

CZECH REPUBLIC

CEDAW A/41/45 (1986)

149. The Committee considered the initial report of Czechoslovakia (CEDAW/C/5/Add.26 and Amend.1) at its 69th and 75th meetings, on 12 March and 17 March 1986 (CEDAW/C/SR.69 and 75).

150. In his introduction, the representative of the State Party explained that there was a long historical tradition for women's rights in Czechoslovakia, which dated to the fifteenth century. Moreover, he added, equality had been enshrined in the Constitution of the Republic in 1920 and, after the victory of the working class in 1948, more dynamic steps had been taken to fulfil the objective of the full emancipation of women.

151. The representative explained that the Czechoslovak Union of Women played a major role in securing the involvement of women in public activities, in expanding their possibilities for self-education and in allowing them more time for the education of their children. The full integration of women in the work force was one of the main prerequisites that the Government was pursuing through the creation of jobs suitable for women, by improving their living conditions and by guiding public opinion towards a proper understanding of the position of women in the family and in social life.

152. Women represented 51.4 per cent of the population, and 80.9 per cent of all women of working age were engaged in social work. This constituted 48.1 per cent of the total work force, the representative pointed out. Simultaneously, he added, conditions had been constantly improved to enable women to combine better and more easily their triple duty as mothers, employees and active citizens.

153. The representative also stated that a dense network of pre-school facilities was being built to accommodate children of working mothers. In addition, after-school child care, school clubs and canteens had also been established, together with communal services to facilitate household care. None of these services had been available 40 years earlier, the representative added. Women were pursuing active careers in highly sophisticated branches of science and research, and carrying out professional tasks in pharmaceuticals, biology, chemistry, architecture, law, international relations, medicine and other spheres.

154. In his introduction, the representative also noted that it was not uncommon for women to hold senior posts at different levels of management in industry, agriculture, scientific institutions and administrative bodies, especially in the fields that had been women's traditional domain. He added that at the present time, the number of women who held positions in management and public life was twice as high as it had been 10 years previously.

155. The representative concluded by saying that neither professional activity nor public work was pushing back the fundamental mission of women as mothers and for that reason the Government

had declared that it had to continue to create ever more favourable conditions to enable women to discharge their maternal and education mission.

156. Some experts commended the representative of Czechoslovakia on the efforts made by the State to improve the working and social conditions of women, especially in view of the fact that paternal authority had been changed to parental authority, giving both sexes the same rights and responsibilities in raising their children. One expert noted that work at home was evaluated on the same basis as work performed outside the home, and another expert asked whether that had national economic repercussions (i.e., whether salaries were paid for housework) and whether men shared fully in the performance of housework.

157. Other experts pointed out that the report succeeded in conveying how fundamental changes in the socio-political life of a country could make a difference in favour of women. Some experts mentioned that the percentage of employed women was very high and that they were in many different professional fields. One expert noted, however, that the responsibility for change was still carried by women as reproducers, since they performed the multiple duties of mothers, professionals or workers and citizens. It was asked whether the Government was taking any steps to ensure that women moved to leadership and policy-making positions, such as affirmative action or the setting of targets.

158. Still on the general nature of the report, one expert asked how and in what particular areas had the spiritual and material life of Czechoslovakia evolved beyond the objectives established by the Convention, as was stated in the initial report.

159. Another expert remarked that, as could be seen in the report, the social roles of the two sexes were still different, as well as the sexual division of labour. This indicated that traditional cultural views were still prevalent. It was asked whether, in accordance with article 5 of the Convention, educational efforts were being contemplated to correct stereotyped assumptions on gender role and the role of women in society and in the family.

160. Some experts recognized that, according to information provided in the report, many of the provisions contained in article 2 of the Convention were reflected in the State Party legislation, and other experts remarked that efforts on the part of the Government had to be continued in order to see those provisions implemented, such as equal pay for equal work, men's participation in child-rearing and housework, and training. It was asked if the Government was contemplating any specific measures to correct the still existing imbalances.

161. One expert noted that prostitution still appeared to be practiced, despite the fact that it was outlawed; other experts asked whether the fact that women still earned less than men was a factor in the persistence of that social behaviour. Another expert asked how much less a woman earned than a man and whether such discriminatory practice could be fought in court, as stated on page 5 of the report. If so, the expert asked how many cases there had been, how they had been resolved and what bodies had received the complaints.

162. It was also asked what co-operation and interaction had been developed between the

Czechoslovak Union of Women and the Government to improve the status of women and their living and working conditions.

163. Several experts requested more statistical information on the participation of women at the middle-management and directorship levels, in the trade unions, in the Government and in its enterprises. More information was also requested on demographic and health factors, such as life expectancy, maternal and child mortality rates, pre- and post-natal care centres, medical facilities offered, family planning counselling and abortion.

