

Statute

Article 1

Introductory provisions

(1) The Government Council for Human Rights (hereinafter only "the Council") is a permanent advisory body for the government in the field of the protection of human rights and fundamental freedoms.

(2) The Council was established by a Government decree of December 9, 1998 No. 809

Article 2

Responsibilities of the Council

(1) The Council monitors the compliance with the Constitution of the Czech Republic, the Charter of fundamental rights and freedoms, international conventions on human rights and fundamental freedoms which are binding to the Czech Republic as well as other laws laying down the protection and respect for human rights and fundamental freedoms. The Council works towards raising the general awareness of human rights and ways of their protection. (2) In particular, the Council

a) monitors the domestic performance of international obligations of the Czech Republic in the protection of human rights and fundamental freedoms, in particular, obligations arising under the following:

1. International Covenant on Civil and Political Rights,
2. International Covenant on Economic, Social and Cultural Rights,
3. Convention for the Protection of Human Rights and Fundamental Freedoms,
4. Convention on the Elimination of all Forms of Racial Discrimination,
5. Convention on the Elimination of all Forms of Discrimination Against Women,
6. Convention on the Rights of the Child,
7. Conventions for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment,

b) it prepares for the government, proposals concerning policy concepts in different areas of human rights protection, drafts partial measures and incentives to improve the respect for human rights; either from its own initiative or as a task issued to the Council by the government or to the Government Commissioner for human rights,

c) adopts opinions on the proposals of the government, ministerial and other measures concerning the protection and respect for human rights,

d) it co-operates with non-governmental non-profit organisations involved in human rights and with local government bodies,

e) the Council members as well as specialised committees (hereinafter only "the Committees") and working groups of the Council (hereinafter only "the working groups") and their members may within the limits of the Council powers request information and opinions from the central authorities of the state administration including those not represented in the Council, from other bodies of the state administration and from the organisations and institutions subordinated to state administration bodies. This is without prejudice to the provisions of special regulations¹),

f) approves the statutes of the Committees.

(3) In cooperation with central authorities of the state administration and non-governmental non-profit organisations, the Council through the President of the Council is involved in the performance of the government's commitments to report on the compliance with international treaties.

(4) The Council proposals pursuant to this article are submitted by the Council through the member of the cabinet responsible for the work of the Council to the government for discussion or to responsible members of the government and other central bodies of the state administration.

Article 3

Composition of the Council

(1) The Council has 20 members, a president and a vice-president. The number of the members of the Council – representatives of central authorities of the state administration is equal to the number of the members of the Council – representatives of civil and lay public and the academia involved in the protection and respect for human rights and fundamental freedoms and seeking to increase general awareness of human rights and ways of their protection. The members of the Council have their permanent substitutes.

(2) The President of the Council is appointed and recalled by the government; The President is the government commissioner for human rights.

(3) The Vice-president of the Council is the deputy director of the department of human rights with the Office of the Government. The Head of the Government Office appoints him Deputy Director of the department on the recommendation of the President of the Council. The members of the Council – representatives of central authorities of the state administration and their permanent substitutes are appointed and recalled by the President of the Council on the recommendation of the responsible ministry. The members of the Council are:

deputies: of the Minister of Foreign Affairs, Justice, Interior, Labour and Social Affairs, Education, Youth and Sports, Culture, Health, Local Development, Information Technologies and the Chief Inspector for human rights with the Ministry of Defence,

b) representatives of civil, professional and the academic public involved in human rights and fundamental freedoms issue and seeking to raise the general awareness of human rights and their protection.

(4) The Council term in office is four years. After the end of the Government term the members of the Council continue to carry out their work until new members are appointed. This provision applies also to permanent substitutes.

(5) A representative of the civil, professional and academic public as well as a permanent substitute can only be a member of the Council for two consecutive terms.

