



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

Distr.: General
22 May 2009

Original: English

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

**Consideration of reports submitted by States parties under
article 18 of the Convention on the Elimination of All Forms
of Discrimination against Women**

Combined fourth and fifth periodic report of States parties

Czech Republic

Note: The present report is being issued without formal editing.

09-34617 (E) 170709



Please recycle The recycling symbol, a triangle of arrows forming a circle.

**Fourth and Fifth Periodic Report
on the Fulfilment of
The United Nations Convention on the Elimination of All Forms of
Discrimination against Women
for the period from 1 January 2004 to 31 July 2008**

The Government of the Czech Republic took note of the report by its Resolution No. 275 of 9 March 2009.

This report was elaborated by the Government Commissioner for Human Rights on the basis of information provided by central state administration authorities of the Czech Republic, higher territorial self-government units and non-governmental non-profit organizations.

Contents

Introduction.....	5
Fulfilment of Individual Articles of the Convention.....	5
Art. 1.....	5
Institutional safeguards for the implementation of the policy of equal opportunities for women and men	6
Art. 2.....	7
Legislative measures (letter b)	7
Legal protection of the rights of women against any act of discrimination on an equal basis with men through competent national tribunals and other public institutions (letter c)	7
Domestic violence	9
Rape.....	11
Art. 3.....	12
Measures to safeguard full development and advancement of women.....	12
Non-legislative measures	12
Art. 4.....	12
Temporary special measures aimed at accelerating de facto equality between men and women	12
(paragraph 1)	12
Art. 5.....	13
Measures aimed at modification of social and cultural patterns (letter a)	13
Measures aimed at proper understanding of maternity as a social function and recognition of the common responsibility of men (letter b).....	15
Art. 6.....	15
Prostitution and human trafficking.....	15
Art. 7.....	18
Participation in the formulation and the implementation of government policy and performance of public functions (letter b).....	18
Elections to the Chamber of Deputies of the Parliament of the Czech Republic.....	18
Elections to the Senate of the Parliament of the Czech Republic	18
Elections to regional assemblies	19
Elections to municipal assemblies.....	19
Art. 8.....	19
Art. 9.....	19
Art. 10.....	19
Equal conditions for election of employment and occupation, access to studies in all types of vocational training (letter a).....	19
Elimination of all stereotyped concepts in the perception of the roles of men and women (letter c)	20
Access to specific educational information to help ensure the health and well-being of families (letter h)	20
Art. 11.....	21
Measures to eliminate discrimination against women in the field of employment (par. 1).....	21
The right to the same employment opportunities, including the application of the same criteria for selection in matters of employment (letter b).....	21
Legislative measures	21

Measures adopted by state administration authorities.....	22
Measures to prevent discrimination of women on the grounds of marriage or maternity 22	22
(par. 2).....	22
Legislative measures	22
Complementary social services allowing to reconcile family and work duties (letter c)	24
Art. 12.....	25
Measures to eliminate discrimination against women in the field of health care — ensuring appropriate services in connection with pregnancy	25
Measures to eliminate discrimination in the field of health care (paragraph 1).....	25
Art. 14.....	26
Measures to eliminate discrimination of women in rural areas	26
Information about measures adopted to implement the Beijing Declaration.....	26
Tables	28

INTRODUCTION

1. The Convention on the Elimination of all Forms of Discrimination against Women (hereinafter only the “Convention”) was approved in New York on 18 December 1979 and came into force under Article 27(1) as of 3 September 1981.
2. It was signed on behalf of the Czechoslovak Socialist Republic in Copenhagen on 17 July 1980 and came into force for the Czechoslovak Socialist Republic as of 18 March 1982, in accordance with its Article 27(2).
3. In 1994, the Czech Republic submitted to the Committee for the Elimination of All Forms of Discrimination against Women (hereinafter only the “Committee”) an initial report on the Convention for the years 1993-1994. The Committee reviewed the report on 26 and 27 January 1998. At its meeting of 8 August 2002, the Committee reviewed the second periodic report of the Czech Republic for the period from 1 January 1995 to 30 June 1999. The third periodic report of the Czech Republic for the period from 1 July 1999 to 31 December 2003 was reviewed by the Committee on 17 August 2006.
4. The Committee subsequently issued Final Recommendations¹ (hereinafter only the “Recommendations”), where it called upon the Czech Republic to submit, *inter alia*, the 4th periodic report together with the 5th periodic report in March 2009.
5. The fourth and fifth periodic report covers the period from 1 January 2004 to 31 July 2008. It is compiled in accordance with general guidelines on the form and content of periodic reports². Hence, it focuses on a description of important changes that have occurred since the compilation of the third periodic report and responds to problems highlighted by the Committee in its Recommendations.
6. The report describes legal and other measures that have been adopted and that reflect the progress achieved in eliminating discrimination against women, significant changes in the status of and achievement of equality for women, and the procedures intended to eliminate remaining obstacles to women’s involvement in political, social, economic and cultural life.
7. In its recommendations, the Committee expressed concern about the lack of information on Roma women. The Act on Rights of Members of National Minorities³ does not permit public administration authorities to maintain records of members of national minorities. Data regarding nationality obtained by the census or other special law may not be used for a purpose other than the purpose for which they were collected and filed, and must be destroyed following their statistical processing. Nevertheless, the report does mention certain data on Roma women obtained through various research and studies.
8. In its Czech version, the report uses exclusively masculine gender, which also refers to persons of feminine gender (the generic masculine gender). This approach is used solely for convenience of reference.

Fulfilment of Individual Articles of the Convention

Art.1

9. The Committee expresses its concern (**clause 9, 10 of the Recommendations**) about the fact that a general Antidiscrimination Act, which would contain a definition of discrimination of women according to Article 1 of the Convention, has not been adopted yet, and recommends that such definition be integrated into national legislation. The process of adoption of the Act on Equal Treatment and Legal Means of Protection against Discrimination and on the Amendment to Certain Laws (the “Antidiscrimination Act”) continued in 2007, and the relevant bill was presented to the Chamber of

¹ Final Recommendations of the Committee for the Elimination of All Forms of Discrimination against Women: Czech Republic, CEDAW/C/CZE/CO/3, 25.8. 2006.

² Compilation of guidelines on the form and content of reports to be submitted by States parties to the International Human Rights Treaties – HRI/GEN/2/Rev.5.

³ Section 4(2) of Act No.. 273/2001 Coll. on Rights of Members of National Minorities, as amended.

Deputies for review in July 2007. The Chamber of Deputies reviewed the bill in the second half of 2007 in the form of Release of the Chamber of Deputies No. 253. The bill was discussed by a total of four committees of the Chamber of Deputies, whereas three of them recommended its approval. In March 2008, the bill was approved by the Chamber of Deputies and in April 2008 by the Senate; however, it was vetoed by President of the Czech Republic on 16 May 2008. After the exercise of the presidential veto, the bill was returned to the Chamber of Deputies of the Czech Republic for further review. The Antidiscrimination Bill defines such terms as direct and indirect discrimination, harassment, sexual harassment, persecution, etc. Giving instructions and instigating discrimination is also considered as discrimination. Since the Convention is directly binding under Article 10 of the Constitution (see below) and has a priority in application over the law, provisions of the Antidiscrimination Act will be interpreted in accordance with the Convention.

10. Non-governmental non-profit organizations promote the adoption of the Antidiscrimination Act, particularly with regard the fact that a special antidiscrimination department is to be established under the Act at the Office of the ombudsman. Thus, the ombudsman should become an “equality body” within the meaning of the relevant EU directives⁴.

Institutional safeguards for the implementation of the policy of equal opportunities for women and men

11. The Committee repeats its recommendations to the State party to strengthen the institutional structure of the existing state apparatus and calls upon appointing an experienced person as the gender focal point (**clause 12 of the Recommendation**). Until December 2007, technical aspects of the agenda regarding equal opportunities for women and men were entrusted to the Ministry of Labour and Social Affairs, specifically department for equality of women and men. Since 1 January 2008, coordination of the equal opportunities agenda has been entrusted to the Minister of the Czech Republic Government for Human Rights and National Minorities.
12. The Government established in 2001 an advisory body the Government Council for Equal Opportunities for Women and Men (hereinafter only “Council”) The Council prepares proposals designed to promote and to achieve equal opportunities for women and men. Members of the Council represent individual government departments, employers and also the general and the professional public.
13. To ensure more intensive work in some particular areas, the Council also established in 2003-2008 temporary or permanent working groups, e.g. the Committee for Prevention of Domestic Violence and the Committee for Equal Opportunities for Women and Men in Family and Working Life.
14. Based on a government resolution issued in 2005, each ministry is obliged to arrange for the creation of at least one full-time or two half-time jobs for an employee who would fully devote his/her working tasks to the issue of equal opportunities for women and men.
15. The Ministry of Defence established a Working Group on resolution of the issue of equal treatment for men and women. This group is an advisory and initiative body of the HR Director of the Ministry of Defence. Likewise, the Ministry of Education, Youth and Sports and Ministry of the Interior have established a permanent Working group for equal opportunities of women and men as advisory bodies to their management.
16. In 2005, the Ministry of Labour and Social Affairs drafted a “Handbook for the Path towards Equality between Women and Men” and another handbook called “Why and How to Elaborate a Plan for

⁴ E.g. Council Directive 2000/43/EC of 29 June 2000 implementing the principle of equal treatment between persons irrespective of racial or ethnic origin;

Council Directive 76/207/EEC of 9 February 1976 on the implementation of the principle of equal treatment for men and women as regards access to employment, vocational training and promotion, and working conditions,

Directive 2006/54/EC of the European Parliament and of the Council of 5 July 2006 on the implementation of the principle of equal opportunities and equal treatment of men and women regarding employment and occupation.

Equality between Women and Men". These handbooks were used as reference materials for training in equality between women and men. They represent an output from the twinning project implemented in partnership with Sweden as a part of the EU PHARE Programme. The project "Improvement of the public institutional mechanism for the introduction, implementation and monitoring of equal treatment of men and women" aimed at further reinforcement and improvement of the mechanism for institutional safeguards of the implementation of the policy of equal opportunities for men and women. The output of the project was a proposal for institutional safeguards of the implementation of the policy of equal opportunities for men and women, which would be appropriate for the Czech Republic. This twinning project was carried out for one year and was finished on 31 July 2003.

17. The above-mentioned publications were distributed to individual government departments, non-governmental non-profit organizations and other concerned institutions (for example schools).

Art. 2

18. No important changes were made during the monitored period in areas relating to letters a, d, e, f, g of Art. 2.

Legislative measures (letter b)

19. The new Labour Code, which was adopted in 2006,⁵ prohibits any form of discrimination in labour relations. For more information see Art. 11 Measures to eliminate discrimination against women in employment.
20. The new Health Insurance Act⁶ partially eliminates inequality in the field of provision of financial assistance in maternity (see below).
21. Act No. 135/2006 Coll. Amending Certain Laws on Protection against Domestic Violence, became effective on 1 January 2007, led to an amendment of the Act on the Police of the Czech Republic⁷, which has implemented in Czech law the institute of expulsion (restraint order) and rights and obligations of the Czech police bodies relating to its application. For details regarding the application of this Act see the section "Domestic violence".

Legal protection of the rights of women against any act of discrimination on an equal basis with men through competent national tribunals and other public institutions (letter c)

22. An important component of the Czech legal system is the constitutional principle regulated in Article 10 of the Constitution of the Czech Republic, according to which all promulgated international agreements, the ratification of which has been approved by the Parliament and which are binding on the Czech Republic, shall constitute a part of the legal order; should an international agreement make provision contrary to a law, the international agreement shall be applied. This means that if a conflict is found between a law and an international agreement that is a part of the Czech legal order, all those who apply the relevant law must give precedence to the international agreement. The abolishment of laws or their individual provisions that are in conflict with the constitutional order is decided by the Constitutional Court. The international conventions on human rights continue to be used as reference standards for proceedings on control of standards and are thus considered as parts of the constitutional order.
23. The case law of the Constitutional Court contains two decisions relating to the issue under review. The object of scrutiny was the provision concerning different retirement age depending on the number of

⁵ Act No. 262/2006 Coll., the Labour Code, as amended, which superseded Act No. 65/1963 Coll., the Labour Code, as amended.

⁶ Act No. 187/2006 Coll. on Health Insurance, as amended.

⁷ Act No. 283/1991 Coll. on the Police of the Czech Republic, amended by the insertion of new Sections 21a-21d and Sections 42k-42n. The new Act No. 273/2008 Coll. on the Police of the Czech Republic, which has preserved the restraint order, was adopted with effect from 1 January 2009.

brought up children,⁸ which favours women, and the different stipulation of the obligation for men and women concerning submission of the application for retirement⁹.