164. It was remarked that the Czechoslovak Union of Women was known for its international peace and solidarity activities and information was requested on the participation of women in international forums and in the foreign service.

165. Some experts asked what was the reason women were not entering technical and vocational training institutions at the same pace as men and what positive measures was the Government taking to remedy that trend. One expert asked what were the courses and fields of study being chosen by women entering institutions of higher learning. Additional information was requested on women students and maternity provisions granted to them.

166. Many experts referred to the maternity provisions and facilities presently available in the country, and asked whether women availed themselves of the three-year licence offered to raise children, whether men were able to avail themselves of the same and how many had. Another expert asked whether women were given training upon their re-entry to the work force after an extended period of maternity leave. While noting that subsidies were paid upon the birth of a child, the experts requested information on how and whether these subsidies were applied to the salary or paid in addition to the salary.

167. Another expert noted that there had been an increase in the number of jobs with a shorter working day and asked whether that was a temporary measure, why it had been required and how society as a whole had accepted the provision.

168. One expert, noting the statement contained in the initial report that there was no unemployment in the country, asked if the State could guarantee work to women and could they make a choice as to the type of work they wished to do.

169. Additional information was requested on family law, such as the choice of family residence, the rights of natural children, protection of children's rights, the rights of women upon divorce and the incidence of divorce. It was also asked what was being done regarding violence in the family.

170. A list of work forbidden to women was requested as well as information regarding legislation and criteria applied in that regard. One expert also asked in what respect work could be harmful to women and not to men. Another expert asked for clarification on the term "socially useful", which was used in the report.

171. One expert asked about the role of trade unions in the overall policy of work and employment

of women in the country.

172. In replying, the representative of the State party emphasized that they did not automatically equate difference and discrimination in those areas where statistics did not show arithmetically equal proportions between men and women.

173. The representative referred to apparent contradictions in the report regarding the attained level of equality of women and men in Czechoslovakia.

174. Several mechanisms existed in Czechoslovakia to ensure that equality between men and women was exercised: through law, which unequivocally gave the conceptual foundation for this principle, through the court system, where both sexes had the same rights and duties, by appealing through higher courts if the first judgement was found discriminatory, by independent women's commissions operating in enterprises and plants, through the Czechoslovak Union of Women already mentioned, by the National Committees, which had the right to inform other competent authorities of discovered violations pertaining to the equality between women and men, and by trade unions, through their influence in examining labour norms.

175. He stated that the difference in the wages of women and men could be favourable as well as unfavourable to women. Salaries were determined on the basis of stipulated criteria with an minimum rate and a maximum limit. The criteria included practical experience, educational background and personal capabilities. Though subjective elements could play a part, ultimately the objective factors were the decisive elements in wage classification. The Government, he added, enforced the principle of equal pay for equal work and more printed information would be made available to the Committee.

176. The number of women holding executive, political and public offices was now twice as high as 10 years before. The Chairperson of the Czechoslovak Union of women was a Secretary of the Central Committee of the Communist Party. Women were fairly represented in senior posts at the medium and lower levels of management. In the trade unions, he stated, women constituted 50.1 per cent of functionaries in enterprise committees. In the Central Trade Union Council, 38.5 per cent of the membership was made up of women. As to the judicial system, women were 60 per cent of the judges. Forty to 50 per cent of the Socialist Youth Union was made up of women functionaries.

177. The care of children in kindergartens was financially covered by the State while the parents only contributed to the catering by paying 5.50 or 6.50 koruny per child a day. At this time, existing nursery facilities were not fully utilized due to years with lower birth rates. However, the existing facilities were still being used, giving women more spare and leisure time.

178. Replying to questions on maternity provisions, the representative stated that regulations applicable to pregnant women and mothers applied also to pregnant students and student mothers. Regular maternity leave and extended child-care leave was only granted to women. If a man decided to take care of the child, he could put an end to his labour contract or have unpaid leave. Maternity grants were given to single women or women who gave birth to more than one child at a time, equivalent to 90 per cent of the woman's net daily wage for 35 weeks. Maternity allowance

might be paid to a man provided he took care of the child or children. A grant of 2,000 koruny was paid upon the birth of every child. The representative explained that, in order to eliminate adverse effects of the utilization of maternity leave by women, a compensation allowance was paid to those who upon re-entry received a lower salary than before. The labour code also stipulated that the employer was under obligation to give a woman, upon re-entry, a job corresponding to her work contract.

179. Regarding work forbidden to women, the representative explained that since 1967, lists had been elaborated and subsequently updated according to the latest developments in science and technology. This measure had a positive effect in correcting the rate of accidents at work.

