

MINISTRY OF INTERIOR OF THE CZECH REPUBLIC
Human Resources Department
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Director of the Division
for the Advancement of Women
Department of Economic and Social Affairs
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**Materials of the Ministry of Interior of the Czech Republic regarding
the violence against women in the Czech Republic**

Crime prevention department of the Ministry of Interior of the Czech Republic is responsible for prevention of trafficking of human beings and victims assistance. These functions are performed among others within the framework of the PRAHE anti-trafficking project.

An information campaign aimed at the reduction of demand for sexual services is to be launched in May 2005. The implementing agency will be the IOM Prague. Another campaign aimed at students of police schools and attendants of courses, organised by police training centres, has already been started. The objective is to instruct students how to proceed when they suspect somebody of trafficking and inform them about activities of NGOs and the necessity to co-operate with them. A presentation on trafficking of human beings and assistance available for victims will become a part of the agenda of a regular consular meeting organised by the MFA in May. Mol is a partner of ICMPD (International Centre for Migration Policy Development in Vienna) in AGIS anti-trafficking project, the aim of which is to prepare a European standard anti-trafficking police training in EU countries.

Crime prevention department also co-ordinates an assistance provided to identified victims of human trafficking in the Czech Republic. This assistance and protection programme was launched in 2002 within the UNODC anti-trafficking project, and later included into the National strategy against trafficking of human beings for the purpose of sexual exploitation, approved by the Czech government in 2003. Due to the need of a further formalisation of this programme Minister 's order on the national referral mechanism establishing interdisciplinary working group and nominating national co-ordinator was prepared. National co-ordinator 's instruction describing the methodology of the programme functioning will be published in the Bulletin of the Mol. Agreements concerning co-operation between the Mol and NGOs that received state

subsidies for the implementation of the assistance programme will be signed and Co-operation Protocol between Mol and IOM will be amended so that it covers also the issue of voluntary return of victims to their countries of origin.

Security Policy Department of the Ministry of Interior of the Czech Republic is responsible for the treatment of the problem related to domestic violence. The new legislative proposal is nowadays negotiated in the Chamber of Deputies of the Parliament regarding in particular The Police Act no. 283/1991 Coll., The Misdemeanour Act no. 200/1990 Coll., Code of Civil Procedure no. 40/1964 Coll., Civil Code no. 40/1964 Coll., Criminal Code no. 140/1961 Coll., Code of Criminal Procedure no.141/1961 Coll etc.

The aim of the proposal is to save the endangered persons and to prevent the repeating the attack in the near future. Endangered person can be protected, in particular, by ejecting this aggressor from common inhabitancy and its surroundings. The area and the time period must be exactly defined. The policemen called upon the suggestion of endangered or other person are deciding about this process. This measure can be imposed also in case of absence of aggressor. The ejection lasts 10 days and can't be shortened neither with victim's consent. The proposal for issuing the precaution can follow later on.

Another area covered by the proposal, is the area of social security. The psychological and social help will be offered to persons endangered from the side of their relatives or persons living with them in shared flat or house. The psychological, social and legal help will be also offered subsequently. Intervention centres are to be established.

Another proposal similarly solving the issue of ejecting the aggressive person and possibilities of protection is contained in recodification of the Code of Criminal procedure no. 141/1961 Coll. This recodification brings a new precaution during investigation process. The aim of this precaution is to protect the victim and to ensure effective performance of criminal investigation. The conditions are for example : reasonable suspicion from commission of a crime with certain limit for imprisonment, basic and immediate need of sufferer's or community's protection and the danger of criminal activity continuation. The proposal also enumerates possible precautions, among which we can found i.e. the prohibition to contact the sufferer or the meeting with him, the prohibition of returning to flat and its imminent surroundings.

The domestic violence commission can fullfill the merits of criminal offence or misdemeanours. Police is solving these cases from the suggestion of endangered or other person. Police has many ways of solution depending on the intensity of attack and character of aggressor.

In the case of that the commission of aggressor is criminal offender, the criminal proceedings is instituted. This type of offence is called "the excruciation of the person living in shared flat or house" in accordance with the Criminal Code no. 140/1961 Coll.

In the case of that it's not the criminal offence, The Police can use the possibility of the aggressor's seizure on the basis of the Police Act no. 283/1991 Coll.. In accordance with this Act, the policemen is entitled to seizure the person, whose was caught in the misdemeanour, if there's reasonable apprehension that this person is continuing in this unlawfully conduct or this person is inhibiting due clarification of the case. This seizure can last max.24 hours since the time of limitation of such person. In the case of that reasons for this seizure pass away, the policemen is obliged to release seizure person.

When the policemen arrive to the incident scene, scores of the time happens that the aggressor by his conduct committed a misdemeanour in accordance with the Misdemeanour Act no 200/1990 Coll. It often happens that at the Police's arrival at the incident place there is already no conduct of aggressor. The policemen is then able to realise that there's been committed a misdemeanour. The policemen can discover it from signs of physical violence on the victim, from signs of fight or aggressive conduct in the flat, from statement of neighbours that there's has been committed a misdemeanour and the aggressor desisted from that committing because of that the incident was announced to Police and Police arrived. The danger of another committing can be deduced from the evaluation of the person of the offender and his actual condition like aggression or drunkenness.

Czech Police has formed recently two special groups for domestic violence in Ostrava and Brno. The aim is to deliver more effective help to victims of domestic violence. Such programs are these days introduced to Police practice and thus we cannot assess their functioning. There's a possibility for the future that these programs will be expanded into other regions.

Human Resources Department of the Ministry of the Interior is responsible for issue of the Gender Equality. In 2003 – 2004 was prepared and 2005 – 2006 is being implemented *Model Interdisciplinary Project to establish the legal framework and methodological procedures for the introduction of interdisciplinary teams, bringing together medical, social and police assistance in detecting and prosecuting cases of domestic violence*. The objective is to propose a co-ordinated and effective system of combating violence against women and create the basis for practical procedures in solving the problem of domestic violence in the Czech Republic. The findings, which were submitted to the Government, provide a basis for measures and strategies aiming to reduction of domestic violence, give specific assistance to families affected by domestic violence and express the state's clear official position that domestic violence is not be pardoned or tolerated in Czech Republic.

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