24. The first case concerned the different retirement age of men and women, governed by the Pension Insurance Act¹⁰. While the retirement age of men who were born before 1936 is 60 years, the retirement age of women born before 1936 is 53-57 years depending on the number of brought up children, i.e. the retirement age of women who did not bring up any children is 57 years, the retirement age of women who brought up one child is 56 years, of women who brought up two children is 55 years, of women who brought up three and four children is 54 years, and women who brought up five and more children retire at 53 years. The retirement age of men born in 1936-1968 is set with regard to the year of birth¹¹. In the case of women, the retirement age is set with regard partly to their age and partly to the number of brought up children¹². The retirement age of men who were born after 1968 is 65 years; the retirement age of women born after 1968 who did not bring up any child or who brought up one child is also 65 years; the retirement age of women who brought up two children is 64 years, women who brought up three children retire at 63 years and those who brought up four children at 62 years¹³. In its ruling on this matter, the Constitutional Court decided that a particular law which favours one group or category of persons over another cannot be deemed, *per se*, a violation of the equality principle. If the contested provision is repealed, an advantage would be taken away from women – mothers, without granting the same advantage to men – fathers on an equal footing with women – mothers. Due to the foregoing reason, the Constitutional Court dismissed a petition for the abolishment of this provision.
25. In the second case, the Constitutional Court assessed provisions of the Pension Insurance Act¹⁴ and the Act on Implementation of Social Security¹⁵ and analysed the equality category. The contested provisions imposed upon men the duty to submit an application for participation on pension insurance within two years after termination of child care, while no such condition was imposed upon women. In conformity with its established case law, the Constitutional Court ruled that equality should be perceived as a relative term and added that any distinction between subjects in a comparable situation must pursue a legitimate aim based on objective and reasonable grounds. Moreover, an infringement on any fundamental right should satisfy the principle of proportionality. When comparing the relative public interest, which was the efficient management with public funds, with an infringement on the equal treatment principle, specifically in relation to the right to adequate material security in old age,¹⁶ the Constitutional Court held that such infringement is inadequate and concluded that the principle of equality was breached and abolished the contested provisions.
26. The Supreme Court dealt with the issue of discrimination against women in 165 cases, the most numerous of which were crimes relating to domestic violence and rape. (see **Table No. 1 Number of individual criminal offences relating to domestic violence and rape**)

⁸ Judgement no. Pl. ÚS 53/04.

⁹ Judgement no. Pl. ÚS 42/04.

¹⁰ Act No. 155/1995 Coll. on Pension Insurance, as amended.

¹¹ The retirement age of a man born in 1936 is 60 years + 2 months, of a man born in 1937 is 60 years + 4 months etc., and the upper limit is 65 years.

¹² Annex No. 1 to Act No. 155/1995 Coll. on Pension Insurance, as amended – Retirement age of insureds born in the period of 1936-1968.

¹³ In accordance with Section 32(4) of Act No. 155/1995 Coll. on Pension Insurance, as amended, the condition regarding child care, which is imposed in relation to women's old age pension entitlements, is fulfilled in the case of a woman who took or has been taking personal care for at least ten years for a child below the age of maturity. If the woman assumed care for the child after his/her eighth birthday, this condition is satisfied if the woman has been taking or took personal care for the child below the age of maturity at least for five years; this does not apply if the woman stopped taking care of the child before he/she reached maturity.

¹⁴ Section 5(3) of Act No. 155/1995 Coll. on Pension Insurance, as amended.

¹⁵ Section 6 (4) of Act No. 582/1991 Coll. on Organization and Implementation of Social Security, as amended.

¹⁶ Art. 1 and 3(1) in conjunction with Art. 30(1) of the Charter of Fundamental Rights and Freedoms.

Domestic violence

27. The Council of Europe organized in 2006-2008 a campaign against violence committed against women, which was also joined by the Czech Republic. The guarantee for the campaign was assumed in 2007 by the Ministry of the Interior, which also prepared a Final Report on National Activities of the Czech Republic.
28. 422 police officers from the entire Czech Republic were trained in 2006 in practical activities pursuant to Act 134/2006¹⁷. As of 2007, 12,000 police officers were trained in the exercise of rights of the Police of the Czech Republic in the field of domestic violence. At the same time, significant attention to issues of domestic violence and stalking is paid in individual subjects taught by the Police Academy of the Czech Republic.
29. Considering the implementation of this Act (**clause 16 of the Recommendation**), it is possible to note that the first year of its practical application proved that the Act represents a comprehensive legal framework for prevention of domestic violence. It allows thwarting dangerous attacks against life and health by means of police expulsion; at the same time, it creates conditions for the provision of immediate psychological and social-legal assistance to persons threatened by domestic violence in intervention centres and promotes interdisciplinary cooperation between the state, municipal and non-state organizations which take part in the prevention of domestic violence and provision of help to persons threatened by domestic violence and their minor children.
30. A total of fifteen intervention centres operate in the Czech Republic, which is in conformity with the requirements of the Committee (**clause 16 of the Recommendations**). The intervention centres are obliged to provide assistance to all persons threatened by domestic violence, i.e. not only to persons of whom the Police of the Czech Republic is notified but also to persons who turn to the intervention centre “directly from the street”. Statistical data allow the comparison of all effectuated contacts with contacts made exclusively on the basis of forwarding information by the Police of the Czech Republic.
31. A total of 862 decisions of the Police of the Czech Republic concerning the expulsion or restriction of entry of a violent person into common residence were recorded through intervention centres in the Czech Republic in 2007. In these cases, the police took into account prior incidents in assessing the risks of the relevant cases. A total of 1,833 persons were directly threatened by domestic violence in 2007 (threatened adults + children present at violent incidents and interventions by the Police of the Czech Republic), who were protected by the institute of expulsion from further violence. (**see Table No. 2 Persons sentenced in 2004-2007 for maltreatment of a person living in common household**)
32. 58 cases of repeated expulsion were recorded. In connection with 862 cases of expulsion/restrain, a total of 892 adults (858 women and 34 men) were directly exposed to domestic violence. In the monitored period, the Police of the Czech Republic recorded a total of 941 children witnessing the police intervention as well as the violent incident preceding the intervention. Out of the total of 862 persons expelled from the common household, 854 were men and 8 women. As regards the relationship between the assailant and the victim of violence, most of these relationships were marital – 467 cases (54%), followed by cohabitation – 205 cases, inter-generational violence – 134 cases and divorced couples – 55 cases. A small number of expulsions occurred in partnership, sibling and other relationships. The data for the monitored period of the year 2007 show considerable differences between individual regions of the Czech Republic. The annual average of expulsions per one region is 61.6 cases.
33. Intervention centres recorded in 2007 a total of 3,942 contacts with threatened persons relating to expulsion orders (2,880 telephone contacts, 587 personal contacts at the intervention centre, 153 personal contacts during dispatch of the police to the place of residence and 322 written contacts). Services provided by intervention centres are used unevenly by other threatened persons. Fifteen intervention centres recorded in 2007 a total of 5364 further contacts with service users (not including professional contacts) who seek information, advice, support and help in connection with cases of domestic violence. The average number of all kinds of contacts with service users reached 620 contacts per one intervention centre in 2007.

¹⁷ Act No. 135/2006 Coll. Amending Certain Laws Concerning Protection against Domestic Violence.

-
34. In the course of 2007, i.e. the first year of the practical application of the Act on Protection against Domestic Violence, persons threatened by domestic violence began to address their applications for preliminary ruling¹⁸ directly to civil courts, even in situations that were not preceded by a ten-day police expulsion order. Out of the total amount of 862 police decisions on expulsion/restriction of entry, 337 threatened persons filed an application for interlocutory injunction, wishing to extend the expulsion period. In 73.5% (i.e. 190) cases, the court granted the application and extended the time-limit; 14% of these applications were dismissed.
 35. A special training of employees of regional departments for social-legal protection of children,¹⁹ which was organized upon the adoption of the new legislation, provided to these employees the relevant information about laws concerning domestic violence, particularly with regard to family, civil and criminal legislation, administrative and social security laws.
 36. The objective of the Committee for Prevention of Domestic Violence, which was established as of 1 January 2008 on the platform of the Government Council for Equal Opportunities for Women and Men, is to create a national strategy for the combating domestic violence and interdepartmental coordination of this strategy. The Committee monitors statistical records of various forms of domestic violence, fosters necessary legislative steps and promotes education of professionals.
 37. The Committee for Prevention of Domestic Violence is currently preparing, with the participation of central state administration authorities and non-governmental non-profit organizations, a National Action Plan of Prevention of Domestic Violence. This action plan should be focused on the following target groups: female and male victims (subgroups – female foreigners and women with a health or social handicap), children, older people, domestic violence perpetrators, assisting institutions (e.g. psychologists, social workers, physicians etc.) and the general public.
 38. Activities in the field of prevention of violence against women was significantly boosted by a public information campaign about inadmissibility of domestic violence, prepared in cooperation with the Crime Prevention Department of the Ministry of the Interior, which published an information booklet “How to Avoid Danger and Not to Become a Victim. The booklet contains warning stories drawing attention to real situations. The stories are followed by three categories of practical advice and recommendations, with the relevant telephone numbers of the police and assistance providers stated at the end of the leaflet. The booklet was distributed to gynaecological ambulances in various cities, to vocational training centres and to secondary schools with a focus on courses designated mostly to girls. The booklet was also published in professional journals, such as journal *Policista* (Police Officer).
 39. Following an agreement with the non-profit organization “Bílý kruh bezpečí”, the Ministry of the Interior distributed to the units of the Police of the Czech Republic and to the city/municipal police in June 2008 a teaching aid – DVD named “A Barrier against Domestic Violence”. For the general public, the Ministry of the Interior published an information folder called “STOP to Domestic Violence”.
 40. The largest project organized by the Ministry of the Interior in cooperation with the non-state non-profit organization COOLHELP, which promotes fight against violence in general is the campaign named “Bracelet - NO TO VIOLENCE”, which is carried out by the means of silicon bracelets distributed by charities. The black-purple colour of these bracelets symbolizes the colour of bruises. Presentations

¹⁸ An preliminary ruling issued under Section 74 (1) of Act No. 99/1963 Coll., the Civil Procedure Code, as amended, may be ordered by the presiding judge before the initiation of the proceedings, if needed, in order to arrange provisionally the relations between the parties, or if there exist any fears that the execution of the judicial decision may be threatened. By the applicant for a preliminary ruling is meant the person whose life, health, freedom or human dignity is seriously endangered by the conduct of the person against whom the application is directed.

¹⁹ Pursuant to Section 1(a)-c) of Act No. 359/1999 Coll. on Social-Legal Protection of Children, social legal protection of children means, in particular, the protection of the rights of the child to positive development and proper care, protection of justified interests of the child, including protection of his/her assets and efforts aiming at the reparation of defective family functions.

accompanying the campaign are published in magazines, newspapers and in TV programmes of the Czech TV and Nova TV station²⁰.

41. In connection with the issue of intergenerational domestic violence committed not only against older women, the Ministry of the Interior ran in 2007 a campaign under the title “(In)secure Age”, focused on increasing awareness of older people about the possibilities of protection against domestic violence.
42. Measures focused on support and protection of victims are carried out not only by state administration authorities, but also by self-government authorities and particularly by non-state organizations, which devote a part of their activities to the provision of specific assistance to victims of domestic violence and to the protection of their rights. The non-state sector is represented by several non-governmental organizations (e.g. Bílý kruh bezpečí²¹, ROSA, o.s.²², ProFem, o.p.s.²³), which are focused not only on domestic violence, but on violence against women in general. Non-profit organizations dealing with issues of domestic violence, violence against women and women’s rights, are associated in Koordona²⁴, which organizes conferences and seminars both at the domestic and international level.

Rape

43. In **clause 16 of its Recommendations**, the Committee expresses i.a. its concern about the current definition of rape. The Parliament of the Czech Republic currently reviews a government draft of the new Criminal Code, which should replace the existing Criminal Code²⁵.
44. Under the current wording of Section 241(1) of the Criminal Code, rape is committed by a person who forces another person by violence or threat of immediate violence to take part in sexual intercourse, or who abuses another person’s defencelessness for such purpose. In the bill of the new Criminal Code Section 183 (1) of the new draft Criminal Code stipulates that rape is committed by a person who forces another person by violence, a threat of immediate violence by a threat of any other serious detriment, to take part in sexual intercourse, or who abuses another’s person’s defencelessness for such purposes. Moreover, the new Criminal Code contains qualified grounds of this crime and imposes a stricter sanction in cases where the offence described in paragraph 1 was committed by coitus or by another form of sexual intercourse comparable with coitus.
45. Any form of gratification of sexual instinct on the physical body of another person (of the same or opposite sex) is considered by case law as sexual intercourse. It thus concerns both coitus and sexual intercourse analogous to coitus (for example oral or anal sexual intercourse, but also just touching the woman’s breasts or genitals and other similar activities). In this connection, the term “analogous sexual intercourse” was further specified as sexual intercourse performed in a comparable manner, because it does not mean “sexual intercourse analogous to coitus”, but the performance of sexual intercourse in an analogous way (e.g., oral sexual intercourse). Therefore, sexual intercourse performed in the form of

²⁰ The Czech Television is a legal entity which provides, in accordance with Section 2(1) of Act No. 438/1991 Coll. on the Czech Television, as amended, a public service in the field of television broadcasting. NOVA TV is a private TV station operating TV broadcasting under a licence issued by the Council for Radio and Television Broadcasting in accordance with Act No. 231/2001 Coll. on the Operation of Radio and Television Broadcasting and on the Amendment to Other Laws, as amended.