180. The rate of women in higher education was considerably higher than men and an increase of women professionals had been noted. While in 1960 women constituted 37.9 per cent of the total number of professionals, by 1983 they were 55.1 per cent. There were no provisions for preferential treatment of women in the educational process.

181. Equitable arrangements of family relations were promoted through mass media. The remnants of the past when men held a preferred position could still be found among older generations. However, a just division of household work, including care of children, was applied in most families. The divorce rate amounted to 35,000 cases in 1984. Property was considered commonly shared but if it needed to be divided, each spouse obtained an equal share of assets brought into the marriage.

182. Family planning education was available through organs of the public health administration. There were 66 guidance centres for women and 1,289 physicians attending them. Abortion was authorized through the recommendation of an authorized physician, a social welfare officer and deputy of the respective national committee and had to be justified by reasons of health or other reasons deserving special consideration. The application for permission was submitted through the woman's personal physician and the fee ranged from 200 to 800 koruny.

183. Replying to another question, he stated that the term "socially useful work" meant work performed by citizens who contributed to the fulfilment of the tasks and realization of the objectives of Czechoslovak society.

184. The Penal Code did not include explicit provisions on prostitution since, in 1961, when the Code had been adopted, the problem did not exist. The representative stated that, with the development of international tourism, prostitution had been brought into Czechoslovakia. Obstacles to this practice were contained in provisions of labour and tax legislation. However, the latter did not apply to foreign nationals and adequate countermeasures were very difficult to formulate.

185. The representative stated that women participated in international activities through their work in the foreign and diplomatic service. Women were being included in special study programmes at universities to gain theoretical and practical experience in international relations.

186. The representative concluded by stating that the experience acquired from the discussion would serve as useful guidance for the elaboration of the next report. Additional information more adapted to the needs of the Committee would also be furnished.

187. Several experts requested additional clarification regarding government measures to avoid work segregation and government efforts to eliminate women being stereotyped as mothers only, as well as in placing women in policy and decision-making positions; whether women were able to make a free choice in the type of work they performed and how it could be termed as favourable to a woman when she earned less than a man while carrying out the same type of work. One expert asked under what conditions was abortion authorized. Another expert pointed out that according to her experience, Czechoslovak woman enjoyed full equality with men and that facilities accorded by the Government only facilitated their performance in their dual social role as mothers and active members of society.

188. The representative of the State party replied that the four existing political parties in Czechoslovakia were continuing to examine measures to improve the ratio of women in top-level positions. More progressive norms had to be developed in order to facilitate women's role in society. In this sense, the representative stated that the social philosophy of his country transcended and went beyond the aims of the Convention.

189. No statistical data was available on women working in international organizations and international affairs but, as stated previously, measures were already taken to increase the participation of women in this area. As regards salary levels, he explained that they depended solely on individual qualifications and the job evaluation, and that if a woman was more qualified than a man, she earned more.

190. Finally, abortion was allowed, he explained, with the human interest and human concern in mind, according to the very individual situation of the woman in question. He assured the Committee that more information would be provided in the next report.

CEDAW A/47/38 (1992)

219. The Committee considered the second periodic report of Czechoslovakia (CEDAW/C/13/Add.25) at its 199th meeting, on 27 January 1992. The report contained detailed answers to the questions put by the Committee on the initial report, which was useful. But the report did not clearly reflect the changes that had occurred under specific headings and articles. To that extent it did not comply with the guidelines of the Committee.

220. According to the report, it was uncertain how the new constitutional changes would affect the status of women in areas such as work, family responsibility etc. Women currently had a lower level of political participation than previously.

221. There were reports that the system of funding child care had changed, and that might mean fewer places and higher costs.

222. Women's earnings remained much lower than those of men, and the workforce continued to be segregated, so that there were few women in technical vocations. Studies on time use showed that women continued to bear the greatest burden of domestic work.

223. There had been changes in the abortion law, but it was uncertain whether adequate provision had been made for access to information and services on contraception.

224. In her introductory statement, the Government representative stated that since the submission of the report currently before the Committee, in July 1989, revolutionary political and social changes had taken place in her country. A pluralistic democracy, based on the freedom of each individual and the realistic implementation of his or her rights, had replaced the old régime after its collapse in November 1989. Free elections had been held in June 1990 and the economy was being transformed into a free-market economy. She would therefore present the Committee with the assessment of her Government concerning the second periodic report and describe developments that had taken place since the November 1989 revolution. Also, she would inform the Committee of the policy of the Government regarding the solution of problems of equal rights for women.

