
**Committee on the Elimination of
Discrimination against Women**

Exceptional session

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**Concluding comments of the Committee on the Elimination of
Discrimination against Women: Czech Republic**

70. The Committee considered the second periodic report of the Czech Republic (CEDAW/C/CZE/2) at its 573rd and 574th meetings, on 8 August 2002 (see CEDAW/C/SR.573 and 574).

(a) Introduction by the State party

71. In introducing the second periodic report, the representative of the Czech Republic stated that his country was in a period of economic and social transformation, but that significant progress had been made during the last four years in areas covered by the Convention. Emphasis had been placed on the creation and enhancement of legal and institutional frameworks for the application of human rights and the achievement of equality between women and men.

72. The Ministry of Labour and Social Affairs had been made responsible for the coordination of government policy relating to women and had developed a National Action Plan for the Advancement of Equality between Men and Women in 1998. The Plan was based on the concluding comments adopted by the Committee on the Elimination of Discrimination against Women on the previous report submitted to it by the Czech Republic. The Plan formed the basis for government priorities and procedures in achieving equality between men and women and was reviewed and updated annually. All ministries were required to develop, by the end of 2001, similar departmental priorities and procedures and to set up gender focal points. In March 2002, the Government adopted a National Plan for Employment, which included policy measures on equal opportunity in employment.

73. In relation to the protection of women's human rights, the Government had, in 1998, established an advisory Human Rights Council, with a working committee on the elimination of all forms of discrimination against women with membership drawn from both government officials and non-governmental organizations (NGOs). In 2000, the Office of the Public Human Rights Protector had been established, and in 2001 an advisory Government Council for Equal Opportunities for Women and Men had been created. The aim of the Council was the enhancement of institutional support for gender mainstreaming and gender equality. In 2002 and 2003, the Ministry of Labour and Social Affairs would be undertaking a project to evaluate and remodel existing institutional mechanisms for the advancement of gender equality.

74. The representative indicated that the general elections of June 2002 provided an opportunity for the advancement of women's representation in political life, with women gaining 17 per cent of parliamentary seats — four more seats than in the preceding period — and two ministerial positions. While women headed a number of other national institutions, such as the Supreme Court, the National Prosecutor's Office, the National Statistics Bureau, the National Nuclear Safety

Bureau and the National Academy of Science, there was still insufficient representation of women at decision-making levels.

75. A number of improvements had been made in the national legal system with regard to women's rights. In May 2001, the Optional Protocol to the Convention had entered into force for the Czech Republic. The principle of gender equality had been introduced into the legal system through the revision of acts including the Employment Act, the Labour Code and the Wages and Salaries Acts. The position of plaintiffs in court proceedings relating to gender-based discrimination had been improved with the revision of the Civil Court Proceedings Act, which shifted the burden of proof from plaintiff to defendant. In response to the Committee's concern that Czech legislation did not include a definition of discrimination, identified in its concluding comments on the previous report, a general act on protection against discrimination had been drafted and would be submitted to the Government by the end of 2002.

76. The representative stated that one of the main challenges to fulfilling the obligations under the Convention was the low level of public awareness on gender equality issues and indicated that the Government recognized that education and awareness campaigns should be the first step in implementing gender-based policies and affirmative action. In April 2001, the Government had agreed to incorporate, where appropriate, positive (affirmative) measures in relevant draft legislation.

77. With regard to violence against women, the suppression of trafficking in women was of great importance to the Government since the Czech Republic had become a country of origin, transit and, more recently, of destination of victims. The efforts of women's NGOs and a public awareness campaign launched in 2001 highlighted the issue of domestic violence. In April 2001, an inter-ministerial working group had been set up to create interdisciplinary teams allowing for health care, social, legal and police cooperation in detecting and prosecuting cases of violence against women. The Government was preparing a new Penal Code in which domestic violence would be specifically addressed.

78. The representative noted that, while the Czech Republic had a high rate of employment among women, the stereotyped view of gender roles which persisted in society resulted in a double burden being placed on women in terms of their working and family lives. Particular importance was therefore being given to promoting legislative measures and changes in public opinion towards more active involvement of men in family life. To that end, the Government planned to support various measures focused on reconciliation of family and employment responsibilities which would assist in the promotion of equality of women and men in employment, politics and society.