²¹ www.bkb.cz.

²² www.rosa-os.cz.

²³ www.profem.cz.

²⁴ A coalition of organizations against domestic violence established in Prague on 25 November 2004 as a loose association of organizations engaged in women rights in the context of violence against women and domestic violence. The objective of Koordona is to assist, in particular, in the efficient cooperation of non-profit organizations defending women’s rights and standing out against violence against women and domestic violence, to coordinate and to streamline the help to victims of domestic violence and to promote system changes in the field of domestic violence, violence against women and women’s rights in general (further information see www.koordona.cz).

²⁵ Act no. 140/1961 Coll., the Criminal Code, as amended. The government draft of the new Criminal Code was approved by the Parliament and issued in the collection of laws under no. 40/2009 with effect from 1 January 2010.

coitus or in an analogous form of sexual intercourse will always fulfil the grounds of this offence in particularly aggravating circumstances, and will not be assessed under the basic grounds of this offence.

Art. 3

Measures to safeguard full development and advancement of women

Non-legislative measures

46. The Ministry of the Interior elaborated and distributed in 2005 a brochure “Equal Opportunities for Women and Men in Security Forces from the Legal Perspective”. A series of seminars was also organized within the middle management education programme with the topics “Protection of Women’s Rights and Safeguarding Equality between Men and Women” and “Basics of Labour Law and Employee Remuneration”.
47. The Ministry of Finance elaborated in 2003 a publication “Informative Guideline on Budgeting from the Perspective of Equality between Women and Men”, which was published in 2004. The publication was distributed to ministries, regions, municipalities and a national conference was organized on the occasion of its publication. The objective of the media campaign was to introduce these budgeting guidelines and the issue of equal opportunities in general not only to public servants, but also to representatives of municipal assemblies who prepare budgets. In September 2006, the Ministry of Labour and Social Affairs started a project from the EU Community Programme for Equality of Women and Men, called Budgeting Practice from the Perspective of Equality between Women and Men”). The project, which was focused on educational activities (seminars, handbooks, an information campaign), was carried out for 15 months. Even in this case, the target groups were employees of territorial self-government unit and the general public at local levels.²⁶

Art. 4

Temporary special measures aimed at accelerating de facto equality between men and women

(paragraph 1)

48. In accordance with the Beijing Declaration and Action Platform, the Government elaborates every year a document named “Priorities and Procedures of the Government in Promoting Equality of Women and Men”. As regards human resources policy, most ministries state that they have respected the principle of equal opportunity of women and men in selection of employees for vacant positions and for appointment to managerial posts. Professional quality and prerequisites and the ability and willingness to perform the relevant managerial tasks are considered in the first place.
49. The Minister of Defence issued an internal guideline (command no. 29/2002 of the Bulletin of the Ministry of Defence), which allows adopting a temporary exceptional measure (“affirmative action”). With regard to the results of performed gender statistics (see **the tables** below: **The share of women of the total number of professional soldiers** and **The representation of women in ranks**), such measure has not yet been promulgated with regard to the specific nature of the activities of the Ministry of Defence.
50. None of the forms of discrimination based on sex or other criteria which are not related to the service occurs in the selection of police officers for service relations in police units or in service relations as such. The percentage of female police officers in the Police of the Czech Republic is comparable with police corps of the other Member States of the European Union (ca 16%). Therefore, no affirmative action was adopted in these units during the monitored period.

²⁶ The output of the project is the following brochure:
www.vlada.cz/assets/cs/vlada/clenove/stehlikova/rovnoprilezitosti/dokumenty/Rozpocetovani-z-hlediska-rovnosti-zen-a-muzu.pdf.

51. Hitherto different requirements with different time limits for men and women, relating to assessment of physical capability of candidates for police service, were unified by a binding instruction of the Police President dated 20 December 2005.

No changes relating to par. 2 were adopted in the monitored period.

Art. 5

Measures aimed at modification of social and cultural patterns (letter a)

52. The Committee calls for an increase of efforts to suppress persistent deep-seated stereotypes, which are discriminatory towards women (**clause 14 of the Recommendations**). In cooperation with the Ministry of Labour and Social Affairs, the Government Commissioner for Human Rights organized in 2006 a public information campaign “Stop to Stereotypes”. The objective of this campaign was to address the public, to promote open discussion and to declare very clearly the need to overcome gender stereotypes. The campaign was focused specifically on employment, family and administration of public affairs. As regards employment, the campaign was focused on hitherto non-traditional occupations of men and women and on the access of women to managerial posts. As regards the family, the campaign was oriented on the balancing of roles of women and men. As regards the administration of public affairs, the campaign was focused on the participation of women in decision-making and management.
53. At the same time, the Ministry of Labour and Social Affairs presented in the monitored period a project “Promotion of access of women and men to employment in occupations considered non-traditional for them”. This survey identified attitudes of women and men towards mechanisms influencing selection of and preparation for occupation. It assessed the level of satisfaction with the choice of occupation both of women in typically female occupations and of men in typical male occupations, and also opinions of women working in typically male and men working in typically female occupations. The survey has indicated that the public takes note much more frequently of the penetration of women into traditionally male employments (30%), than of the penetration of men into traditionally female professions (12%).
54. The Chamber of Deputies of the Parliament of the Czech Republic held in 2005 a conference with the title “Paths through the labyrinth: why are there still so few women in science?”, which was dedicated to the situation and position of women in research and science in the Czech Republic. The objective of this conference was to try to answer some of following questions: Why is the total share of women in the number of research workers in the Czech Republic less than 30%?; Why are women represented only in some disciplines?; Why women fail to achieve high scientific posts? Recommendations arising from discussions and debates of the participants resulted in a change of the rules regulating allocation of grants and doctoral studies at certain universities. This conference was followed by another conference “Transformation, gender, science, society”, which presented a report on the project “WS Debate”²⁷ for the Czech Republic, which focuses on the position of women in science from the 19th century until the present and on current steps and activities whose objective is to solve various aspects of the position of women in science.
55. A “National Contact Centre - Women and Science”, which has been operating in the Czech Republic from 2001 as an advisory body of the Ministry of Labour and Social Affairs, has been involved from the outset in an international network of organizations for promotion of women in science. From 2007, it has been an associated member of the European Platform for Women in Science. From its establishment, the Centre has focused its activities along two basic lines. Within the first line, the Centre has focused its activities from the outset on increasing awareness of issues concerning the position of women in science (by means of conferences, workshops and seminars and of a monthly periodical newsletter), has been presenting successful female scientists and has focused on the development of a debate of policymakers about the position of women in science. Within the second line of its activities, the Centre contributes to the development of a knowledge base concerning the position of women and young people in science. Thanks to its participation in domestic and foreign research projects, the Centre has been gradually building a basis for understanding of the functioning of gender mechanisms

²⁷ Stimulating Policy Debate on Women and Science Issues in Central Europe. The third project represents specific support in the 7th Framework Programme of the European Union, whose objective is the stimulation of political and public debate on the situation and prospects of women in sciences.

in the formation of educational careers and involvement of young people in research, as well as in the functioning of scientific institutions, the position of women in science and the gender dimension in the production of knowledge. The information obtained in this manner is then used as the basis for drafting measures aimed at the improvement of the position of women and young people in science.

56. The Ministry of Industry and Trade started in 2004 a programme called “Support of entrepreneurial activities and the promotion of equality between men and women”, which was covered by the policy of subsidizing non-governmental non-profit organizations for 2004-2007. The Ministry of Industry and Trade is a member of a partnership project “Assistance centres for support of business activities of women and the decrease of risks when starting-up a business”, whose leading partner is Moravská asociace podnikatelek a manažerek Brno²⁸ (Moravian Association of Women-entrepreneurs and Women-managers Brno). The objective of the project is to assist start-up businesses established by female entrepreneurs and to provide systematic assistance in the first three years of business activities.
57. The Ministry of Defence publishes every year in the media plenty of information about the service of women in the armed forces of the Czech Republic and articles promoting professional women-soldiers in various subdivisions and units, particularly in military operations abroad. The Army of the Czech Republic is open to women, which is confirmed by statistics. **(See Table No. 3 Share of women in the total number of professional soldiers, Table No. 4 Representation of women in ranks, Table No. 5 Share of female and male students in military secondary schools and universities in the school years 2002-2008)**
58. A number of information and educational campaigns were also carried out in the monitored period **(clause 14 of the Recommendations)**. The Ministry of Culture supports annually projects which deal, *inter alia*, with the position of women in the society, such as the international film festival about human rights “Jeden svět” (“One World”). The Ministry of Education, Youth and Sports publishes a monthly periodical newsletter to provide information about current developments in the field of science and research and to spread the knowledge of cultural-historical context of the position of women in science and research.
59. Moreover, the curricular reform²⁹ has provided to schools a possibility to have more influence on the content of education and the educational climate of the school. The reform accentuates education towards human rights, including equal opportunities for men and women. In this context, student texts and handbooks like “Gender at School” or “Handbook for Gender-sensitive School Management” have been or are being prepared in cooperation with non-profit organizations as a part of the EQUAL³⁰ programme.
60. The Ministry of Labour and Social Affairs became in 2006 an international partner of the project “Role of Men in Promoting Gender Equality”, organized with the framework of the Community Programme on Gender Equality. This project was implemented by the Slovak National Centre for Human Rights with the Ministry of Labour and Social Affairs of the Czech Republic and the Luxembourg Ministry for Equal Opportunities acting as international partners. The task of this project was to search for answers to the questions whether men are able to play their full role in working, family and personal life, what

²⁸ Moravská asociace podnikatelek a manažerek Brno is a voluntary professional association of female entrepreneurs and managers in Moravia and Silesia. The objective of the association is to develop an environment that facilitates communication and information exchange among female entrepreneurs and women at higher management posts, thus supporting the development of their business activities. (see www.mapm.cz).

²⁹ The Curricular Reform is a reform of the school system of the Czech Republic, whose principal objective is to better prepare children and youth for life in the 21st century. It is designated to achieve, in particular, a positive change of the school climate towards being democratic and accommodating to the educated and the educators and ensure self-reflection abilities of schools and their increased cooperation with social partners.

³⁰ The Community EQUAL Initiative declared by the European Commission is one of the four Community initiatives financed from the Structural Funds. Each Member State wishing to participate in EQUAL has to elaborate a Programming Document of the Community Initiative EQUAL (hereinafter only “CIP EQUAL”). The managing authority of CIP EQUAL Czech Republic is the Ministry of Labour and Social Affairs. This Initiative promotes international cooperation in the development and promotion of new instruments of combating all forms of discrimination and inequality at the labour market.

guarantees are provided to men by the legal systems of the Slovak Republic, of the Czech Republic and of Luxembourg and the extent to which men use such opportunities and for what reasons they do not use them. The participation of the Czech Republic in the project was represented by results of its survey of men on parental leave – a legal and sociological analysis of the situation in the Czech Republic. The project ended by a specialized conference named “Role of Fathers in the Promotion of Gender Equality”.

61. The Government has been monitoring since 2002 shifts in public opinion on equal opportunities of men and women by means of a survey called “Trends of Social and Political Mechanisms Affecting Gender Relations”. Identical questions on gender equality are posed every year to a representative sample of the population in the Czech Republic and differences in opinions of the Czech public on this topic are assessed. According to the most recent trends, the inhabitants of the Czech Republic believe that opportunities of men and women in various fields of life are not well balanced. According to the public opinion, the men’s domain consists in more equitable remuneration for work. Approximately two thirds of the population of the Czech Republic (63.4%) believe that women have fewer opportunities than men to obtain the same salary for the same work³¹

Measures aimed at proper understanding of maternity as a social function and recognition of the common responsibility of men (letter b)

62. Section 32(1) of the new Sickness Insurance Act³², which became effective as of 1 January 2009, permits rotation between mother and her husband (or the child’s father) in the care for the child and grants the right to monetary maternity allowance to the mother’s husband or the child’s father who has concluded a written agreement with the mother. In such case, payments of the monetary maternity allowance to the mother are suspended and the allowance begins to be paid to the man from his own sickness insurance and *vice versa*. However, such agreement may be concluded for a period beginning not earlier than from the start of the 7th week after childbirth. Hence, the new Sickness Insurance Act has removed the situation where the vast majority of men who have decided to take care of the child were only entitled to the parental allowance, which was lower than the monetary maternity allowance.
63. As regards reconciliation of work and family life and active fatherhood promotion, the Government intends to introduce a one-week father’s leave as a part of the Set of Pro-family Measures – the pro-family package approved by the Government Resolution No. 1451 of 19 November 2008. The purpose of the newly proposed “paternity allowance”, which will become a new sickness insurance benefit³³, will be to provide financial assistance to a father who has decided to suspend temporarily the performance of his gainful activities and to take care of his newborn child, whether alone or together with the child’s mother. Enabling reinforcement of the relationship between the father and the child at an early stage of the child’s life appears desirable also for the father, who will find it easier to identify himself with his fatherly role. The child’s father will be entitled to the allowance. The man who will be deemed the child’s father for the purpose of this allowance will be the man registered in the child’s birth certificate as the child’s father. The entitlement to the “paternity leave” will be conditional upon personal care of the child. The insured (the child’s father) will have to start his “paternity leave” not later than by the end of six weeks of the child’s life and the “paternity allowance” will be paid for one week after the start of such leave.