225. She stated that the report before the Committee did not reflect the current situation in her country, but was based on the concept of centrally directed management in all spheres of society, including the issue of equal rights for women. That concept had led to optimistic programmes, such as the full employment of women. For ideological reasons, however, in practice women's problems had not been dealt with systematically by the old régime, except in certain areas, such as the right to work, social security and quotas on women's participation in political life. She stated that that had also led to the detrimentally excessive feminization of some fields, such as education. She went on to say that the data that had been provided in the report did not reflect the optimistic spirit of the text, and a more complex and objective view of the situation of women in Czechoslovakia would be presented to the Committee in the third periodic report, to be submitted by the end of the year.

226. The representative said that the new developments that had taken place in 1990 and 1991 had occurred with regard to equal human rights for all citizens; to equality oriented legislation, abandoning a paternalistic approach to women and families; to the social and economic spheres; and to institutional guarantees. The Federal Ministry of Control had been entrusted with initiating, conceptualizing and coordinating a new approach for dealing with problems concerning the equal status of women. The Convention on the Elimination of All Forms of Discrimination against Women and the Nairobi Forward-looking Strategies, both of which were little known by government officials or the public, would form cornerstones in that regard. Another element was the understanding of the new Government and non-governmental organizations that the true equality of women must go hand-in-hand with the creation of political, social, health, cultural, educational and ecological conditions for comprehensive social development. She added that it was generally accepted by her Government that the social shocks of transition were affecting women much more than men.

227. She went on to state that the transformation of the economy and patterns of social behaviour were giving rise to social uncertainties and to a temporary real decline in the standard of living, leading to expected or existing crisis situations. The permanent attention of governmental and representative bodies would be required to integrate questions of women's equality into that complicated situation.

228. In order to address those issues, the Government had adopted in February 1991 a document entitled "Principles of the policy of the Government of the Czech and Slovak Federal Republic in the sphere of implementation of the rights of women" (resolution No. 120/91). That resolution contained the basic principles which constituted the right framework for facing the needs of women in her country. The principles had been drawn from the experience of other countries, from the work of the Commission on the Status of Women, from international events, as well as from the constitutional law on the International Bill of Human Rights ^{3/} and the Convention on the Rights of the Child, ^{4/} which had been ratified by her Government. The adoption of those principles had been preceded by a broad discussion and several ministries and institutions had participated, both at the level of the Federation and of the two Republics. Initiatives by women's organizations set up after the dissolution of the former "Czechoslovak Union of Women" had also been taken into account. The principles defined the policy of the governments of the Federation and of the two Republics on legislation, on the socio-economic field, on safety at work, on health insurance, on the participation of women in the management of society, on education (including research work) and with regard to institutions. The representative said that the principles did not embody, in a concrete form, necessary national (republic) mechanisms, as recommended by the Commission on the Status of Women. She explained that the principles were to be translated into concrete measures in 1992 and 1993 on the basis of a document already submitted for debate by the Government. That document addressed the issue of competence at the federal and republic levels. It dealt with activities in conjunction with the International Year of the Family, and with a preparatory meeting, which her Government was interested in hosting, for the Fourth World Conference on Women: Action for Equality, Development and Peace.

^{3/} General Assembly resolution 217 A(III).

4/ General Assembly resolution 44/25, annex.

She stated that the complex of measures remained however an open question that would be widely discussed with political parties and non-governmental organizations and would be updated accordingly. She said that matters of equal status of men and women were expected to be reflected in the upcoming pre-election period and the election in June 1992, in particular since women's representation in political bodies was extremely low.

229. The representative then proceeded to provide answers to the questions raised by the Committee.

Articles 1-4

230. The Committee noted that the new Constitution was said to guarantee equality and to provide equal access to the courts. It requested information on whether there were specific anti-discrimination laws under which women could have recourse to courts in case of alleged violation of rights, to complain of discrimination;

231. What remedies and enforcement mechanisms were available, and what kind of decisions had been made? The question was asked how the constitutional changes of the previous two years had affected women in politics and in other areas, such as work and family responsibility.

232. The representative informed the Committee that no specific anti-discrimination laws had been introduced in the legal system, nor did the draft of the new Constitution contain such a law. She said that no discriminatory laws existed in the legal system, but that did not mean there was no discrimination de facto. She pointed to two major constitutional changes, the first being the abolition of the leading role of the Communist Party of Czechoslovakia, which implied the loss of power of affiliated organizations, such as the Czechoslovak Union of Women. Since no new women's organizations had been formed prior to the 1989 election, there was no organizational support for women. The second major constitutional change was the adoption of the Charter of Basic Human Rights and Freedoms as an integral part of the Constitution, which guaranteed women an equal position in society.

233. The representative stated that up to September 1990 activities regarding women's rights had been coordinated by the Ministry of Labour and Social Affairs. That was now entrusted to the Deputy Prime Minister. Co-responsibility was assigned to the Minister of Control for working out the policy of the Government in the field of implementation of women's rights, and for the preparation of concrete measures. The Minister, a woman, was the co-ordinator of all future aims relating to State policy towards women.