79. In concluding, the representative emphasized the key role of international cooperation in formulating and advancing national policy in the area of gender equality and acknowledged the assistance the Czech Republic derived from such cooperation in identifying and formulating its policies in that area.

(b) Concluding comments of the Committee

80. The Committee expresses appreciation to the State party for submitting its second periodic report, which follows the Committee's guidelines for the preparation of periodic reports. It commends the State party for the written replies to the issues raised by the pre-session working group and its oral

presentation, which provided additional information on the current situation of the implementation of the Convention in the Czech Republic.

81. The Committee commends the State party on its delegation, which was headed by the Deputy Minister of Labour and Social Affairs and included officials from various branches of the Government.

Positive aspects

82. The Committee commends the efforts by the State party to implement the Convention. It welcomes the range of legislative reforms, policies, plans and assessment analyses, including the revisions to the Employment Act, the Labour Code, the Civil Procedure Code and the Criminal Procedure Code, and the Priorities and Proceedings of the Government in the Enforcement of the Equality between Men and Women, to eliminate discrimination against women. It welcomes the efforts at strengthening gender mainstreaming, and those undertaken to elaborate a draft general act on the protection against discrimination, including the introduction of temporary special measures in accordance with article 4, paragraph 1, of the Convention, which are also to be considered in all other draft legal regulations, where appropriate.

83. The Committee welcomes the progressive development of the national machinery for the advancement of women and gender equality. It welcomes the establishment of mechanisms, including the Government Human Rights Council and the Office of the Public Human Rights Protector, for monitoring the promotion and protection of human rights, including the human rights of women.

84. The Committee commends the State party's collaboration with and recognition of the important role of non-governmental organizations working on women's issues.

85. The Committee notes with satisfaction the high level of women's educational achievement and the reduction in maternal and infant mortality rates.

86. The Committee commends the State party for having ratified the Optional Protocol to the Convention.

Principal areas of concern and recommendations

87. The Committee is concerned that women have seldom used laws to challenge acts of discrimination and that there is a lack of court decisions in which women have obtained redress for such acts. The Committee is also concerned that there is still a lack of familiarity with both the Convention itself and the opportunities for its application and enforcement, as well as with legislative reforms aimed at eliminating discrimination against women, including among the judiciary, law enforcement personnel and women themselves.

88. The Committee urges the State party to ensure that Czech law provides adequate and accessible enforcement procedures and legal remedies for violations of women's rights. The Committee recommends the strengthening of education and training programmes in particular for judges, lawyers and law enforcement personnel on the Convention and on the legislative reforms aimed at eliminating discrimination against women. It urges the State party to ensure that Czech law provides adequate enforcement procedures and legal remedies for violation of women's rights. It recommends that awareness-raising campaigns targeted at women be undertaken so that women can avail themselves of procedures and remedies for violations of the

rights under the Convention. The Committee invites the State party to provide, in its next report, information about complaints filed in courts based on the Convention, as well as any court decisions that refer to the Convention. It encourages the State party to further reflect, within the framework of the intended legislation on discrimination, on the establishment of quasi-judicial mechanisms.

89. While recognizing the efforts of the State party to strengthen the national machinery for the advancement of women, the Committee remains concerned that the existing national machinery does not have sufficient power, visibility or financial and human resources to effectively promote the advancement of women and gender equality.

90. The Committee recommends that the State party strengthen the existing national machinery in order to make it more effective by providing it with adequate power, visibility and human and financial resources at all levels and enhancing coordination among the existing mechanisms for the advancement of women and the promotion of gender equality. It also recommends the strengthening of the State party's gender mainstreaming efforts, and encourages, within the framework of the State party's efforts at decentralization, the establishment of regional and local equal opportunities machinery.

