

Statement by the Head of the Delegation of the Czech Republic

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**36th session of the Committee on Elimination
of Discrimination against Women**

Third Periodic Report of the Czech Republic

**New York
17 August 2006**

Madame Chair, distinguished Committee Members, Ladies and Gentlemen,

On behalf of the Czech Government I would like to thank the Committee for reviewing our Third country report and our responses to the pre-session list of issues.

First of all, allow me to express my pleasure that the Czech Republic has been given the opportunity to present its efforts in fulfilment of its international human rights obligations with respect to elimination of all forms of discrimination against women and of achieving true equality for men and women to this 36th session of the Committee on the Elimination of Discrimination against Women.

Almost two years have already passed since the submission of the Third periodic report of the Czech Republic on fulfilment of the Convention on the Elimination of All Forms of Discrimination against Women. With regard to this fact, I would like to focus my speech on the key legislative and other changes that have occurred in respective areas of the protection of women's rights during this period. At the same time, however, allow me to use this opportunity to outline the activities in progress and our plans for the future.

The status of women in society and fulfilment of international legal obligations with respect to human rights in general and women's rights in particular continues to be one of the leading priorities of the Czech Government policy. Achievement of full equality of men and women has been significantly enhanced by the signature of the Convention on the Elimination of All Forms of Discrimination against Women and by adoption of the Optional Protocol to the Convention. By signing the Convention, the Czech Republic has affirmed itself as a follower of the treasured values of democracy, freedom and human rights. At the same time, it recognized the achievement of truly equal treatment of men and women as one of the objectives and fundamental principles of human rights. In addition to this UN Convention, the Czech Republic has been committed also to numerous international obligations, such as conventions of the International Labour Organisation, European Social Charter and both UN human rights pacts. Further key political obligations of the Czech Republic reflect conclusions of the Fourth World Conference on Women, held in 1995 in Beijing, revised conclusions of the 23rd special session of the UN General Assembly, held in June 2000 in New York, informally known as Beijing +5, conclusions adopted at the ceremonial 49th Session of the Commission on the Status of Women in March 2005 in New York, known as Beijing +10. In addition to the above-mentioned obligations, the Czech Republic developed both legislative and actual prerequisites of implementation of the equal opportunities policy based on the core European principles of equal treatment of women and men, initially as a part of the EU accession process and then already as an EU Member State.

As the submitted report states, since 1998, the Czech Ministry of Labour and Social Affairs has been tasked with coordination of the government policy related to the status of women in society. The Government has concurrently authorised the Ministry to draw up a national action plan, representing a conceptual basis for the government policy in this area. The strategy has been incorporated into the Government paper called "Priorities and Procedures of the Government in promoting Equality of Women and Men". The document was adopted by the Czech Government in 1998 and since then it has been updated on an annual basis. From the very beginning, the national action plan has been drawn up in accordance with the Beijing Platform for Action and conclusions of the CEDAW ensuing from discussions of the initial report on fulfilment of the Convention in the Czech Republic. The Czech Government performs annual assessments of progress in fulfilment

of the national action plan measures. Based on the assessment, the action plan is updated, taking account of latest developments -the most recent update being the Government Resolution from May this year. No. 509 of 10 May 2006.

The national action plan for promotion of equality of women and men in the Czech Republic has focused on seven areas of the Beijing Platform for Action:

- To promote the principle of equality of women and men as part of the Government policy,
- To provide for legal guarantees of equality of women and men and for raising the legal awareness level,
- To guarantee equal opportunities for women and men in access to economic activities,
- To equalise the social status of women and men taking care of children and dependent family members,
- To ensure consideration for women with regard to their reproductive function and physiological differences,
- To combat violence against women, and
- To monitor and evaluate the effectiveness of application of the principle of equal status for women and men.

With reference to fulfilment of the objectives adopted by the Beijing Platform for Action, two new measures have been included in the action plan for 2006:

1. To prepare analysis of relevant aspects of migration and integration policies with regard to equality of women and men aiming at identification of inequalities and problems. To maintain records of illegal migration and residency of foreign nationals in the Czech Republic territory taking into account the gender perspective; and
2. To honour the principle of equality of women and men when setting up policy strategies and projects of development cooperation across all institutional structures and at all levels of the decision-making process.