234. The representative said that resolution No. 120/91 on the "Principles of the policy of the Government of the Czech and Slovak Federal Republic in the sphere of implementation of the rights of women", referred to above, implied that a federal committee responsible for the issue of women and families was not going to be established for the time being. She gave as the reason that at the federal level there was competence only in the field of human rights. However, the establishment of such an institution was under consideration. She said that no concrete

responsibility had so far been set up in the Czech Republic, but that the Slovak Republic had set up a Governmental Committee on the Woman and the Child. Its activities were only just beginning, so no details were available. It functioned as a coordinating body of the Government and of non-governmental organizations on the basis of honorary membership. The establishment of relevant commissions was under way in the Federal Assembly, the Slovak Republic and the Czech Republic. The representative then referred to a list of tasks within the competence of federal bodies. Since the report before the Committee had been prepared by the old régime, no information on procedures and participation concerning its preparation were available. The representative informed the Committee that 14 women's organizations were registered in Czechoslovakia with varying membership.

235. It was asked to what extent had women been involved in drafting the new Constitution. And which organizations were active in supporting the new Constitution.

236. The representative said that women members of Parliament were participating in that drafting. The coordination of women's questions in that process would be the responsibility of the Deputy Prime Minister and the Minister of Control.

237. Information was requested on the roles of the Federal Ministry of Labour and Social Affairs and of the Government Committee on Women in implementing the Convention; and what their sizes and budget were.

238. The Committee wanted to know which organization was responsible for preparing the current report, and for disseminating information on the Convention and the work of CEDAW.

239. The representative was asked what the effects of the work of the Governmental Committee on Women had been in improving the situation of women; what national machinery for the advancement of women had been established as a result of constitutional change; and what governmental departments or agencies were responsible for implementing programmes related to the status of women and equality of women.

240. She was asked whether reference had been made to the recommendations of the Committee in preparing the report; and which women's organizations had been consulted in that regard. Also, asked was how many organizations there were and what their membership was.

Article 5

241. The Committee asked what the new family policy was; what measures there were to combat stereotyped images and stereotyped roles of men and women; what measures were being taken to ensure that fathers took part in child rearing, and that domestic work was shared on an equal basis; and which agency was responsible for taking those measures.

242. The representative first referred to the above-mentioned Principles. As to whether the new family policy encouraged women to return to traditional family roles, she stated that it was supposed to have exactly the opposite effect, but that the market economy system might have such

an influence because of unemployment. Statistics showed that more than 50 per cent of the unemployed were women. She said that the number of single-income households in the traditional pattern would grow. Currently, that might be the image of success and so might become fashionable. No data referring to the matter were available. She stated that both sexes received the same education, but since the “imperative role” of the State regarding education was gone, “girls schools” or “family schools” were emerging. They seemed to be a success and, according to the representative, proved that 40 years of egalitarian education had not changed fully the stereotyped images of men and women. Parental leave and allowance were accorded under the same rules to both parents, but it seemed that specific education was needed in order that fathers also would be willing to use parental leave.

Violence against women (articles 2, 5, 11, 12 and 16)

243. Violence against women was not identified as an issue needing special attention. It was treated as an offence under the general criminal law.

244. In answer to whether it was planned to introduce special laws and protective measures for women, the representative stated that unfortunately it was not.

Articles 7 and 8

245. The Committee noted that the number of women in Parliament and in the ministries appeared to have been reduced from 10 per cent in 1987 to 6 per cent in 1990, and that there were no women in ministerial positions. It asked what measures were being taken to encourage greater participation e.g. temporary special measures.

246. The representative answered that there were approximately 10 per cent women members in the three parliaments, and that the speaker of the Czech Parliament was a woman. Each of the three Governments had one woman minister. She said that it was currently not possible to use temporary special measures, as they had been used by the previous régime and were thus currently very unpopular.

247. In answer to queries on women’s organizations, she mentioned the Zonta Organization and the Organization of Women Entrepreneurs, and said that the old Czechoslovak Union of Women was being restructured. Currently, 14 women’s organizations were registered. No details on their work were so far available.

248. Information on women’s activities in political parties, trade unions and other political organizations would be provided in the third periodic report. She added that currently there were 6 women ambassadors out of a total of 65 (9.2 per cent). They served in such important posts as Australia, Austria and the United States of America. The diplomatic corps had 19 women members out of 400 (about 5 per cent). Women in the three parliaments accounted for between 8 and 12 per cent, and women heads of departments accounted for between 10 and 60 per cent. In the Ministry of Foreign Affairs, for example, five directors of departments were women (16.7 per cent). In the Czech Ministry of Privatization, 60 per cent of the leading positions were held by women.