91. While recognizing that the number of women in the Chamber of Deputies has increased and that there are currently two women ministers in the Government, the Committee is concerned about the low representation of women in high-level elected and appointed bodies, including Parliament, and as high-ranking officials within the executive bodies, the judiciary, the civil and diplomatic services and international organizations.

92. The Committee urges the State party to take measures, including improvements in the election law, to increase the representation of women in elected and appointed bodies through, inter alia, the implementation of temporary special measures, in accordance with article 4, paragraph 1, of the Convention, in order to realize women's right to participation in all areas of public life and, particularly, at high levels of decision-making. The Committee recommends that the State party increase its efforts in offering or supporting training programmes for current and future women leaders and carry out awareness-raising campaigns regarding the importance of women's participation in political decision-making. The Committee also recommends that, parallel to efforts at the local level, efforts at promoting gender balance in the public sector at the national level be introduced.

93. While recognizing current legal and other efforts by the State party to address violence against women, the Committee is concerned about the persisting prevalence of violence against women and girls, including domestic violence. It is particularly concerned that domestic violence deprives women of their personal security and their access to safe accommodation.

94. In the light of its general recommendation 19, the Committee urges the State party to place high priority on the introduction of comprehensive and holistic measures to address violence against women in the family and in society. The Committee calls upon the State party to ensure that such violence is prosecuted and punished with the required seriousness and speed, and that women victims of violence have immediate means of redress and protection, including protection orders. The Committee requests the State

party to enact legislation on domestic violence. It recommends that measures be taken to provide shelters for women victims of violence in sufficient numbers and to ensure that public officials, especially law enforcement officials, the judiciary, health-care providers and social workers, are fully sensitized to all forms of violence against women. The Committee invites the State party to undertake awareness-raising measures through the media and public education programmes, including a campaign of zero tolerance, to make such violence socially and morally unacceptable.

95. The Committee is concerned that the current attitudes towards incest, as expressed, inter alia, in the light penalties for this crime, as well as the penalties for rape, give an impression to the community that these infringements of human rights are not serious crimes. The Committee is concerned that the definition of the crime of rape is based on the use of force, rather than lack of consent and that rape within marriage is not currently considered a specific crime.

96. The Committee urges the State party to review and strengthen the penalties for the crimes of incest and rape in order to emphasize that these crimes are serious violations of women's human rights. The Committee urges the State party to define the crime of rape as sexual intercourse without consent and to explicitly address the crime of rape within marriage.

97. Recognizing the efforts made by the State party to address the issue of trafficking in women and girls, the Committee remains concerned about the prevalence of this problem. The Committee is concerned about reports that the Czech Republic has become a country of origin, transit and destination of trafficked women and girls. It notes with concern that there is still not enough information on the subject.

98. The Committee urges the State party to continue its efforts to combat trafficking in women and girls and requests the State party to include in its next report comprehensive information and data on the issue and on progress made in this area. It recommends the formulation of a comprehensive strategy to combat trafficking in women and girls, including within the territory of the State party, which should include the prosecution and punishment of offenders and increased international regional and bilateral cooperation with other countries of origin, transit and destination of trafficked women and girls. It recommends the introduction of measures aimed at improving the economic situation of women so as to eliminate their vulnerability to traffickers, education initiatives for vulnerable groups, including teenage girls, and social support, rehabilitation and reintegration measures for women and girls who have been victims of trafficking. It calls on the Government to ensure that trafficked women and girls have the support they need so that they can provide testimony against their traffickers. It urges that training of border police and law enforcement officials provide them with the requisite skills to recognize victims of trafficking and to provide them with support.

99. While welcoming the high labour force participation rate of women and the legislative reforms in the area of employment, including the amendments to the Employment Act, the Labour Code, the Act on Wages and the Act on Salaries, the Committee expresses concern about the situation of women in the labour market, including women's high unemployment rate as compared with that of men and the strong vertical and horizontal segregation and wage differentials between women and men. The Committee is concerned at the lack of enforcement

mechanisms and thus at the lack of de facto enforcement of the equal opportunity standards which have been introduced by law.