As a member of the international community of democratic and economically developed countries and of the European Union, the Czech Republic respects the principle of mutual solidarity between people and countries and accepts its share of responsibility in resolution of global issues. This attitude is reflected for example in the area of international development cooperation, which forms an integral part of the Czech foreign policy, and which must contribute to the fulfilment of principles of gender mainstreaming.

For several years, contributions to promotion of equality of women and men in the Czech society have been made by Gender Equality Unit on MoLSA Ministry of Labour and Social Affairs, officials of various ministries responsible for the agenda of equality of women and men (so called gender focal points), by the Ombudsman and by two advisory bodies of the Government – the Government Council for Human Rights and Government Council for Equal Opportunities for Women and Men. The Ombudsman acts as a protector of individuals against actions of public authorities and other institutions, whose actions are contradictory to law, incompliant with the democratic principles of the state of law and good

governance. The Government Council for Equal Opportunities for Women and Men and Government Council for Human Rights operate as advisory bodies to the Government in systemic and conceptual issues. One of the committees set up within the Government Council for Human Rights is the Committee for the Elimination of All Forms of Discrimination against Women. The Czech Government closely cooperates with most of the leading NGOs involved in equal opportunities for women and men.

In this context I would like to mention the fact that the Czech Republic has been aware of the importance of existence of both national and international institutions serving the ends of equality of women and men. Therefore, we have formally declared our interest in becoming the country of residence for a newly forming European Union institution for equal status of women and men – the European Institute for Gender Equality – that would have its seat in Prague. The Czech Republic expects that the institution would assist more efficient promotion of equal status of women both within and outside the European Union.

An important initiative focusing on enhanced institutional backing to the equal opportunities policy was a project of the Ministry of Labour and Social Affairs implemented in 2002 and 2003 under the EU PHARE programme. The main objective of the project consisted in setting up a basis for transformation and improvement of the institutional structure with respect to issues of equality of women and men both on the nation-wide and local levels. Its findings concluded that the institutional structures in place were more or less adequate and therefore the short- and long-term recommendations aimed at equipping the existent institutions with improved stability and clear political support.

Thinking of examples of already implemented recommendations identified by the project, I would like to mention the following measures: As from 2004, all papers with relevance to natural persons that are submitted to the Government must include an impact analysis with respect to equality of women and men, as well as statistics divided by sex, and explanations of any potential differences identified. In 2004, the Ministry of finance together with the Ministry of Labour and Social Affairs and in co-operation with NGOs developed a methodology for gender budgeting. An extensive information campaign was subsequently run on that issue, with a focus on municipalities and regions, as well as general public. In addition, the Government tasked all its members to undergo, together with senior officials of their ministries, training courses on equal opportunities for women and men.

In May 2006, a project was launched in the Czech Republic, implemented under the Transition Facility programme of the European Union. Its key purpose is to encourage the social partners across the Czech Republic – associations of employers and trade unions – to promote the equality of women and men. By that, the Czech Government intends to support employers in wide-spread introduction of equal treatment of women and men in the workplace in a pre-meditated and systemic manner and to offer them training and information on good practice of equal treatment from other countries. Moreover as an integral part of another project an information campaign on the importance of equality of women and men and its benefits for society will be organized in order to increase the sensitivity of journalists and media to the issues of equality of women and men.

Madame Chair, distinguished Committee Members, Ladies and Gentlemen,

Allow me to inform you on the most important changes in the Czech legal system that have been adopted since the delivery of the Third periodic report of the Czech Republic on fulfilment of the Convention on the Elimination of All Forms of Discrimination against Women. The changes have served the aims of fulfilling the Convention, as well as meeting the obligations ensuing from the legal provisions of the European Communities. These changes have been affecting in particular the labour law and criminal law areas.