Article 10

249. The Committee noted that the initial report mentioned the high proportion of women in higher education and in the professions. It also referred to special provisions for working women and mothers to study. While women had access to higher education and to the professions, few women underwent vocational training in the technical areas. It was asked whether there were measures to change that and to ensure that women had full and equal opportunity in all fields of employment.

250. The representative explained that the old Communist régime had sent men into the production process as soon as possible, which left a higher percentage of women in higher education. That phenomenon was now disappearing. Reasons for the low numbers of women in technical areas included hard physical labour and the past under-estimation of intellectual work and higher salaries in technical fields that attracted men and made areas such as education (where feminization is 71.3 per cent), medicine, justice, science and state departments less attractive to men. Those areas were more flexible than the production sphere and thereby more attractive to women.

251. On other questions, she referred to the traditional division of family responsibilities. In some 90 per cent of all couples, the wife took maternity leave. Most women did not return to their previous posts because they could not assume the dual responsibility of full-time parenting and full-time employment. Under the socialist system, cheap and universally accessible child care had existed, but it was of low quality. The new market economy seemed to have improved the quality, but it was becoming financially inaccessible for many. As the number of single-income families was likely to increase, most likely the income would be the husband's. The general population welcomed that new development, and women saw it as the "freedom to choose", since that way of life had been inaccessible in the past. On another question the representative replied that although de jure an equal right to education existed, the gypsies received a much lower level of education. Efforts were under way to remedy that. Efforts were also under way to integrate disabled students into regular classes.

Article 11

252. It was said in the initial report that women's wages were lower (69 per cent of men's) because they performed less skilled work. It was also recognized that women's special skills, e.g. dexterity, were not always reflected in pay, and that men's greater mobility enabled them to earn more in construction. Information was requested on what was being done to implement the Committee's recommendation on equal pay and job evaluation and on the current rate of unemployment for women: whether it was disproportionate to men's unemployment and whether any particular age groups were especially affected.

253. Other questions raised were whether many women were discouraged from entering the employment market, because of lack of skills training and child care; what plans there were to end segregation in the labour market, and to eliminate distinctions, which precluded women from

certain sectors; and what the current position was on funding nurseries for working parents. It was asked whether all women who needed to do so could have access to such nurseries.

254. The second periodic report had identified lack of leisure for women as a problem. It was asked what further action was planned to overcome that.

255. The representative answered that no concrete measures had been adopted. Legislative measures guaranteed the right to equal wages, but problems arose in its implementation. Of the total number of unemployed, from 55 to 65 per cent were women, with the highest proportion in Prague. Unemployment affected mainly graduates, and tax measures sought to stimulate their employment. More than 80 per cent of the women in their productive years were employed. The transition to a market economy was changing that percentage. An evaluation of measures taken in that regard would be presented in the third periodic report. Remuneration was based on a wage scale which was unfavourable to women. The criteria that defined the exacting character of the labour and established that hard physical labour was better paid held true in State enterprises. No data on private enterprises were available. Parental leave had been extended to fathers in 1987, but fathers using it were still the exception as society considered it unusual, strange and even humiliating for men. A new law was currently in effect concerning maternity allowance, establishing that both parents were entitled to it for the first three years of the child's life. Currently, the allowance amounted to 900 koruny per month. That was in line with the new family policy, but the social climate needed to be changed in order to provide both partners with the same opportunities to choose. Many nurseries had to close down, and the situation was in flux. Data might become available later in the year.

256. The report stated that International Labour Organization (ILO) Convention 89 on night-work and other provisions prohibiting certain work for women were to be reviewed in 1988.

257. Several questions on this issue were answered by the representative. The Government was ready to submit ILO Convention No. 89 to Parliament for ratification. The new Labour Code, which should be in force by 1 January 1993, should satisfy the provisions of that Convention. Nothing had changed with regard to social benefits. Women were treated as individuals with certain exceptions (soldiers' wives could benefit from a special allowance). Unemployed women were treated in the same way as men. Concerning the informal sector, she stated that it had not existed in the socialist economy, except for the black market. Services provided by women had included cleaning, baby-sitting, sewing, gardening and the selling of products. The private sector had appeared only two years ago. It was currently very difficult even to classify the informal sector.

Article 12

258. The representative was asked how unemployed women would be affected by changes in the funding of health care, of which employers were to bear a portion of the cost. It was stated that cases of AIDS had been reported and she was asked what preventive and educational measures were being taken that were directed to women.