Art. 6

Prostitution and human trafficking

64. The Committee is concerned that the Czech Republic has not ratified yet the Convention against Transnational Organized Crime and its Protocol to Prevent, Suppress and Punish Trafficking in Persons,

³¹ These results are published at:

www.vlada.cz/assets/cs/vlada/clenove/stehlikova/rovnoprilezitosti/archiv/trendy-2007.pdf.

³² Act No. 187/2006 Coll. on Sickness Insurance, as amended.

³³ Pursuant to Act No. 54/1956 Coll. on Employee Sickness Insurance, as amended, the following four allowances are paid out of sickness insurance: the sickness allowance, the benefit paid for care for a family member, equalization benefit in pregnancy and maternity and monetary maternity allowance.

Especially Women and Children (**clause 17 of the Recommendations**). The Czech Republic signed this Convention and its supplementing Protocol on 12 December 2000. Although the legal system of the Czech Republic meets almost all requirements imposed on signatory states in the Protocol, the Czech Republic is still unable to ratify the convention and its protocol due to absence of legislation stipulating responsibility of legal entities for selected criminal offences. The Czech Republic is aware of major significance of this requirement for prosecution of perpetrators of human trafficking, which arises from frequent participation of legal entities, such as companies operating hotels, bars, night clubs, game parlours, agencies brokering employment abroad, travel and transport companies, publishing and printing houses producing pornography and other companies, in this type of crime. Ascribing individual responsibility for this criminal activity is frustrated in these cases by notorious cumbersomeness of international legal aid and other problems with evidence. At the beginning of 2008, the Government approved³⁴ the Concept of Combating Organized Crime. The Ministry of the Interior is currently working on an intended subject matter of the Act on Administrative Responsibility of Legal Entities for Illegal Acts Which Have to Be Prosecuted under International Agreements against Organized Crime.

65. The Committee demands updated information about measures taken with regard to prevention of human trafficking (**clause 18 of the Recommendations**). Problems of human trafficking and prostitution are dealt with mostly by the Ministry of the Interior, which implemented in the monitored period a number of programmes, such as “Support and Protection of Victims of Human Trafficking”. The following educational event was organized in 2005 as a part of the PHARE programme³⁵: “Investigative skills and law enforcement in human trafficking”.
66. Measures adopted for prevention of human trafficking are based mostly on tasks set forth in the National Strategy of the Fight against Human Trafficking for Sexual Exploitation Purposes in the Czech Republic in 2005-2007.³⁶ The Ministry of the Interior started a preventive informative campaign on human trafficking issues, focused on the threatened population and on the general public, elaborated and distributed leaflets in the relevant government and self-government institutions (labour offices, social departments of self-government authorities, secondary schools, vocational training centres, foreign diplomatic missions in the Czech Republic) and implemented a pilot project of an information campaign relating to human trafficking, which was focused on the demand side.
67. Important preventive education activities addressing the broader professional public include regional round tables. The principal objective of these events is networking, i.e. creating opportunities to invite to the same table key subjects which deal (or could deal) with human trafficking issues in the region and to identify potential cooperation areas in the region.
68. Another helpful activity was a survey of the International Organization for Migration (IOM) relating to motivation of customers of commercial sexual services which leads them to seek prostitutes. This activity was inspired by the fact that customers are probably those who come most frequently into contacts with human trafficking victims but are not aware of such fact, whilst they can contribute to a greater extent to the identification of victims. The survey was immediately followed by a pilot campaign focused on customers, which was held from April until August 2006 in two border regions of the Czech Republic, in Plzeňský and in the South Moravian Region, and was devoted to the depiction of symptoms of human trafficking and involuntary prostitution. At the same time, the campaign offered to clients of sexual services a possibility to report safely and anonymously any suspicion and to learn more about the criminal human trafficking activities. Based on a positive assessment of this campaign, the Ministry of the Interior decided on its continuation at the national level, again under IOM’s

³⁴ The Concept was approved by the Resolution of the Government of the Czech Republic No. 64 of 23 January 2008.

³⁵ PHARE represents the main financial and technical cooperation channel with the aim of assisting Central and Eastern European countries with the preparation for their entry into the European Union. This programme was ended in the Czech Republic at the end of 2006.

³⁶ This National Strategy was approved by the Resolution of the Government of the Czech Republic no. 957 of 20 July 2005.

coordination in cooperation with the non-governmental organizations La Strada ČR³⁷ and Arcidiecévní charita Prague – the Magdala Project³⁸. Operators of partner non-governmental organizations respond to telephonic reports on advertised numbers, and a website available³⁹ in three language versions provides detailed information about human trafficking, offering a possibility to send an e-mail or to join a discussion forum.

69. Another very important type of activities are the preventive activities designated to secondary, higher school and university students, which are carried out by the Ministry of the Interior and which inform about risks of vice crime (pandering and human trafficking), other related risky activities (prostitution) or about risks related with seeking work abroad.
70. It can be said at present that the level of knowledge of the broader public about human trafficking is very low in comparison with other European states. Public awareness is related to all other areas – amounts of funds invested into activities carried out by the police, non-governmental organizations and all other entities are also reflected in the method and results of court review of individual cases, etc.
71. The Czech Republic joined international human trafficking prevention projects in source countries. Among very important activities, we may refer for instance, to the project of the United Nations Office for Drugs and Crime in Moldavia or cooperation with Slovakia in the elaboration of a Slovak programme designated for human trafficking victim. IOM further organized a series of seminars containing also a human trafficking prevention element, called “Assistance in stabilization of potential migrants and prevention of unlawful migration of minors” and a series of lectures “Promotion of the development of migration border management”.
72. The System of Support and Protection of Human Trafficking Victims, founded in 2003, is also designated to motivate victims for cooperation with bodies active in criminal proceedings. The “Model of support and protection of victims of human trafficking for sexual exploitation purposes” was proposed in the same year. This pilot model was renamed in April 2004 as the Programme of Support and Protection of Human Trafficking Victims in the Czech Republic. This programme was formalized and institutionalized in 2005 and the National Coordination Mechanism was established. Agreements between the Ministry of the Interior and selected non-governmental organizations on cooperation in providing support and protection to human trafficking victims were signed for the first time in July 2005. These agreements were then concluded repeatedly for one-year period. By the creation of this programme, the Czech Republic followed the example of other European countries (e.g. Italy, Belgium and the Netherlands) which consider the assistance to victims as an effective instrument of struggle against human trafficking. Since 2005, this programme has encompassed all human trafficking forms.
73. A total of 16 human trafficking victims were enrolled in the programme in the period from April 2004 until January 2005. Victims enrolled in the programme were trafficked not only for the purpose of forced prostitution but also for forced labour purposes. As much as 33 human trafficking victims were enrolled in the Programme by the end of 2007. All victims cooperated with the Police of the Czech Republic and contributed in some cases to a great extent to the investigation of various types of criminal activity. A total of 89 victims were enrolled in the Programme from 2003 until the end of 2008.
74. The Programme takes into account specifics of the crime of human trafficking, particularly the high latency of this crime, the experienced trauma and vulnerability of individual victims. As mentioned

³⁷ La Strada ČR, o.p.s. is a non-governmental non-profit organization involved in the resolution of human trafficking issues. The Czech La Strada was founded in 1995 and is one of the founding members of an international network operating in nine European countries: The Netherlands, Poland, Bulgaria, Byelorussia, Moldova, Macedonia, Bosnia and Herzegovina and Ukraine. The key activities of this organization are focused on three areas: efforts to influence conceptual and systematic measures taken by the Government in the area to human trafficking in favour of the trafficked persons, preventive and educational activities and social assistance to trafficked persons.

³⁸ The Magdala Project’s mission is to help women involved in prostitution return to ordinary life. The aim of this social service is to provide to women involved in prostitution an opportunity to change their current life style, to enable them to cope with their past and to assist them in the inclusion into the mainstream society.

³⁹ www.rekni-to.cz, www.sage-es.cz, www.say-it.cz

above, the objective of this Programme is to provide support to victims and to ensure the protection of their human rights and dignity and to motivate them to testify.

75. The Ministry of the Interior also launched in 2008 the implementation of the Information System: Trafficked Person. This database will contain items necessary for keeping record of human trafficking victims within the Programme.
76. Several training courses for workers of non-governmental organizations, members of the police and the alien police and employees of arresting gear, which were held in 2005, were focused on identification of human trafficking victims and on their motivation for cooperation with law enforcement authorities.

Art. 7

Participation in the formulation and the implementation of government policy and performance of public functions (letter b)

77. In 2004, the Ministry of Labour and Social Affairs mapped the gender structure in power and decision-making posts. This survey⁴⁰ found out that the representation of women at top political posts in the Czech Republic and at the regional level is still low. The masculine nature of the Czech political stage is reflected in its daily functioning, in conduct and behaviour standards and in interaction mechanisms.
78. The participation of women in the decision-making process in the monitored period is summarized by **tables no. 8.1-8.5**.
79. The number of women working in the monitored period in the judiciary, at all public prosecution levels, in the Prison Service, the Probation and Mediation Service and in the Institute for Criminology and Social Prevention, is summarized in **tables no. 9.1-9.7**.
80. The application of gender equality principles in the preparation of laws continues to be discussed in connection with the issue of equal representation of women and men in elected bodies.
81. A conference with international participation titled “Let’s not be afraid of quotas! Promotion of women’s entry into politics: a possibility to apply affirmative instruments” was held in 2007 on the occasion of the European Year of Equal Opportunities in 2007. A collection of presentations with the same name was published in connection with the conference.⁴¹

Elections to the Chamber of Deputies of the Parliament of the Czech Republic

82. Elections to the Chamber of Deputies of the Parliament of the Czech Republic were held on 2 and 3 June 2006. 31 (15.5%) of the total number of elected deputies were women.
83. The total number of candidates was 4985, 1383 (27.74%) of whom were women.

Elections to the Senate of the Parliament of the Czech Republic

84. Elections to the Senate of the Parliament of the Czech Republic were held on 5-6 November 2004 in 27 constituencies in the Czech Republic. 37 (18.78%) of the total number of 197 candidates and three out of the 27 elected senators (11.11%) were women. By-elections to the Senate of the Parliament of the Czech Republic were held in October of the same year. One of the total number of twelve candidates was a woman. Both elected senators were men.

⁴⁰ www.mpsv.cz/files/clanky/961/02_zprava.pdf.

⁴¹ www.padesatprocent.cz/docs/Nebojme_se_kvot.pdf.

Elections to regional assemblies

85. Elections to regional assemblies were held in November 2004. 102 (15.11%) of the total number of 675 elected representatives were women.

Elections to municipal assemblies

86. Elections to municipal assemblies were held in October 2006. 15,588 (24.97%) of the total number of 62,426 elected representatives were women.
87. Hence, it may be concluded that the highest representation of women exists at the local level.

Art. 8

No changes occurred in the monitored period.

Art. 9

No changes occurred in the monitored period.

Art. 10**Equal conditions for election of employment and occupation, access to studies in all types of vocational training (letter a)**

88. The Czech Republic does not apply any differences based on sex or other grounds as regards enrolment into the educational system, including lifelong education courses.
89. The Committee expresses its concern that Roma women and girls remain in vulnerable situation and on the margin of interest (**clause 21**). Activities focused on participation of Roma women and girls in education, which were implemented in the monitored period, comply with the action plan of the Decade of Roma Inclusion 2005–2015. It may be said that the number of Roma girls enrolled in secondary schools and universities is increasing (they are supported by the Ministry of Education, Youth and Sports by way of a subsidy programme of support of Roma secondary school students). One of the topics of the support programme for integration of the Roma community is preschool preparation of Roma children and parent involvement in these activities. Schools employ pedagogic assistants for pupils from socially disadvantaged environment. Most of those assistants are women.⁴²
90. As regards education, it is a fact that a substantial part of Roma girls face major obstacles in completing basic school attendance. Hence, they lose an opportunity to succeed at the labour market. The reasons of these difficulties also include weak social-economic background of the family and other related problems. The Agency for Social Inclusion in Roma Localities, which launched its pilot operation in February 2008, aims at the improvement of the quality of life of inhabitants of these localities, stopping the expansion of Roma ghettos and setting up the most effective model of use of funds, particularly from the European Structural Funds, for Roma community integration purposes.
91. Measures adopted for the purpose of increasing the participation of girls in technical branches continue to be fulfilled; a slight increase of the number of girls studying these branches has become apparent (see **Tables no. 6.1-6.3 Total number of students /Number of girls/Number of boys**).
92. Career promotion of female employees in the field of science and research proceeded at a slightly lower pace in the period under review, analogically with the previous monitored period (see **Tables No. 7.1-7.5 Number of research/technical workers**).