(6) Membership of the Council is terminated:

for deputy ministers and the chief inspector for human rights with the Ministry of Defence and for their permanent substitutes, upon the termination of their term in office, or upon termination of their employment,

b) for representatives of the civil, professional and academic public and their permanent substitute, upon resignation on membership before the end of the term,

c) upon elapse of the Council member's term in office

d) upon death of the Council member.

(7) The substitution regulates the participation of a permanent substitute of a Council member.

Regulations governing the work of the Council, the Committees and the working groups proportionately apply also to permanent staff.

Article 4

President and Vice-president of the Council

(1) The President of the Council is accountable to the government for the work of the Council.

(2) The President of the Council convenes and chairs meetings of the Council. The meetings are held as required, however, at least four times a year. On the proposal of one third of the members of the Council, the President of the Council convenes a meeting of the Council to be held within three weeks after tabling the proposal.

(3) The President of the Council, in particular:

a) manages the work of the Council,

b) signs opinions, recommendations and other documents of the Council,

c) coordinates the evaluation of the situation and standards of human rights in the Czech Republic,

d) on behalf of the Council, submits to the government via the Deputy Prime Minister proposals concerning the assessment of the situation, the standards of protection of human rights in the Czech Republic, ,

e) continuously submits to the government via the Deputy Prime Minister information and opinions concerning the fulfilment of obligations under international treaties on human rights and fundamental freedoms which are binding to the Czech Republic or which it wishes to become a signatory to.

f) co-operates with the Minister of Foreign Affairs on preparation of reports submitted as part of the control mechanisms of these treaties, unless this task is the responsibility of other bodies of the state administration,

g) coordinates the work of the Council, the Committees and working groups and on proposals of individual committees and working groups, appoints their chairmen,

h) submits to the members of the Council for approval and for discussion draft documents of the Council,

i) decides whether guests will be invited to the Council meetings,

j) proposes the remuneration for members of the Council and experts if they are entitled to it pursuant to the Article 10 of this Statute.

(4) During the absence of the Council President, the Vice-president substitutes the President and chairs meetings of the Council.

(5) If justified by the scope of the Council's activities, the President may propose to the government the appointment of additional vice-presidents.

Article 5

Members of the Council

(1) The members of the Council participate at the Council meetings in person or through their permanent substitutes.

(2) The members of the Council submit to the Council proposals and are involved in the Council deliberations. Members of the Council may also participate in the meetings of Committees and working groups.

(3) If neither the member of the Council nor his permanent substitute can participate at the Council meeting, they apologise in advance to the Council President (via the Council secretariat) and send at least an informal written comment on each point of the agenda.

(4) A permanent substitute with a right to vote participates at the Council meetings only if the respective member of the Council is absent. The permanent substitute has all the rights and duties of a member of the Council at the meeting where he participates in this capacity. For the purposes of voting, he is considered a member of the Council.

Article 6

The Committees of the Council

(1) The Council establishes standing Committees as required. External experts may be invited to work on a Committee.

(2) The Council decides on the establishment and abolition of a Committee. The members of a committee are appointed by the President of the Council on recommendation of the Committee. The work of the Committee is supported by the Committee Secretary – a member of the Council Secretariat.

(3) The Council has the following Committees in particular:

- a) The Committee for Civil and Political Rights,
- b) The Committee for Economic, Social and Cultural Rights,
- c) The Committee for Eliminating all Forms of Racism,
- d) The Committee Against Torture and other Inhuman, Cruel and Degrading Treatment or Punishment,
- e) The Committee for the Rights of the Child,
- f) The Committee for Eliminating all forms of Discrimination Against Women,
- g) The Committee for the Rights of Foreigners,
- h) The Committee for Human Rights Education,
- i) The Committee for Human Rights and Biomedicine.

(4) In particular the Committees will,

- a) submit motions to the Council for increasing the level of the status and upholding of human rights in the Czech Republic,
- b) Will have a share in the drafting of reports for the control mechanisms of the international agreements on human rights, via its secretaries,
- c) draft motions for the Council for partial and systemic measures for increasing the status and upholding of human rights in the Czech Republic.