259. She stated that the participation of clients in costs of health-care services was not being considered for the next year. Complete coverage was still provided by the State. More details would be provided in the third periodic report. Information on AIDS should be provided in schools. An AIDS prevention information campaign had also recently been started by the Ministry of Health Care. No measures specifically addressed to women had been taken. As of November 1991, there had been 25 cases of AIDS, and 128 cases of HIV-positive, among them 9 women. The national family policy referred basically to parental leave and allowances, tax policy and social security measures. More information would be presented in the third periodic report. Contraceptive means had become more accessible in terms of availability, not in terms of affordability. The fertility rate had been stable for the last five years.

260. The report mentioned a national family policy. Information was requested on that. Also, there had been moves to alter the abortion laws and to reduce the high number of abortions. The Committee asked whether adequate provisions had been made for sex education and family planning and contraception to offset the greater difficulty and cost of abortion, and whether those measures had any effect on the fertility rate.

Article 16

261. In the initial report it was said that the property of husband and wife was shared equally on divorce, and that women's domestic contribution was given equal value. Examples of illustrative court decisions were requested. It was asked if there were any studies to evaluate the value of women's unpaid domestic work.

262. The representative stated that upon divorce, the allowance to be paid by the parent who did not take the children consisted of two parts, namely for the upkeep and education of the children, and for the care itself. Property acquired during marriage was divided equally upon divorce. No studies had been conducted to evaluate the value of unpaid domestic work.

263. Members of the Committee congratulated the representative on the candid comments and thanked her for the clear and informative answers and remarks provided. They wished her success in her future endeavors.

264. Members then asked a number of additional questions. One member asked how the Government assessed the major qualitative changes of recent years, and whether they had helped women. She enquired about the tendency of divorce rates and suggested that the Government should assess the role of women's organizations in the changing society. Many members referred to the lack of a national machinery for women. It was said that such machinery was very much needed, one reason being to avoid the danger of a backlash concerning women's role and status, which, it was feared, was emerging in areas such as part-time work or with women staying at home, and the dangers that might stem from the new family policy. It was said that national machinery for women, not for women and the family, was absolutely necessary, and the representative was wholeheartedly advised that there was a need for such machinery. One expert suggested that the women's movement could be the basis for such machinery and that it should have channels to reach the authorities and those in power, so as to have proper influence on the decision-making

process. It was also noted that women seemed to be seen as part of the family, which was considered to be a basic conceptual problem. Women were beings in their own right, it was said, and the family was only one part of their being. A choice had to be made whether to see men and women as individuals or as members of families. That choice had repercussions on tax, employment and social security policies. One expert said her country had the chance to start afresh. She suggested introducing equality officers in unemployment agencies to break through tradition and to overcome stereotyped thinking. It was further pointed out that without the establishment of quotas or numerical goals it was very difficult for women to obtain their fair share. One expert noticed a passive attitude on the part of women and the authorities in dealing with issues. She referred to the existence of 14 women's organizations and to the lack of clarity regarding their programmes, as well as to the absence of a definition of discrimination in the law.

265. With women's professional future in danger due to the changing economy, one expert wondered why they were not getting organized. It was also asked what kind of collaborative retraining efforts were under way for women who were losing their jobs in the transitional economy. The question was raised whether women were aware and able to take advantage of the emerging market economy: whether they could become businesswomen and if there was enough government support; and whether they were ready to take the initiative in the small and medium-sized enterprise sector. Concern was expressed on the closing of nurseries and the impact that had had on working women, in particular also regarding young women and their career possibilities. Clarification was sought on the informal sector. It was conceded that it was not easy to deal with a situation of transition. The fact had to be faced that transition affected women in particular. The representative was asked how the Government planned to assist women in that difficult situation.

266. Some members asked whether there had been an increase in prostitution. Members requested clarification on the legality of abortion. The question was also raised as to who prescribed contraceptives, whether they were free and how women obtained access to contraceptive means. Several experts reminded the representative of their concern on the issue of violence against women. It was asked whether forced sterilization of gypsies occurred. Clarification was sought on the role and functions of the Ministry of Control.

267. The representative stated that women in her country did not know what problems they were facing. There was no pressure from society to take certain steps. Problems were many and manifold. She thanked the members for their comments.

CEDAW A/53/38/Rev.1 (1998)

167. The Committee considered the initial report of the Czech Republic (CEDAW/C/CZE/1) at its 370th and 371st meetings, on 26 January 1998, and at its 373rd meeting on 27 January 1998 (see CEDAW/C/SR.370, 371 and 373).

168. In introducing the report, the representative of the Czech Republic indicated that more than two years had elapsed since her country's initial report had been submitted and, consequently, her statement would focus on important changes in protecting women's rights as individuals.

169. The representative referred to the ratification of a number of International Labour Organization (ILO) instruments, including ILO Conventions 89, 100 and 101. She also cited several legislative reform measures that had been taken, including amendments to the Employment Act (1/1991); Act on Wages (1/1992); Act on Salaries (143/1992); and Act on Pension Insurance (155/1995). The representative then briefed the Committee on the differential entitlements in retirement pensions between women and men, and among women based upon the number of children.