⁴² See e.g. The Sixth and the Seventh Periodic Report of the Czech Republic on the Implementation of the International Convention on the Elimination of All Forms of Racial Discrimination (CERD/C/CZE/7).

Elimination of all stereotyped concepts in the perception of the roles of men and women (letter c)

93. The Ministry of Education, Youth and Sports has currently established an independent ministerial team for social programmes in education, which coordinates compliance with gender equality at schools and in science and initiates measures aimed at implementation of equality. Furthermore, this ministry organized in the monitored period a large number of courses for pedagogical workers, which were related to gender issues.⁴³
94. The Ministry of Transport implemented several projects, *inter alia*, short educational films in the series “Woman Behind the Wheel” or the campaign “Male/Female Driver of the Year”. The aim of the series “STOP – Woman Behind the Wheel” was to draw attention to female drivers as responsible and full-fledged road traffic participants.

Access to specific educational information to help ensure the health and well-being of families (letter h)

95. The training directed at responsible sexual behaviour (reproduction health) is a part of Framework Educational Programmes – the Framework Educational Programme for preschool education, primary education, secondary grammar schools, secondary grammar schools with sports training and most Framework Educational Programmes for secondary vocational centres. Sexual education in the Framework Educational Programme for primary education is a part of the educational subject Man and His World at the first level and Man and Health at the second level, study branch Health Education. Due to the individual and social dimensions of health, the study branch Health Education is very closely connected with the cross-sectional theme Personality and Social Education.
96. Education in the above-mentioned educational branches is focused on the creation and development of key competencies of pupils, among others, by helping pupils realise that health is the crucial value of life, use mastered preventive procedures to influence health, reinforce methods of decision and conduct in accordance with proactive health promotion in any situation of life, link activities and behaviour related to health and healthy interpersonal relations with fundamental ethical and moral attitudes, wilful efforts, etc.
97. The teaching subjects relating to human body, sex differences between men and women, biological and psychological adolescence, partnership, parenting, sexual education fundamentals, intimate and psychological hygiene, ways of transfer of HIV/AIDS, safe behaviour (including safe use of the Internet), protection from sexual abuse, etc., contribute to the achievement of expected outputs at the first primary school level. These subjects are further developed at the second primary school level, with an emphasis on adolescence and reproduction health, particularly premature sexual experience, pregnancy and parenthood of minors, sexual identity disorder, protection from venereal diseases and hidden forms of violence. The content is common for girls and boys. If the school so elects, some topics may be discussed separately.
98. The Ministry of Health announces regularly a subsidy programme “National Health Programme”, aiming to provide long-term support to interest in active relation and responsibility for health and its reinforcement in families, schools, enterprises, municipalities and other communities through the implementation of health promotion projects. This programme includes a long-term project of health improvement of the population of the Czech Republic “Health for All in the 21st Century”, which is also focused on a substantial reduction of the number of young people involved in forms of behaviour that are detrimental to health, including drugs, tobacco and alcohol consumption.
99. These programmes include solutions of pregnancy issues, particularly improved access to prenatal and perinatal care. Increased health care provided to women during pregnancy, which is covered by health

⁴³ E.g. the course “Picture test of occupational guidance”, which acquaints with the process of selection of further educational path, selection of boys and girls and their approach to selection, the course “Community principles and effective team management in educational institutes”, which provided information about team management, team roles, equal access and position of men and women in a work team.

insurance, includes the following: comprehensive prenatal examination with registration in antenatal clinic, issue of an identity card for pregnant women with a list of all examination required during the entire period of pregnancy, regular examination at the antenatal clinic and outpatient cardiotocographic examination five times per years. Furthermore, pregnant women are entitled to ultrasonographic screening in the 18th to 20th week and 30th to 32nd week of pregnancy, or to a superconsiliary ultrasonographic examination and ultrasonographic pelvis examination in case of pregnancy pathology.

100. The Ministry of Health promotes projects aimed at the improvement of reproduction health of women, improvement of dietary habits of women (including pregnant women) and breastfeeding promotion. The Czech Republic shares recommendations of the World Health Fund and the United Nations Children's Fund (UNICEF) regarding exclusive breastfeeding for 6 months, introduction of non-milk baby food only after the 6th month of age and continuing breastfeeding together with baby food up to two years of age of the child.
101. The National Health Programme also resolved the problem of reduction of the number of unwanted pregnancies of adolescent girls, with a focus on promotion of education consisting in specific education of young people in prevention of risky behaviour and provision of appropriate contraception methods. The Ministry of Health cooperates in this task with the Family Planning and Sexual Education Society and with the Ministry of Education, Youth and Sports.
102. A positive development has occurred as regards the abortion rate in the Czech Republic. The number of abortions is decreasing, particularly due to the expansion of the market of state-of-the-art contraception, its use and education. The number of abortions has fallen in recent years from 100,000 to 30,000 a year. 76 per cent of abortions were made with the use of the mini-abortion method.⁴⁴

Art. 11

Measures to eliminate discrimination against women in the field of employment (par. 1)

The right to the same employment opportunities, including the application of the same criteria for selection in matters of employment (letter b)

Legislative measures

103. The new Labour Code became effective on 1 January 2007⁴⁵. This Labour Code prohibits any discrimination in labour relations. Employers are obliged to ensure equal treatment of all employees, as regards their working conditions, remuneration for work and provision of other monetary performance and performance of monetary value, vocational training and occasion for career or other promotion in employment. Unlike the previous Labour Code, the new Labour Code does not define such terms as direct and indirect discrimination, harassment, sexual harassment, persecution, giving instruction and instigating discrimination, but refers to the Antidiscrimination Act, which has not yet been adopted⁴⁶. The Antidiscrimination Act should also regulate legal means of protection against discrimination in labour relations⁴⁷.
104. The Labour Code contains a negative definition of what is not considered as discrimination and enables the employee to adopt temporary measures aiming at the achievement of equal representation of men and women. Hence, different treatment is not considered as discrimination if it results from the nature of work activities or connections that the relevant reason represent a substantial and decisive requirement relating to the performance of work which is to be performed by the employee and which is

⁴⁴ A number of European states do not keep records of mini-abortions. The gynaecologist makes a "menses regulation" without identifying why the menses lapsed and whether it has been caused by miscarriage. In a situation where the mini-abortion constitutes almost 80% of all abortions, it is evident that their inclusion or no-inclusion in the total number of abortions plays a crucial role.

⁴⁵ Act No. 262/2006 Coll., the Labour Code, as amended.

⁴⁶ Section 16(2) of Act No. 262/2006 Coll., the Labour Code, as amended.

⁴⁷ Section 17 of Act No. 262/2006 Coll., the Labour Code, as amended.

necessary for the performance of work; the objective pursued by such exception of the equal treatment principle must be justified and the requirement must be adequate.⁴⁸

105. The above-mentioned terms are defined by the Employment Act,⁴⁹ which also stipulates that if there occurs, during the exercise of the right to employment, a violation of rights and obligations arising from the equal treatment principle or any discrimination, the affected individual has the right to demand termination of such breach, removal of its results and to request adequate satisfaction. If the dignity or respect of an individual is significantly affected, such individual is entitled to compensation of immaterial loss in money. However, the sphere affected by the Employment Act – employment policy – is different from the sphere affected by the Labour Code. Labour relations (i.e. relations arising after the establishment of an employment relationship) are dealt with by the Labour Code.

Measures adopted by state administration authorities

106. The Binding Instruction of Police President dated 20 December 2005 unified conditions for assessment of physical ability of candidates. The assessment of achieved results no longer considers the candidate's age or sex.
107. A comparison of gross monthly wage of men and women see **Table no. 10.1.**

Measures to prevent discrimination of women on the grounds of marriage or maternity

(par. 2)

Legislative measures

108. The Labour Code is based to a considerable extent on prior legislation regarding protection of pregnancy and motherhood.⁵⁰
109. A female employee is entitled to a maternity leave for 28 weeks in connection with childbirth and care for the newborn child; a female employee who has given birth to two or more children is entitled to 37 weeks' maternity leave. The female employee usually starts her maternity leave from the beginning of the sixth week before the scheduled childbirth date but not earlier than from the beginning of the eighth week before such date. A female employee who uses less than six weeks of her maternity leave before childbirth because the childbirth has occurred sooner than determined by the physician is entitled to maternity leave since its start-up date until the expiry of the 28 weeks (or 37 weeks if she has given birth to two or more children at the same time). However, a female employee who uses less than six weeks of her maternity leave before childbirth for another reasons, will only be granted maternity leave from the childbirth date up to the expiry of 22 weeks (or 31 weeks if she has given birth to two or more children at the same time). In case of a stillborn child, the female employee is entitled to 14 weeks of maternity leave.⁵¹
110. Maternity leave relating to childbirth may never be shorter than 14 weeks and cannot be terminated or interrupted in any case before the expiry of six weeks after childbirth.
111. The right to maternity leave also belongs to a female employee who has taken a child into her care substituting parental care based on a decision of the relevant authority, or who has assumed care for a child whose mother has died. Maternity leave is provided to such employee for a period of 22 weeks from the date when she has taken charge of the child (or 31 weeks if the female employee has taken charge of two or more children) but for no longer than until the date when the child will reach one year of age.⁵²

⁴⁸ Section 16(3) of Act No. 262/2006 Coll., the Labour Code, as amended.

⁴⁹ Section 4 of Act No. 435/2004 Coll. on Employment, as amended.

⁵⁰ Act No. 262/2006 Coll., the Labour Code, as amended, replaced the previous Labour Code, i.e. Act No. 65/1965 Coll., the Labour Code, as amended.

⁵¹ Section 195 of Act No. 262/2006 Coll., the Labour Code, as amended.

⁵² Section 197 of Act No. 262/2006 Coll., the Labour Code, as amended.

112. If the child has been transferred for medical reasons to the care of a nursery or other medical establishment and the female employee returns to work, the maternity leave will be interrupted and its unused part will be granted since the day of return of the child from the institution into the employee's care, but only until the child reaches three years of age. A female employee who stops taking care of the child and the child is entrusted on these grounds to the family or institutional care substituting parental care or a female employee whose child is temporarily placed in a nursery or any other similar establishment for other than medical reasons is not entitled to maternity leave for the period during which she does not care for the child. If the child dies at the time when the female employee is on maternity leave, she will be granted maternity leave for two weeks after the death of the child but only up to the date when the child would reach one year of age.⁵³
113. To deepen the care for the child, the employer is obliged to provide to the female and the male employee upon request parental leave. The parental leave is provided to the child's mother after the expiration of the maternity leave and to the father since childbirth for the requested period but only up to the date when the child reaches three years of age. Maternity and parental leave may be taken simultaneously by the female and the male employee.⁵⁴
114. A female employee who has assumed care of the child in substitution for parental care under a decision of the relevant authority or of a child whose mother has died is also entitled to parental leave.⁵⁵
115. The protection of pregnant employees and employees on maternity and parental leave is secured by the provisions under which the employer may terminate employment by notice to the employee solely under the grounds stipulated by the law⁵⁶. The notice must be in writing, must be delivered to the employee and must state the reasons for notice, otherwise it is invalid⁵⁷. The employer may not give notice to the employee in the protection period, i.a. at the time when the female employee is pregnant or is on maternity or parental leave⁵⁸. This prohibition of termination of employment by notice does not apply to cases of termination due to external organizational changes (winding-up or relocation of the employer or its part). The prohibition of notice does not also apply to cases where the employer is entitled to terminate employment with immediate effect, except for employees on maternity leave.
116. If a female employee is given, prior to the start of her maternity leave, notice for reasons allowing the employer to immediately terminate employment and the notice period is to end during her maternity leave, the notice period will end at the same time as the maternity leave.
117. Every employee may turn to the court to demand declaration of invalidity of the termination of employment and request the employer to further employ him/her. If the court decides that the notice is invalid, the employee is entitled to wage compensation equal to the average earnings for the entire period in which he/she was not assigned work⁵⁹.
118. A female employee who returns to work after the expiration of her maternity leave will be assigned her original work and placed in her original workplace. If this is impossible because the original work no longer exists or the workplace has been closed, the employer will assign her to the post and place in accordance with her employment contract⁶⁰.
119. The Labour Code sets forth special working conditions for certain employees, i.a. also pregnant employees⁶¹. If a pregnant employee performs work which is prohibited to be performed by pregnant

⁵³ Section 198 of Act No. 262/2006 Coll., the Labour Code, as amended.

⁵⁴ Section 196 of Act No. 262/2006 Coll., the Labour Code, as amended.

⁵⁵ Section 197 of Act No. 262/2006 Coll., the Labour Code, as amended.

⁵⁶ Section 52 of Act No. 262/2006 Coll., the Labour Code, as amended.

⁵⁷ Section 50 of Act No. 262/2006 Coll., the Labour Code, as amended.

⁵⁸ Section 53 of Act No. 262/2006 Coll., the Labour Code, as amended.

⁵⁹ Section 69 and Section 72 of Act No. 262/2006 Coll., the Labour Code, as amended.

⁶⁰ Section 47 of Act No. 262/2006 Coll., the Labour Code, as amended.