(5) The statute and rules of procedure of the Committees are approved by the Council.

Article 7

Working Groups

(1) The Council may set up temporary working groups if this is required. These may be set up "internally" within Committees or "independently" from the committees. Working groups do not have their own statutes.

(2) Working groups are set up and disbanded by the President of the Council, as a rule on the proposal of members of the Council. Only a member of the Council can be a Chairman (head) of a working group. External persons may be invited to work for a working group.

(3) Working groups concern themselves with partial issues within the scope of the Council's overall activities, and in particular prepare materials for Council meetings.

Article 8

External Co-operation

(1) The council may request co-operation from state administration employees who are not members of the Council or from external experts (hereafter only "Experts").

(2) The President of the Council may invite an expert, on the proposal of a member of the Council or their permanent substitute, to attend Council meetings ad hoc as a guest for a certain issue, or Experts may work in Committees and working groups as permanent workers.

Article 9

Council Secretariat

(1) The Council's activities (including the activities of the committees and working groups) is carried out by the Council Secretariat (hereafter only the "Secretariat"), which is an organisational part of the Office of the Government.

(2) In particular, the Secretariat will,

a) carry out the Council's activities administratively and organisationally,

b) collate the material and information necessary for the council's activities,

c) draft expert materials for Council meetings based on the President's instructions,

d) up-date the information on the Council and its members which is published on the Internet.

(3) The Director of the Secretariat will manage and be responsible for the Secretariat's tasks being carried out. The director of the Secretariat is appointed and recalled by the Minister and Head of the office of the Government, on the proposal of the council President.

(4) The director of the Secretariat is also the secretary of the council. They attend council meetings and vote as an advisor and manage the Secretariat's activities pursuant to the instructions issued by the Council President.

(5) The Secretariat will regularly update information published about the Council and the output of its activities on the www page of the Office of the Government. This information must also include a breakdown of all Committees and working groups.

Article 10

Expenses for Activities and Remuneration

(1) Expenses for the Council's activities are paid for from the budget of the Office of the Government. All meetings of the Council, Committees and working groups will take place on the premises of this Office.

(2) Council members are entitled to reimbursement of demonstrable travel expenses pursuant to the valid laws. Work trips are approved by the Council President.

(3) Council members are not entitled to remuneration for performance of their function.

(4) Remuneration can be received by such council members who are not employed by the state or public administration, for work which they demonstrably carry out and which is ordered by the Council (that is as a service) or on the basis of an agreement for work performed outside an employment relationship (agreement for work performance, agreement for work activity), pursuant to the valid law. The amount of such remuneration is approved by the Minister and Head of the Office of the Government. The amount of remuneration is proposed by the Council President.

(5) On the Council President's proposal, reimbursement for travel expenses and/or remuneration for work may be recognised for experts who work with the Council. The same administrative regime applies for such reimbursements as for Council members.

Article 11

Council Rules of Procedure

(1) The Council rules of procedure define the way the Council, the Committees and the working groups meet. The Council's rules of procedure and any supplements and amendments are approved by the Council.

(2) In justifiable cases Committees may have separate rules of procedure. These will be approved by the council.

(3) As a rule, working groups will meet informally and decide consensually. If necessary they will meet according to the rules of procedure of the Council, or those of the committee under which they function. The Council President will decide under which rules of procedure a working group will meet when the group is set up.

Article 12

Concluding Provisions

(1) Any amendments or supplements to this statute will be approved by the Government.

(2) A Council which is established under the previous statute will be considered as being a Council set up under this statute.

(3) This statute is available to the public at the [www](#) page and the seat of the Office of the Government. The full and valid version of this statute will always be published on the [www](#) page.

(4) This statute comes into force on the 22nd October 2001.

1) E.g. Act No. 101/2000 Coll. on the protection of personal data and changing certain laws as later amended, Act No. 148/1998 Coll. on the protection of secret information and changing certain laws, as later amended