With respect to the labour law, a new Act on Employment was adopted in 2004. The Act has laid down legal relations related to implementation of government employment policy and access to employment. Such relations precede entering into an employment contract. The Act prohibits the parties of these relations to commit both direct and indirect discrimination on multiple grounds, including any discrimination based on gender. Discrimination is deemed to include any conduct inciting, instigating or invoking any pressure leading to discrimination. In addition to the ban on discrimination, the Act also allows for adoption of various types of positive steps in support of disadvantaged population groups, *inter alia* in support of (achieving) equal treatment of women and men.

The first Labour Code, adopted in 1965, already included general provisions on equal treatment. Since 2001, the Code includes an explicit prohibition of discrimination on gender grounds. Earlier this year, a new Labour Code was adopted that has retained and further specified the ban on discrimination.

Discrimination has been forbidden also by the acts newly laying down service relations of members of security forces and service relations of civil servants in administrative authorities.

Based on a new Act on Labour Inspection of 2005, reorganisation of surveillance over breaches of labour law provisions was performed in order to increase its efficiency. Until adoption of the Act, an inspection role rested solely with the labour offices that checked up on discrimination of both job seekers and employees. As from 1 July 2005, certain amount of inspection powers were assigned to labour inspectorates. As far as discrimination on the labour market is concerned, labour offices have retained their inspection powers towards employers with respect to hiring employees, which specifically include, for example, discriminatory advertisements, discriminatory questions during a job interview or turning down of candidates for discriminatory reasons. All other issues occurring already during employment have been devolved to labour inspectorates. These include checking up on equal remuneration, equal treatment in selection of employees for promotion to more senior positions, equal access of women and men to vocational training, and equal working conditions for women and men.

The principle of equality of women and men and the ban on discrimination based on multiple reasons, including the gender grounds, with respect of access to primary, secondary and tertiary education, have been incorporated into a new Education Act that entered into force on January 1, 2005. The Education Act includes special provisions on education of ethnic minorities, religious education, education of pupils with special educational needs, as well as of exceptionally gifted pupils.

In the criminal law area, there have been important changes concerning domestic violence and trafficking in human beings. Until 2004, domestic violence was subject to the same penalties as many of general criminal offences (such as assault and battery, blackmailing, rape, homicide etc.). In 2004, a new criminal offence was included into

the Criminal Code, specifically penalizing domestic violence. This offence is defined as battering (whether physical or psychological) aimed at persons dwelling in the same flat or house with the abuser.

An important element of the legal framework providing protection to persons against domestic violence is represented by a new act adopted at the beginning of 2006, which has been further detailing the legal provisions of 2004. The act has introduced an institute of banishing the offender from the common dwelling by the Police for 10 days, as well as checking on compliance with the obligations imposed on the aggressor upon banishment and subsequent care for the person at risk by an intervention centre. The care of the intervention centre, the place of which is often concealed from the offender, consists of psychological, social and legal assistance. It also includes assistance to the person at risk in approaching the court with a request for an emergency ruling. Based on the emergency ruling, the aggressor would be forced to leave the flat or house and its immediate neighbourhood and to abstain from returning throughout the determined period of time. The act is coming into force as from 1 January 2007.

Penal provisions on trafficking in human beings have been significantly modified by two fundamental amendments to the Criminal Code. Based on the first amended version adopted in 2002, the body of the criminal offence of trafficking of women was changed to trafficking in human beings for sexual intercourse purposes. The second amended version of the Criminal Code of 2004 introduced a new body of crime - trafficking in human beings. This new body of crime is more extensive in several directions than its precursors. First, it covers both trafficking in human beings for sexual intercourse purposes as well as for other purposes. Second, the new definition includes not only cross-border trafficking but also trafficking in human beings within a country. At the same time, the amended Criminal Code has newly put the criminal offence of trafficking in human beings on the list of the most serious crimes, which for example enables the investigative and prosecuting bodies to use certain special investigative procedures. In accordance with the definition of the Palermo Protocol, the Czech Criminal Code has drawn a distinction between trafficking in children and trafficking in adults. Following the CEDAW recommendation of 2002, the Government also adopted the National Strategy of the fight against Trafficking in Human Beings.

