed to need protection. An exclusion order for an initial period of 10 days could be issued by a police officer on the spot. The courts could extend the order for one month and, subsequently, for one year.

54. The new act also addressed the problem of repeated small-scale incidents of domestic violence that were not punishable under the Criminal Code but which might lead to a more serious incident involving grave injury or death. Measures would be put in place to make it easier for police officers to respond to such small-scale incidents. For example, an offender could be placed in preventive custody.

55. A distinction was made between trafficking in persons and the commercial exploitation of children. That was partly because the national strategy to address the latter, recently amended to cover all forms of violence against children, had been drafted in 2000, whereas that on trafficking had been adopted in 2003, and because there was much greater legal provision for the protection of children than for that of adults. One of the key objectives of the strategy on trafficking was to address prostitution, which was not regulated by law, although procurement was a criminal offence.

Special units had been in operation since 1995 to investigate and combat trafficking in persons and other forms of organized crime, and the Government intended to ensure that a greater number of traffickers in persons were convicted and sentenced.

#### *Articles 7 to 9*

56. **Ms. Gaspard** asked whether the proportion of women in the Chamber of Deputies and the Senate had increased, and whether any concrete measures were envisaged to improve their political participation at all levels. The State party should indicate the number of female mayors or chairpersons of regional councils, whether councils and committees at the local, municipal and regional levels contributed to achieving gender balance, and whether political parties set quotas for the number of women on their candidate lists. Figures on the number of women in high-ranking diplomatic posts would also be appreciated.

57. **Ms. Šimonović**, referring to paragraph 119 of the State party report, expressed disappointment at the low level of female representation in the Senate and Chamber of Deputies, and at the apparent failure of the Government to address that situation. Referring to the State party's introductory oral presentation, she asked why the topic of female participation in decision-making and senior positions in both the public and the private sector was so sensitive in the Czech Republic.

58. The State party should indicate the status and likelihood of adoption of the draft bill on elections, given that consideration of the bill had been suspended until parliamentary elections in 2006.

59. **Ms. Morvai** said that, since many women wished to be selected for official or senior positions on the basis of merit rather than simply because they were women, quotas might be perceived as simply ensuring token representation. Given the political will to ensure that women had access to those positions, and the high level of achievement of women in education at all levels, it was surprising that their representation continued to be low in political and public life. In that regard, it would be helpful to know what additional steps were being taken to increase that participation.

60. **Ms. Zou** Xiaoqiao, echoing the concerns expressed by the previous three speakers, said that the next State party report should address the lack of data on women's participation in judicial and legislative work.

61. Regarding ethnic minorities, she asked whether Roma women continued to be excluded from political life and, if so, whether the Government was taking any measures to increase their participation both in politics and in public life in general.

62. Referring to the Act on Officials of Territorial Self-Governing Units, she asked what the major components of that Act were, and what temporary special measures it envisaged.

63. It was troubling that the low level of female participation in politics and public life appeared to be attributable not to a lack of professional experience or qualifications among women, but rather to male domination, sexual stereotypes and discrimination. In that regard, she asked how the Government planned to tackle the persistent unwillingness of society to change its attitudes (CEDAW/C/CZE/1-6, para. 71).

64. **Ms. Simms**, endorsing the comments made by previous speakers regarding the need for temporary special measures, expressed concern that female representation in the Foreign Service and at the international level had not improved. There should be greater efforts to address that problem, and the Ministry of Labour and Social Affairs should use its influence within the Cabinet to promote the necessary change. The next State party report should indicate the number of women appointed to foreign diplomatic posts.

65. **Mr. Sajda** (Czech Republic), responding to comments regarding the lack of significant change in women's political participation and appointment to official positions, recalled that the third report covered only the period up to the end of 2003, and said that the situation had changed in the intervening period. The low number of women working in such positions did not reflect a lack of qualifications among women; indeed, the Czech Republic had a long tradition of university attendance by women, who now accounted for more than 50 per cent of the total number of students.

66. Women accounted for almost 11 per cent of Czech ambassadors; 26 per cent of deputy ministers, councillors and diplomats serving under the Ministry of Foreign Affairs; 16 per cent of Consuls-General; and more than 50 per cent of heads of department within the Ministry of Labour and Social Affairs, where two of the five deputy ministers were also women; the number of female Czech deputies in the European

Parliament had increased to five of a total of 24. The number of female mayors was not yet available, but was expected to be high, and it was hoped that a greater number of women would be elected to the municipalities and to the Senate in September 2006. The Parliament was discussing whether to continue to use quotas or adopt a different system to encourage political participation by women.

67. The participation of women in decision-making processes and in both the public and private sector was a highly sensitive topic among the general public, whose feelings must be taken into account in order to ensure the success of gender mainstreaming and the promotion of equal opportunities, given that efforts towards those ends were complicated by deeply rooted stereotypes that were not easy to eliminate. A gradual approach was considered best suited to the particular situation of the Czech Republic, raising public awareness of gender issues as a whole in order to convey the message of gender equality and equal opportunities. Quotas formed only part of the solution to women's participation in political and public life; a comprehensive strategy was needed.

68. **Mr. Bureš** (Czech Republic) said that the draft election bill, rather than establishing quotas, offered financial incentives to encourage political parties to increase the number of their female candidates. The explanatory memorandum to the draft bill referred directly to the Convention and to the Committee's general recommendations. While that provision had been welcomed across the political spectrum, there had been disagreement among political parties with respect to other parts of the bill, thus delaying its adoption. However, it was hoped that a revised document would go forward during the forthcoming election period.

69. The Act on Officials of Territorial Self-Governing Units, which referred to municipalities and regions, provided for measures to maintain or create gender balance with respect to procedures for selection and appointment to senior or management positions.

70. **The Chairperson**, speaking as a member of the Committee, requested clarification as to whether the draft election bill referred specifically to the Committee's general recommendation No. 25.

71. **Mr. Bureš** (Czech Republic) said that the bill referred to the Committee's recommendations that related to equal participation of women in public life and political decision-making.

72. **Ms. Zdražilová** (Czech Republic) said that temporary special measures to ensure equal representation and remuneration in employment were provided for under several Czech laws, including the Labour Code and the Act on Official Territorial Self-Governing Units, and also under the national action plan on gender equality, which was aimed at providing active support for the selection of suitable female candidates for positions in Government bodies and senior positions in ministries and their subordinate administrative authorities and institutions, and at evaluating the measures adopted to achieve balanced representation of women and men in such positions.

73. **Ms. Otáhalová** (Czech Republic), referring to the low representation of Roma women in politics, said that that issue was being addressed as part of the Decade of Roma Inclusion, 2005-2015, within the framework of which Roma women were being offered training and preparation for political careers through various seminars and activities.

74. **Mr. Sajda** (Czech Republic) said that women from ethnic groups, including Roma women, were not excluded from political life, but were simply not participating. It was therefore necessary to find a way to encourage them to do so.

*The meeting rose at 1 p.m.*