⁶¹ Sections 239-241 of Act No. 262/2006 Coll., the Labour Code, as amended.

employees⁶² or which is qualified by a medical report as endangering her pregnancy, the employer must transfer her temporarily to another work suitable for her where she may have the same earnings as in her current work. If a pregnant employee working at night asks for transfer to daytime work, the employer is obliged to grant her request. A female employee who earns without her fault lower amounts at the post where she has been transferred will be provided an equalization benefit to make up for such difference.

120. Pregnant employees and female and male employees taking care of children up to eight years of age may be dispatched to business trips outside the municipality where their workplace or residence is located only with their consent and may be transferred only upon their request. The employer may not assign overtime work to pregnant women.
121. The employer is obliged to transfer the female employee to another work, *inter alia*, in the following cases:
- if a pregnant or nursing employee or a mother up to the end of the ninth month after childbirth any work which may not be performed by such employees or which is qualified by a medical report as endangering her pregnancy or maternity
 - upon request of a pregnant or nursing employee or mother up to the end of the ninth month after childbirth who works at night⁶³.

Complementary social services allowing to reconcile family and work duties (letter c)

122. As regards reconciliation between work and family duties, the Government considers the adoption of measures expanding the scale of services providing individual care for children, i.e. the introduction and promotion of innovative child care, particularly with regard to preschool children, in an environment which is as close as possible to the family environment. One of those measures is the introduction on mutual parental help, representing an informal child care service provided on an individual basis, which is to assist legal guardians with their care for children, thereby creating conditions for better alignment of the personal, family and working life.
123. In its Set of Pro-family Measures – pro-family package, the ministry of Labour and Social Affairs proposes an amendment to the qualifications requirements relating to an entrepreneur or an individual performing registered trade activities “Daily care for a child up to three years of age”. Furthermore, the Ministry proposes an amendment of hygienic conditions of operation of the above trade and of the unregistered trade no. 72 “Out-of-school care and education, organization of courses and trainings, including lecturing activities”. The purpose of the proposed amendment is to expand the offer of individual child care services. As a condition for their performance, such activities have to be performed in the entrepreneur’s household or in any other appropriate space and such case may only be provided to the maximum of four children at the same time.
124. Another measure proposed by the Ministry of Labour and Social Affairs is the introduction of a child care service provided on a non-commercial basis – a mini-kindergarten. This proposal corresponds in principle with the proposal relating to trades licensing. However, this is not a commercial type of service but a service provided most frequently by the parent’s employee at the parent’s workplace or any other appropriate and accessible place. By its organization, this care will be as close as possible to the child’s life in the family. The proposal further stipulates hygienic conditions, spatial requirements, requirements regarding furnishings, catering and the caregiver’s professional qualifications and duties.

⁶² According to Decree No. 288/2003 Coll. setting work types and workplaces prohibited to pregnant women, nursing women, mothers up to the end of the ninth month after childbirth and minors and terms under which such works may be exceptionally performed by minors as a part of vocational training, such works include works connected with excessive physical load with regard to changes of organism during pregnancy, where the pregnant women could be exposed to shocks or vibrations.

⁶³ Section 37 of Act No. 262/2006 Coll. , the Labour Code, as amended.

Art. 12
**Measures to eliminate discrimination against women in the field of health care —
ensuring appropriate services in connection with pregnancy**
Measures to eliminate discrimination in the field of health care (paragraph 1)

125. In **clause 23**, the Committee expresses its concern about the ombudsman's report of December 2005 relating to uninformed and involuntary sterilization of Roma women. The Ministry of Health completed in 2006 the investigation of specific complaints relating to sterilization of women in the Czech Republic (a total of 80 complaints). The advisory team established for the examination of women in relation to sterilization performed on them during the provision of health care concluded that errors had occurred but in no case within a nationwide campaign or based on racial or national policy. Those were only errors committed by individual medical establishments. In some cases, not all conditions stipulated in the relevant directive had been complied with; in other cases, the team found administrative errors and isolated cases, the team found errors in medical indication. A central expert commission established to investigate these cases found that the procedure applied during the provision of medical care in cases of sterilization had been correct.
126. In the vast majority of cases, the key problem of sterilization performed on both women and men was the method of obtaining prior informed consent of patients. In the course of review of these issues, it was found that the provision of informed consent had been a major problem in the past in other medical fields as well. These surgeries were made between 1961 and 2004. In nine cases, medical documents could not be presented because they had been destroyed by floods.
127. Out of all reviewed cases:
- sterilization was not made in 12 cases, i.e. the allegations relating to sterilization were false;
 - the conditions stipulated in the Guideline of the Ministry of Health of the Czechoslovak Republic of 17 December 1971 on performance of sterilization were fully complied with in 14 cases;
 - the conditions of the above guideline were not fully complied with in 44 cases- in 36 of these cases due to administrative deficiencies;
 - doubts about authenticity of signatures (three crosses etc.) were ascertained in eight cases.
128. All sterilization were made on the basis of medical indication determined by a physician. Social workers are not authorized to indicate any medical intervention or examination, including sterilization. Five cases have been reviewed since 2001, i.e., since the effective date of the Convention on Human Rights and Biomedicine.
129. The issue of patient rights was newly regulated in an amendment to the Act on the Care for Health of the People⁶⁴ adopted in 2007, which materially enhanced the rights of the patient and his/her close person regarding participation in the provision of health care. It is expressly stipulated that any medical intervention may be made solely with the patient's consent, unless regulated otherwise by the law. The patient must be also properly informed in advance about the proposed intervention, its risks, treatment benefits and consequences of refusal of treatment.
130. The issue of sterilizations will be newly regulated in detail in the bill on specific medical services (which has been currently submitted to the Government of the Czech Republic for approval). This bill enhances significantly patient rights and accentuates, among others, the rights of patients deprived of the capacity to perform legal acts and patients with restricted capacity to perform legal acts to such extent that they are unable to grant consent with a medical service.

⁶⁴ Act No. 20/1966 Coll. on the Care for Health of the People, as amended.

Art. 14
Measures to eliminate discrimination of women in rural areas

131. Several projects and events have been organized successfully since 2001 by the Ministry of Health in cooperation with the non-state non-profit organization Český svaz žen⁶⁵ (Czech Women's Union), such as "Rural Woman", "Woman – Consumer", "Woman and Food Legislation", "Woman and Equal Opportunities". In 2006, the Ministry of Health organized in cooperation with the Czech Women's Union a conference under the name "Women and Future of Rural Areas". In 2008, the Ministry of Health accentuated particularly the government document "Rural development programme – rural financial opportunities after 2006". Financing of plans of rural entities through this programme has become, since 2007, one of the sources of funding public services in rural areas, such as education, transport, social services, civic amenities in municipalities.
132. On the occasion of the European Year of Equal Opportunities⁶⁶ in 2007, the Czech Women's Union organized in cooperation with the Ministry of Health a conference addressing equal opportunities of women and men in the Czech Republic, which was devoted, among others, to the legal status of women at family farms or to the method of promoting equal opportunities of women and men at the regional level.
133. At the same time, a number of conferences and seminars were held in regions on selected topics, such as "Women in rural regions and access to services", "Women in rural regions and access to employment and education", "Family farms – employment of family members – risks and implications".
134. As regards region, a Council of Economic and Social Accord established in the South Moravian Region reviews, proposes and promotes resolutions of problems relating to economic and social development in the region, particularly with respect to employment and development of human resources, conditions for performance of business activities and public services, such as transport service, health care, schools, social care and social conditions of people.

Information about measures adopted to implement the Beijing Declaration

135. The Committee requests full application of the provision of the Beijing Declaration and the Action Platform during the fulfilment of the obligations set out in the Convention (**clause 33**). The Department of Equality of Women and Men, which was established at the Ministry of Labour and Social Affairs as of 1 January 1998 and which operates as the coordinator of the national agenda relating to the status of women in the society, prepares a summary report on the performance of the national action plan for creation of equal opportunities of women and men ("Government Priorities and Procedures for the Enforcement of Equality of Men and Women"⁶⁷). This national action plan was elaborated from the very outset in accordance with the fulfilment of the conclusions of the Fourth World Conference on Women organized by the UN in Beijing in September 1995. The validity and topicality of the Beijing Action Platform was confirmed in March 2005 at the 49th session of the UN Committee on the Status of Women. The National Action Plan for Promotion of Equality of Women and Men in the Czech Republic focuses on seven out of twelve critical areas of concern listed in the Beijing Action Platform, which are relevant for the Czech Republic:
- promotion of the principle of equality of men and women as a part of the government policy,
 - legal safeguards of prerequisites for equality of men and women and increasing the level of legal awareness,
 - ensuring equal opportunities for men and women in access to economic activity,

⁶⁵ Český svaz žen is a non-governmental women's organization operating on a voluntary basis for the benefit and in the interest of women and their rights (www.csz.cz).

⁶⁶ An EU initiative.

⁶⁷ www.vlada.cz/cz/pracovni-a-poradni-organy-vlady/rada-pro-rovne-prilezitosti/uvod-29829/

-
- equalization of the social status of women and men taking care of children and family members requiring such care,
 - taking into account reproductive functions and physiological differences of women,
 - suppression of violence against women,
 - monitoring and assessment of effectiveness of the application of equal status of women and men.

136. The programming document Government Priorities and Procedures for the Enforcement of Equality of Men and Women also accentuates objectives included in the United Nations programming document “Millennium Declaration”. Member States of the European Union intend to achieve by 2015 progress in eight key tasks – Millennium Development Goals, which draw attention of the world community to the achievement of significant and measurable improvement of the quality of human life. Major emphasis is put on goal 3 – Promote gender equality and empower women. Each ministry prepares its own programming document for promoting gender equality in areas falling within its competencies⁶⁸. Reports on the fulfilment of priorities of each ministry are collected by the Equality Department, which includes them in the final Report on Fulfilment of Priorities. In its annual assessment of the Priorities programme in 2000, the Government ordered all its members to apply the gender mainstreaming method.

⁶⁸ Government Resolution No. 456 of 9 May 2001.

Tables

Table No. 1

Section of Criminal Code	Grounds of criminal offence	No. of cases
Section 197a	Violence against a group of citizens or an individual (evoking reasonable fear)	5
Section 204	Pandering	19
Section 205	Endangering public morals	3
Section 215	Cruelty to a charge (cases where maltreatment was directed against minor children and against women living in common household with the assailant or maltreatment of women at the retirement age)	4
Section 215a	Maltreatment of a person living in commonly used flat or house (domestic violence)	31
Section 231	Restriction of personal freedom	13
Section 232	Deprivation of personal freedom	2
Section 237	Oppression	3
Section 241	Rape	85
		165

Table No. 2

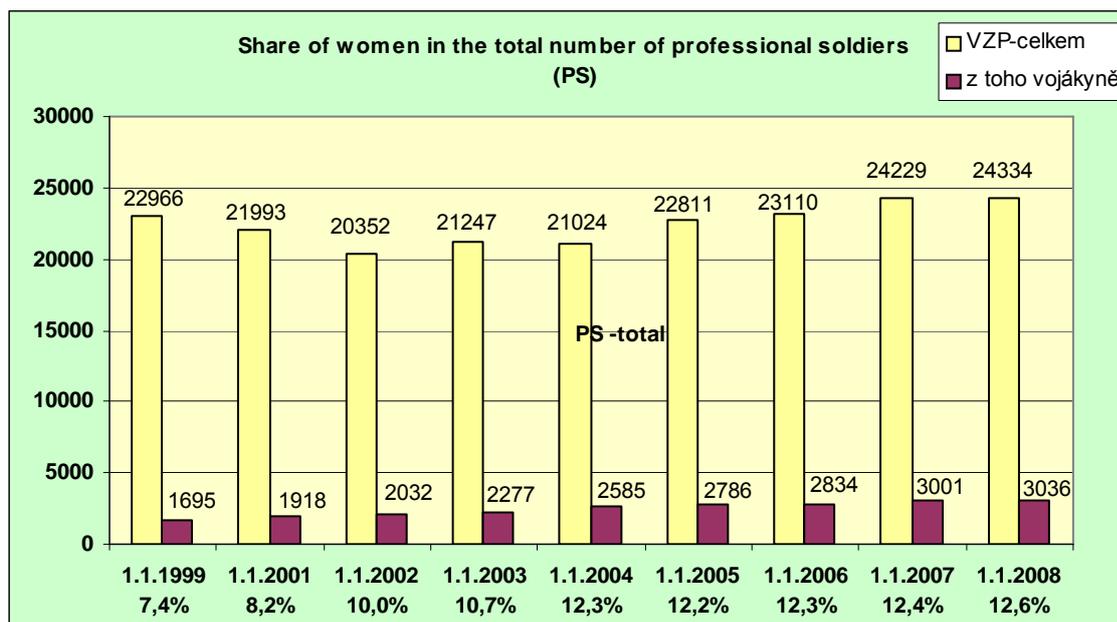
**Persons sentenced for an offence defined in Section 215a of Act No. 140/1961 Coll., the Criminal Code, as amended
Maltreatment of a person living in commonly used flat or house in the year 2004 - 2007**

2004	Total number of sentenced persons*	Women	Men	2005	Total number of sentenced persons	Women	Men
Czech Republic	1	0	1	Czech Republic	134	3	131

*NB.: persons sentenced in the period from 1/6/2004 to 31/12/2004.