Madame Chair, distinguished Committee Members, Ladies and Gentlemen,

The progress achieved by the Czech Republic in reinforcing the legal framework for equality of women and men has significantly reduced factual barriers limiting promotion of the principle of equal treatment of women and men in practice. Gender stereotypes in our society are being gradually eliminated, in particular among the young generation. The Government policy objectives have therefore consisted in raising general awareness of the substance and contents of the principle of equal status of women and men, with a special emphasis on promoting gender sensitivity of civil servants responsible for creation of individual policies. Efficient application of gender mainstreaming represents a fundamental tool for achieving these objectives. That means that conceptual, decision-making and evaluation processes at all stages of their preparation and performance should always be subjected to the perspective of equal opportunities for women and men. Gender mainstreaming has contributed to increased visibility of the gender equality issues, thus helping to identify gender differences and to take them into account in further actions.

In order to disseminate information on gender equality issues and to promote the principle in practice, the Government has decided to carry out public information

campaigns, thematically focused on the issues of domestic violence and gender stereotypes. Since October 2003, the Ministry of Labour and Social Affairs has been running a public information campaign on the unacceptability of domestic violence, with a special emphasis on the prevention among young people within the age group between 15 and 25 years of age. Through the campaign, young people should learn about basic facts on domestic violence and also learn to recognise signs of such violence at early stages of a relationship. They should be also advised that a relationship in which either of the partners inclines towards committing domestic violence should be preferably terminated as soon as possible. An educative computer game has been developed for the campaign, teaching the young people how to act and respond in a relationship and how to recognise the line of difference between the “still normal” conduct and domestic violence.

This year, a public information campaign will be organised by the Government, focused on overcoming gender stereotypes, most importantly in employment, families and public administration. It will be implemented by the Ministry of Labour and Social Affairs in cooperation with the Government plenipotentiary for human rights. In the employment area the campaign will be targeted on access of women to senior positions. In the family area, it will focus on the balanced roles of women and men in a family. Finally, in the public administration area, the campaign will promote participation of women in decision-making and management. The campaign is intended as a long running and should support an ongoing public discussion. It should strongly and clearly state the need to eliminate gender stereotypes and to highlight the benefits of genuine application of equal opportunities for women and men for the society.

Furthermore, as a Member State of the European Union, the Czech Republic has been participating in implementation of Europe-wide activities. In 2007, the Czech Republic will be involved in putting into practice a European initiative towards a just and solidarity-based society – the European Year of Equal Opportunities for All. The European Year of Equal Opportunities will be a follow-up to similar programmes implemented within the European Union in the past, such as the European Year against Racism in 1997 or the European Year of Disabled People in 2003. These activities have proven themselves as efficient tools of highlighting certain themes of the European policy. The upcoming programme will focus on training and educational activities promoting equal opportunities, including equal opportunities for women and men, both on the EU and national levels. The European Year of Equal Opportunities should also draw attention to issues of multiple discrimination based on a combination of reasons, such as gender and ethnicity, or gender and disability.

The Czech Government is aware of possible existence of multiple discrimination of Roma women who may be exposed to double discrimination as women and concurrently on the grounds of their ethnic origin. This issue forms one of the universal themes of the Decade of Roma Inclusion 2005-2015, an international initiative of which the Czech Republic is a participant. Various activities in support of Roma women are implemented under the initiative, such as training events for Roma women or cooperation with the NGOs that have been implementing projects focused on gender mainstreaming and Roma women. Furthermore, an extensive project dealing with this issue has been in progress under the European Social Fund.

Madame Chair, distinguished Committee Members, Ladies and Gentlemen,

I believe that the above-mentioned activities undertaken by the Czech Government will contribute to the resolution of issues related to implementation of gender equality.