100. The Committee urges the State party to ensure de facto equal opportunities for women and men in the labour market through, inter alia, use of temporary special measures in accordance with article 4, paragraph 1, of the Convention. The Committee recommends that efforts be made to eliminate occupational segregation, horizontal and vertical, through, inter alia, education, training and retraining and enforcement mechanisms. It also recommends wage increases in female-dominated sectors of public employment to close the wage gap between these and male-dominated sectors. The Committee recommends that measures allowing for the reconciliation between family and professional responsibilities be strengthened and that the equal sharing of domestic and family tasks between women and men be promoted. The Committee requests the State party to provide information in its next report on the implementation of the legislative reforms in the area of employment and the impact of such reforms, including an analysis of the efforts of the relevant monitoring bodies.

101. The Committee is concerned about the status of women's health, especially their reproductive health. While recognizing the 60 per cent decrease in abortion since 1994 and the progressive increase in the use of intrauterine and hormonal contraceptives, the Committee is concerned that the current abortion rate may suggest that abortion is still being used as a means of birth control. It is also concerned that voluntary sterilization for women is permitted solely for health reasons. The Committee is concerned about the rate of consumption among women of prescribed sedative and barbiturate drugs.

102. The Committee draws attention to its general recommendation No. 24 on women and health and recommends the collection of data disaggregated by sex as well as comprehensive research into the specific health needs of women, including their reproductive health, the full implementation of a life-cycle approach to women's health, the financial and organizational strengthening of family planning programmes, the provision of wide access to safe and affordable contraceptives for all women and men, and the lifting of the restrictions on voluntary sterilization. The Committee urges the State party to reinforce programmes of sexual and reproductive education for both girls and boys. The Committee calls on the State party to encourage responsible sexual behaviour and further discourage abortion as a means of birth control. The Committee requests more information on the prevalence of, and measures taken against, abuse of sedative and barbiturate drugs among women and on the mental health situation of women.

103. The Committee is concerned about the persistence of traditional stereotypes regarding the role and tasks of women and men in the family and in society at large.

104. The Committee urges the State party to design and implement comprehensive programmes in the educational system and to encourage the mass media to promote cultural changes with regard to the roles and responsibilities attributed to women and men, as required by article 5 of the Convention. It recommends that policies be developed and programmes implemented to ensure the eradication of traditional sex role stereotypes in the family, in employment, in politics and in society.

105. The Committee expresses concern about the lack of information in the report on Roma women.

106. The Committee requests the State party to provide, in its next report, information on the situation of Roma women as compared with non-Roma women and Roma men, especially as regards their health, educational and employment status.

107. The Committee expresses concern about the lack of information in the report on older women.

108. The Committee requests the State party to provide, in its next report, information on the situation of older women as compared with older men, especially as regards their health, educational and employment status, including social security benefits.

109. The Committee urges the State party to accept the amendment to article 20, paragraph 1, of the Convention, concerning the meeting time of the Committee.

110. Taking account of the gender dimension of declarations, programmes and platforms for action adopted by relevant United Nations conferences, summits and special sessions (such as the special session of the General Assembly to review and appraise the implementation of the Programme of Action of the International Conference on Population and Development (the twenty-first special session), the special session on children (the twenty-seventh special session), the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance and the Second World Assembly on Ageing), the Committee requests the State party to include information on the implementation of aspects of these documents relating to relevant articles of the Convention in its next periodic report.

111. The Committee requests the State party to respond to the concerns expressed in the present concluding comments in its next periodic report to be submitted under article 18 of the Convention. It also requests that the report address the general recommendations of the Committee and provide information on the impact of legislation, policies and programmes to implement the Convention.

112. The Committee requests the wide dissemination in the Czech Republic of the present concluding comments in order to make the people of the Czech Republic, in particular government administrators and politicians, aware of the steps that have been taken to ensure the de jure and de facto equality of women and the further steps required in this regard. It also requests the State party to continue to disseminate widely, in particular to women's and human rights organizations, the Convention, its Optional Protocol, the Committee's general recommendations and the Beijing Declaration and Platform for Action, as well as the results of the twenty-third special session of the General Assembly, entitled "Women 2000: gender equality, development and peace for the twenty-first century".