2006	Total number of sentenced persons	Women	Men	2007	Total number of sentenced persons	Women	Men
Czech Republic	256	6	250	Czech Republic	291	8	283

Table No. 3



(Legend: PS – total, of which female soldiers)

Table No. 4

Women are represented in all ranks from staff-sergeant to colonel;

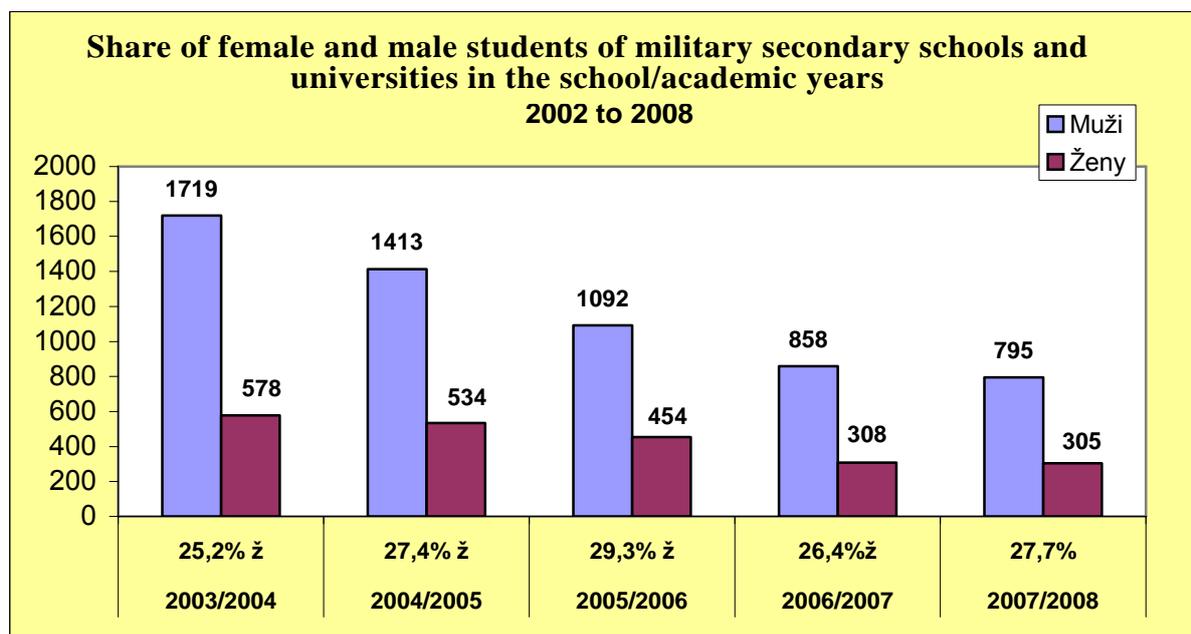
– Most frequent ranks are as follows:

Rank	at 1. 1. 2008	at 1. 1. 2007	at 1. 1. 2006	at 1. 1. 2005
Senior warrant officer	954	861	855	704
Warrant officer	569	608	609	535

– The highest actually achieved rank is as follows:

Rank	at 1. 1. 2008	at 1. 1. 2007	at 1. 1. 2006	at 1. 1. 2005
Colonel	1	1	0	0
Lieutenant-colonel	16	13	7	4
Major	59	53	52	44
Captain	201	193	162	147

Table No. 5



(Legend: Men- Women)

Table No. 6.1

Total numbers of children/pupils/students

	2004/05	2005/06	2006/07	2007/08
Kindergartens	286,230	282,183	285,419	291,194
Primary schools	958,860	916,575	876,513	844,863
Secondary schools	579,584	577,605	576,585	569,267
of which technical	177,945	172,412	167,446	161,366
Musical academies	3,426	3,495	3,534	3,606
Vocational colleges	29,759	28,792	27,650	28,774
of which technical	3,837	3,776	3,507	3,528
Universities	265,070	289,838	316,456	344,180
of which technical	69,900	74,432	79,506	82,382

Source:
ÚIV

Table No. 6.2

Total numbers of girls/women

	2004/05	2005/06	2006/07	2007/08
Kindergartens	136 930	134 727	136 604	139 808
Primary schools	462 983	442 206	422 041	406 776
Secondary schools	287 439	287 263	287 185	283 399
of which technical	29 897	27 835	25 735	23 297
Musical academies	2 007	2 061	2 091	2 161
Vocational colleges	20 668	20 065	19 788	20 529
of which technical	656	734	952	808
Universities	134 869	150 836	167 984	185 948
of which technical	15 806	17 255	19 063	20 468

Source:
ÚIV

Table No. 6.3**Total number of boys/men**

	2004/05	2005/06	2006/07	2007/08
Kindergartens	149 300	147 456	148 815	151 386
Primary schools	495 877	474 369	454 472	438 087
Secondary schools	292 145	290 342	289 400	285 868
of which technical	148 048	144 577	141 711	138 069
Musical academies	1 419	1 434	1 443	1 445
Vocational colleges	9 091	8 727	7 862	8 245
of which technical	3 181	3 042	2 555	2 720
Universities	130 201	139 002	148 472	158 232
of which technical	54 094	57 177	60 443	61 914

Source:
ÚIV

Table No. 7.1

Number of male/female R& D employees by employment type in 2000, 2001, 2006 and 2007 (in FTE)

Employment type	2000		2001		2006		2007	
	Women	Men	Women	Men	Women	Men	Women	Men
Researchers	3,551	10,301	3,853	11,134	6,652	19,615	7,093	20,785
	26%	74%	26%	74%	25%	75%	25%	75%
Technical staff	3,038	4,281	3,447	4,662	5,672	10,168	5,641	9,789
	42%	58%	43%	57%	36%	64%	37%	63%
Others	1,447	1,580	1,399	1,612	2,731	2,891	2,916	2,967
	48%	52%	46%	54%	49%	51%	50%	50%
Total	8,036	16,162	8,699	17,408	15,056	32,673	15,650	33,542
	33%	67%	33%	67%	32%	68%	32%	68%

Source: CZSO, Research and development indicators for 2001; Research and development indicators for 2007.

Table No. 7.2

Number of male/female researchers by science branches in FTE

Key science branches	2000		2001		2006		2007	
	Women	Men	Women	Men	Women	Men	Women	Men
Natural sciences	1,288	3,141	1,143	3,026	1,894	5,270	1,882	5,049
Technical sciences	895	5,307	1,058	5,957	1,402	9,953	1,837	11,334
Medical sciences	393	516	473	596	1,210	1,284	1,263	1,359
Agricultural sciences	400	529	388	525	592	882	624	961
Social sciences	120	191	152	258	862	1,199	796	1,104
Humanities	455	617	639	772	693	1,027	691	978
Total	3,551	10,301	3,853	11,134	6,652	19,615	7,093	20,785

Source: CZSO, Research and development indicators for 2001; Research and development indicators for 2007.

Table No. 7.3

Number of male/female researchers by performance sectors in FTE

Performance sector	2000		2001		2006		2007	
	Women	Men	Women	Men	Women	Men	Women	Men
Business sector	902	4,625	939	4,814	1,625	9,664	1,829	10,668
Government sector	1,398	3,026	1,553	3,284	2,330	4,234	2,478	4,170
Higher education	1,220	2,548	1,346	2,903	2,680	5,672	2,762	5,901
Non-profit sector	25	102	15	133	17	45	24	46
Total	3,551	10,301	3,853	11,134	6,652	19,615	7,093	20,785

Source: CZSO, Research and development indicators for 2001; Research and development indicators for 2007.

Table No. 7.4

Number of male/female researchers in the government and university sector in FTE - by completed education

	2006		2007	
	Women	Men	Women	Men
Holders of the university title "professor"	137	1,081	153	1,155
Holders of the university title "assistant professor"	427	1,653	425	1,675
Ph.D. holders	1,620	3,361	1,680	3,584
Researchers in doctoral studies	775	1,176	866	1,162
University graduates	1,830	2,380	1,894	2,280
Vocational college graduates	29	72	27	38
Secondary school graduates	183	180	171	159
Graduates of other schools	9	4	23	18
Total	5,188	10,231	5,452	10,511

Source: CZSO, Research and development indicators for 2007.

Table No. 7.5

Tertiary educated professionals and technicians (HRSTE) by study branch and sex; 2000, 2001, 2006 and 2007 in thousand persons (HC)

Study branch	2000		2001		2006		2007	
	Women	Men	Women	Men	Women	Men	Women	Men
Basic programmes	0.3	0.6	0.0	0.6	0.6	0.2	0.8	0.2
Pedagogical sciences	108.7	37.1	102.7	36.3	120.7	49.5	124.0	51.2
Humanities and arts	19.8	18.8	22.8	21.9	38.7	29.2	39.3	30.1
Social sciences, business and law	66.3	78.6	67.3	79.1	109.1	104.4	114.8	113.2
Natural sciences	15.5	25.6	14.8	31.3	25.7	48.1	30.6	49.2
Technical sciences	36.4	188.5	39.4	184.4	38.2	200.7	35.4	199.3
Agricultural sciences	14.9	36.4	15.0	36.8	19.3	40.6	17.8	35.6
Medical sciences	36.1	27.7	37.3	27.0	62.0	29.6	64.0	32.0
Services	3.6	20.2	6.3	21.1	8.6	29.4	8.9	28.4
Total	301.7	433.5	305.7	438.5	423.0	531.6	435.6	539.2

Source: Selective labour force survey (CZCO), 2008.

Table No. 8.1

PARTICIPATION OF WOMEN IN DECISION-MAKING AS OF 31 December 2003

Position ⇒	Minister/ M/W	Deputy minister		Section director			Department director			Other specialists			Director of ministerial institution			Field office director		
		M	W	M	W	%W	M	W	%W	M	W	%W	M	W	%W	M	W	%W
Ministry of↓	M/W	M	W	M	W	%W	M	W	%W	M	W	%W	M	W	%W	M	W	%W
Transport and communications	M	4	1	13	4	23.5	36	9	20	177	160	47.5						
Finance	M	6	1	37	10	21.3	83	73	46.8	547	826	60.2	19	1	5			
Culture	M	2	1	7	5	41.7	9	15	63	63	140	69	28	5	19			
for Regional Development	M	4	1	16	8	30	29	13	30.9	200	230	53.4						
Defence: professional soldiers	M	1	0	33	0	0	97	2	2	379	42	9.9						
civil employees ¹		4	1	51	1	1.9	108	22	16.9	532	948	64						
Labour and Social Affairs	M	5	2	13	11	45.8	31	29	48.4	181	399	68.7	0	1	100			
Industry and Trade ²	M	10	0	29	5	14.7	76	32	30.1	273	326	54.4	11	0	0			
Justice	M	2	1	11	3	21.4	18	18	50	64	177	73.4	5	1	1.7			
Education, Youth and Sports	F	5	0	24	7	22.6	15	14	48.3	111	273	71.1	0	1	100			
the Interior	M	6	1	46	11	19.3	159	67	29.6	1,626	1553	48.9						
Foreign Affairs - headquarters	M	6	0	30	14	31.8	44	15	25.4	268	374	58.2	5	0	0	94	17	15.3
- abroad										380	779	67.2						
Health	W	4	1	10	8	44.4	13	27	68	68	231	77	67	20	23	0	1	100
Agriculture	M	6	0	147 ³	28	16	83	41	33	398	583	55	6	0	0			
Environment	M	6	1	25	12	32.4	46	23	33.3	186	287	60.7	14	0	0			
Informatics	M	4	2	8	2	20	8	6	42.8	50	63	56						
Government Office:	M	7	2	21	15	41.7	18	17	48.6	131	228	63.5	8	1	11.1			
	M																	
Total	15M/2W	82	15	521	144	21.6	873	423	32.6	5,634	7619	57.4	163	30	15.5	94	18	16

1 – incl. the General Headquarters; 2 – incl. budgetary and contributory organizations; 3 – incl. depts of agricultural agencies and land offices Source – information of ministries.