The Czech Republic, through the Ministry of Labour and Social Affairs as a coordinator of the agenda of the status of women in society, has been making efforts, *inter alia*, to reduce differences in remuneration of women and men and to enhance the involvement of women in decision-making processes. Allow me to present several facts about the current situation in the Czech Republic in this area:

As regards differences in remuneration of employees, the current average income of women is lower by approximately 25 per cent compared to that of men. The Czech Republic has been striving to equalise the remuneration levels of women and men. The key reason of the current situation should be seen in the horizontal and vertical segregation of jobs. A low participation of women in the decision-making processes, for example, is illustrated by the fact that only 12.3 per cent of women are represented in the Senate of the Czech Parliament, and 15.5 per cent in the newly elected Chamber of Deputies. Higher representation levels of women (22.7 per cent) may be found in local governments. In general, the share of women is decreasing with increasing seniority of position, both in the public and private sector. Introduction of positive actions is being subject to intensive open public debate, respecting the sensitivity of the topic.

The employment rate of women in the Czech Republic is high compared to other countries, including EU Member States. Women represent 44 per cent of the economically active population in the Czech Republic. Their economic activity is impacted primarily by their maternity - envisaged or actual. Lower economic activity levels are found in fertile-age women in comparison with men of the same age group. As a result of a later retirement age, the rate of economic activity of women aged over fifty has increased over the recent years. According to the ILO methodology, the unemployment rate in the Czech Republic is below the European Union average (8.5 per cent) and it amounted to 7.8 per cent as of 31 December 2005. On the same date, the unemployment rate of women in the Czech Republic totalled to 9.8 per cent, while the male unemployment rate was 6.2 per cent. Improvement of the situation should be brought about by consistent enforcement of the policy of generating equal opportunities for men and women; by application of the principle of equal treatment of men and women; and, by creation of favourable conditions for harmonization of professional and family life.

I am pleased to note that the Czech Republic has a long tradition in helping families with the care of pre-school children. Therefore there is wide network of kindergartens available for three- to six-year-old children. The facilities operate on a daylong basis and are affordable for the whole society in general. Their final, pre-school class is free of charge. Practically all children in the Czech Republic attend kindergartens – in the school year 2004/2005 for example, the attendance rates were 93.4 per cent of four-year-old children and 94.1 per cent of five-year-olds. On the average, 25 per cent of children admitted to kindergartens are aged below three. Let me further note on the issue of harmonizing professional and family life that in the Czech Republic one of the parents is entitled to the following:

- Maternity cash assistance which amounts to 70 per cent of the person's salary. It shall be provided over the period of the maternity leave that is over the period of maximum of 28 weeks. Once 6 weeks have elapsed since the childbirth, the cash assistance may

be paid either to the father or mother of the child, depending on which of them stays at home to care for the baby.

- Parental benefit, entitlement to which arises for the parent who cares for a child up to the age of four. The current level of the benefit is approximately CZK 3,700 per month. For your comparison, the minimum monthly wage in the Czech Republic is slightly below CZK 8,000 before tax. The Government has decided to more than double the parental benefit bringing it to the approximate level of CZK 7,600 per month as from 1 January 2007. For your comparison, the average retirement pension in the Czech Republic currently amounts to approximately CZK 8,000.

Madame Chair, distinguished Committee Members, Ladies and Gentlemen,

I am convinced that the Czech Republic has been successful in developing measures in support of women's rights and in gradually promoting the principle of equality for women and men throughout various spheres of the life of society. I have used this opportunity to introduce to you at least some of the major activities of the Czech Government in this area and changes that have occurred with respect to protection of women's rights during the time since the submission of the Third periodic report of the Czech Republic. In the hours to follow, the delegation of the Czech Government experts are prepared to provide relevant explanations to any queries you may have, in order to provide you with a comprehensive and objective picture of the current status of women in the Czech Republic.

In conclusion, let me kindly introduce to you respective members of the Czech Republic delegation: Ms Hana Zdražilová and Ms Jarmila Hanslová of the Ministry of Labour and Social Affairs; Ms Jana Švecová of the Ministry of Education, Youth and Sports; Ms Lucie Otáhalová of the Office of the Government; Ms Petra Ali Doláková of the Permanent Mission of the Czech Republic to the UN, Mr Radim Bureš of the Ministry of the Interior; and, Mr Vít Schorm of the Ministry of Justice, Government Agent before the European Court of Human Rights.

Thank you for your attention.