Table No. 8.2

PARTICIPATION OF WOMEN IN DECISION-MAKING AS OF 31 December 2004 (Source: ministries)

Position ⇒	Minister		Deputy		Section director			Department director			Other specialists			Director of ministerial institution			Field office director		
	M/W	M	W	M	W	%W	M	W	%W	M	W	%W	M	W	%W	M	W	%F	
Ministry of ↓																			
Transport	1/0	4	1	16	1	16	43	12	22	185	196	51							
Informatics	1/0	3	2	9	2	18	7	7	50	52	64	55							
Finance	1/0	6	1	35	23	40	82	71	46	433	739	64	19	1	5				
Culture	1/0	3	1	7	5	42	6	11	65	67	142	68	25	5	17				
for Regional Development	1/0	5	2	15	11	42	34	21	38	120	205	63							
Defence: professional soldiers civil employees ¹	1/0	5	1	84	1	1	199	23	10	918	896	49							
Labour and Social Affairs	1/0	6	1	14	13	48	38	34	47	172	447	72							
Industry and Trade ²	1/0	5	0	37	4	10	68	35	34	277	276	50	11	1	8				
Justice	1/0	5	1	15	4	21	16	17	52	118	194	60	5	1	17				
Education, Youth and Sports	0/1	5	1	22	5	19	19	19	50	128	305	70	9	5	36				
the Interior	1/0	6	1	36	11	23	152	64	29	2128	1779	43							
Foreign Affairs - headquarters - abroad	1/0	6	1	30	14	32	48	19	28	256 757	341 420	57 36	5			107	13	11	
Health	0/1	5	1	8	12	60	11	28	72	94	241	67	70	17	20	0	1	100	
Agriculture	1/0	5	0	132	30	19	95	47	33	580	1092	65	6	0	0				
Environment	1/0	6	1	30	12	29	46	27	37	198	308	61	14	0					
Government Office: minister	1/0	3	0	21	9	30	26	19	42	110	191	63				5	1	17	
Total																			

1 – including the General Headquarters; 2 – includes budgetary and contributory ministerial institutions.

Table No. 8.3

PARTICIPATION OF WOMEN IN DECISION-MAKING AS OF 31 December 2005 (source: ministries)

Position ⇒	Minister		Deputy		Section director			Department director			Other specialists			Director of ministerial institution			Field office director		
	M/W	M	W	M	W	%W	M	W	%W	M	W	%W	M	W	%W	M	W	%W	
Ministry of ↓																			
Transport	1/0	4	1	19	2	9.5	32	16	33.3	184	197	51.7							
Informatics	0/1	3	1	8	4	33	5	7	58	52	61	54							
Finance	1/0	5	1	33	15	31	64	60	48	394	649	62	18	2	10				
Culture	1/0	3	1	9	4	31	7	15	68	72	149	67	25	5	17				
for Regional Development	1/0	5	2	18	9	33	39	22	26	140	259	65							
Defence: professional soldiers civil employees ¹	1/0	10	1	82	3	3.5	227	42	15.6	623	633	50.4	70	18	20.5	4	4	50	
Labour and Social Affairs	1/0	4	2	13	13	50	39	36	48	179	427	70.5							
Industry and Trade ²	1/0	5	0	35	6	14.6	69	35	33.7	278	276	49.8	10	1	9				
Justice	1/0	5	0	12	5	29.4	18	19	51.4	70	163	70	5	0	0				
Education, Youth and Sports	0/1	5	1	22	7	24.1	15	15	50	111	296	72.7	0	1	0				
the Interior	1/0	6	1	54	12	18.2	149	65	23.7	1737	1471	30	8	2	20				
Foreign Affairs - headquarters - abroad	1/0	7	1	32	13	28.9	52	23	30.7	244 664	346 528	58.6 44.3	5	0	0	95	16	14.4	
Health	1/0	4	0	11	10	48	16	18	53	95	223	70	71	15	17	0	3	100	
Agriculture	1/0	4	1	82	18	18	97	51	35	694	1080	61	6	0	0				
Environment	1/0	7	1	28	12	30	50	36	41,8	180	299	62,4	14	0	0				
Government Office: Minister	1/0	2	0	20	11	35	29	19	40	120	227	65	0	0	0	5	1	17	
Total																			

1 – Including the General Headquarters; 2 – ministerial institutions include budgetary and contributory organizations.

Table No. 8.4

PARTICIPATION OF WOMEN IN DECISION-MAKING AS OF 31 December 2006 (source: ministries)

Position ⇒	Minister		Deputy		Section director			Department director			Other specialists			Director of ministerial institution			Field office director		
	M	W	M	W	M	W	%W	M	W	%W	M	W	%W	M	W	%W	M	W	%W
Ministry of ↓	M/W		M	W	M	W	%W	M	W	%W	M	W	%W	M	W	%W	M	W	%W
Transport	1/0		4	1	19	1	5	35	20	36.4	171	193	53						
Informatics	1/0		2	1	8	2	20	7	5	41.7	43	66	60.6						
Finance	1/0		6	1	34	11	24	68	64	48	415	640	61	18	2	10			
Culture	1/0		2	2	9	9	50	4	18	78	67	152	69	26	5	16			
for Regional Development	1/0		3	0	14	10	42	32	23	45	162	292	65	-	-	-	2	1	33
Defence: professional soldiers			1		43	0	4.6	83	3	11.5	347	55	34.8						
civil employees ¹	0/1		3	1	40	1		79	18		519	407							
Labour and Social Affairs	1/0		6	1	12	12	50	41	37	47.4	192	422	69						
Industry and Trade ²																			
Justice	1/0		4	0	10	6	37.5	18	21	53.8	103	193	65.2	5	0	0			
Education, Youth and Sports	0/1		4	1	23	8	25.8	23	16	41	105	285	73	9	9	50			
the Interior	1/0		4	0	53	12	18.5	173	77	30.8	15,533	1,640	51.7	15	3	16.7			
Foreign Affairs - headquarters	1/0		3	1	26	11	27.7	28	15	34.9	325	390	54.5	-	-	-	110	13	10.6
- abroad											728	563	43.3						
Health	1/0		3	1	9	13	59.1	17	21	55.3	84	211	71.5	68	16	19	0	2	100
Agriculture	0/1		6	0	75	15	16.7	98	52	34.7	686	1,047	60.4						
Environment	1/0		5	1	28	12	30	50	39	43.8	183	304	62.4	14	0	0			
Government Office:																			
minister																			
deputy prime minister	1/0		1	0	14	4	22	26	20	43	47	239	83	-	-	-	6	0	0
prime minister	1/0																		
Total	13/3		57	11	417	127	-	782	449	-	19,710	7,099	-	155	35	-	118	16	-

Table No. 8.5
ministries)**PARTICIPATION OF WOMEN IN DECISION-MAKING AS OF 31 December 2007 (source:**

Position →	Minister	Deputy minister		Section director			Department director			Other specialists			Director of ministerial institution			Field office director		
	M/W	M	W	M	W	%W	M	W	%W	M	W	%W	M	W	%W	M	W	%W
Ministry of ↓																		
Transportation	M	6	1	22	2	8.33	60	19	24.05	155	209	57.42	0	0	0,00	-	-	-
Finance	M	7	0	32	11	25.58	74	64	46.38	490	712	59.23	17	3	15,00	-	-	-
Culture	M	6	2	14	10	41.67	7	14	66.67	70	148	67.89	26	6	18,75	-	-	-
for Regional Development	M	4	0	14	12	46.15	34	29	46.03	162	292	64.32	-	-	-	-	-	-
Defence: professional soldiers	W	1	0	25	0	0.00	50	0	0.00	369	70	15.95	-	-	-	-	-	-
civil employees		4	0	20	3	13.04	42	8	16.00	353	347	49.57	-	-	-	-	-	-
Labour and Social Affairs	M																	
Industry and Trade	M																	
Justice	M	5	0	11	9	45.00	25	21	45.65	87	196	69.26	-	-	-	-	-	-
Education, Youth and Sports	M	4	1	25	16	39.02	15	13	46.43	133	313	70.18	-	-	-	-	-	-
the Interior	M	3	2	52	15	22.39	154	81	34.47	924	1285	58.17	15	3	16,67	-	-	-
Foreign Affairs - headquarters	M	2	1	26	13	33.33	42	16	27.59	333	385	53.62	-	-	-	-	-	-
- abroad		-	-	-	-	-	-	-	-	-	630	560	47.06	100	14	12,28	-	-
Health	M	3	1	13	13	50.00	12	26	68.42	86	199	69.82	66	17	20,48	0	2	100,00
Agriculture	M	5	1	75	21	21.88	99	56	36.13	681	1058	60.84	6	0	0,00	-	-	-
Environment	M	4	1	34	9	20.93	45	42	48.28	171	312	64.60	14	0	0,00	-	-	-
Government Office		7	2	17	11	39.29	16	15	48.39	172	233	57.53	-	-	-	-	-	-
Total	16M/2W	69	13	392	157	28.60	716	441	38.12	4,816	6,319	56.75	244	43	14,98	0	2	100,00

Table No. 9.1 Representation of men and women at all judicial levels (at 31.12.)

YEAR	MEN		WOMEN	
	number	%	number	%
2004	1082	38	1799	62
2005	1098	38	1822	62
2006	1140	38	1855	62
2007	1160	38	1868	62

Table No. 9.2 Percentage of female judges in managerial posts at all levels (%)

COURTS	Presiding judge				Deputy presiding judge			
	2004	2005	2006	2007	2004	2005	2006	2007
District courts	44	45	46	46	61	60	57	56
Regional courts	13	13	13	13	40	40	32	40
High courts	0	0	0	0	25	25	40	33
Supreme Court	100	100	100	100	0	0	0	0
Supreme Administrative Court	0	0	0	0	0	0	0	0
Total	41	42	43	42	54	54	50	51

Table No. 9.3 Representation of men and women at all public prosecution levels (at 31.12.)

YEAR	MEN		WOMEN	
	Number	%	Number	%
2004	473	44	593	56
2005	514	45	617	55
2006	558	46	643	54
2007	559	47	642	53

Table No. 9.4: Percentage of female prosecutors in managerial posts at all public prosecution levels (%)

POSITION	2004	2005	2006	2007
Supreme prosecutor	100	100	100	100
Deputy supreme prosecutor	0	0	33	33
Higher prosecutor	0	0	0	0
Deputy supreme prosecutor	0	0	0	0
Regional prosecutor	37	29	29	43
Deputy regional prosecutor	46	43	43	37
District prosecutor	43	45	48	46
Deputy district prosecutor	65	60	60	56
Total	51	50	51	48

Table No.9.5 Representation of men and women in the Prison Service (k 31.12.)

YEAR	MEN		WOMEN	
	Number	%	Number	%
2004	8,072	75	2,690	25
2005		75		25
2006	8,065	77	2,471	23
2007	7,977	76	2,519	24

Table No. 9.6 Representation of men and women in the Probation and Mediation Service (at 31.12.)

YEAR	MEN		WOMEN	
	Number	%	Number	%
2004	65	28	170	72
2005	58	25	175	75
2006	72	25	220	75
2007	88	27	244	73

Table No. 9.7 Representation of men and women in the Institute for Criminology and Social Prevention (at 31.12.)

YEAR	MEN		WOMEN	
	Number	%	Number	%
2006	14	40	21	60
2007	14	41	20	59

Table No. 10.1

Average gross wages of men and women from selective surveys

Year	2003	2004	2005	2006	2007
Men	21,983	23,044	24,271	25,593	27,489
Women	16,404	17,256	18,221	19,305	20,684
Ratio(%)	74.6	74.9	75.1	75.4	75.2

Share of the average wage of women in the average wage of men (in %) by age category

Age category./year	2003	2004	2005	2006	2007
Total	74.6	74.9	75.1	75.4	75.2
less than 19 years	89.1	85.3	86.7	87.1	87.2
20 - 24 years	90.6	89.7	90.1	90.3	87.5
25 - 29 years	85.4	87.0	88.2	88.8	89.1
30 - 34 years	71.6	70.4	71.1	73.3	74.9
35 - 39 years	66.4	66.3	67.3	66.4	66.3
40 - 44 years	70.4	70.3	69.4	69.1	68.1
45 - 49 years	72.0	72.6	71.9	71.6	71.5
50 - 54 years	73.2	73.8	74.1	74.9	74.2
55 - 59 years	83.4	83.4	82.9	80.3	79.9
60 - 64 years	75.5	76.4	77.1	81.9	82.4
over 65 years	65.7	67.2	65.2	71.8	69.2

Share of the average wage of women in the average wage of men (in %) by key employee classification categories

Key employee classification categories/year	2003	2004	2005	2006	2007
Total	74.6	74.9	75.1	75.4	75.2
Legislators, managers	59.2	59.6	60.9	59.9	63.8
Scientists and white-collar specialists	73.5	73.7	73.0	73.2	72.5
Technical, health care and pedagogical professionals	75.2	75.3	74.6	74.3	75.2
Lower-level administrative employees	80.5	83.0	81.9	82.1	80.8
Service and trade operators	74.8	75.1	75.7	75.2	76.8
Skilled agricultural, forestry and fishery workers	86.7	86.8	87.8	89.4	86.6
Tradesmen, skilled manufacturers and processors	69.7	69.4	70.2	70.0	69.3
Machinery and equipment operators	74.6	75.6	75.7	76.8	75.8
Labourers and unskilled workers	77.5	77.8	77.1	79.3	79.1

Share of the average wage of women in the average wage of men by education level (in %)

Education /year	2003	2004	2005	2006	2007
Total	74.6	74.9	75.1	75.4	75.2
Primary and incomplete	75.0	74.7	74.8	74.7	76.9
Secondary without final exam	71.1	72.1	72.5	72.4	71.6
Secondary with final exam	76.6	77.3	77.6	77.6	77.4
Higher vocational and bachelor	75.3	70.9	73.0	72.6	74.3
University	65.3	67.3	68.4	68.4	68.8