170. Although no fundamental changes in health or social insurance had occurred since 1994, certain health insurance benefits had been transferred to the State social allowance system in 1995, with the goal of unifying State social allowances and benefits and thus providing support under a single system to families with children.

171. Recent changes had led to the development of civil society, including women's organizations, resulting in activities, conferences and workshops that addressed specific women's issues, such as domestic violence, violence against women in general and women victims of criminal acts.

172. The representative then briefed the Committee on specific programmes for women related to education and vocational training and described some of the socio-economic factors that significantly influence women's position in society and in the labour market. She also noted the importance of kindergartens and their linkage with the rate of female employment.

173. The representative indicated that Decree No. 261/97 specified explicitly jobs and workplaces which are prohibited for all women, pregnant women, mothers until the end of the nine months after childbirth and youth, respectively. She also referred to draft legislation that specified conditions for occupational health and safety.

174. The representative cited a number of women's health programmes and projects, including those related to HIV/AIDS, which focused primarily on the reproductive health of women.

175. The representative stated that prostitution, although not considered a criminal offence, was a growing problem, which was primarily attributed to illegal migration. She also expressed concern that organized prostitution continues to be a lucrative source of money for criminal gangs. A number of measures have been adopted by the Czech Republic to fight prostitution, including

the creation of a special unit for detecting organized crime.

176. The representative referred to the foundations of the Czech legal system, which protect women's rights, focusing on individual citizens, based upon the principle of uniform, general and equal protection of both men and women.

177. In concluding her presentation, the representative of the Czech Republic indicated that she looked forward to the Committee's questions so that she could provide a complete and objective picture of women in the Czech Republic.

Concluding comments of the Committee

Introduction

178. The Committee compliments the Government of the Czech Republic for exhibiting a clear commitment to the promotion of the human rights of its citizens since the independence of the country and for ratifying the Convention without reservations. It is also pleased to note the positive spirit in which its comments and suggestions has been received by the delegation of the Czech Republic.

179. The additional and updated information presented in the oral report of the representative of the Czech Republic is welcomed by the Committee, as an aid to its understanding of the conditions of women and the extent of the implementation of the Convention in the Czech Republic.

Positive aspects

180. The Committee is particularly satisfied at the information included in the oral report of the delegation about the very creation of an inter-ministerial coordinating body within the Ministry of Labour and Social Affairs. Similarly, the reported effort to draft a National Plan on the basis of the Beijing Platform for Action by a commission on the status of women is especially welcomed by the Committee.

181. The Committee notes that there have been significant gains in the status of women in the Czech Republic, particularly with regard to education and participation in economic life, as well as social support services, such as child care.

182. The Committee is also happy to note the high standards of health coverage in general, and for maternal health in particular, that exist throughout the Czech Republic. In this context, it is especially gratified to note the exceptionally low infant and perinatal mortality rates attained by the Czech Republic.

183. The Committee is pleased to note that the legal system of the Czech Republic gives supremacy to international treaties over domestic legislation and that numerous equality provisions can be found in the Constitution, the Charter of Fundamental Rights and Freedoms and in several other codes.

Factors and difficulties affecting the implementation of the Convention

184. The Committee observes that the report of the Czech Republic and its oral introduction to the Committee reflect an overarching tendency on the part of the Government to conceive of women as mothers and within the context of the family, rather than as individuals and independent actors in the public sphere. The Committee considers that such a perception is a major obstacle to the implementation of the Convention because it reflects a fundamental misunderstanding of such critical concepts as gender roles, indirect discrimination and de facto inequality.

185. The Committee is distressed to note that, while the Government is eager to improve the living conditions of women in the Czech Republic, the structural and cultural causes of gender inequality are not fully appreciated by the Government. Having emerged from the restrictions of a totalitarian State, where full employment of women and institutional caretaking of children has been emphasized, the Czech Republic's current policies directed at women and family overemphasize motherhood and family roles for women. The Committee considers the absence of special measures to elevate women's status, save those pertaining to the protection of pregnancy and motherhood, to be a major constraint to the full implementation of the Convention.

Principal subjects of concern

186. The Committee notes with concern that Czech law does not provide a clear definition of discrimination and/or address de facto inequalities between women and men.

187. Though the creation of an intra-ministerial coordinating unit on women's issues within the Ministry of Labour and Social Affairs is welcomed, the Committee considers that such a body cannot be viewed as a sufficient national machinery. The Committee views the absence of a national machinery with adequate resources and personnel as a severe constraint to the implementation of the Convention and the Beijing Platform for Action.

188. The Committee is very concerned about women's inadequate and declining representation in decision-making positions in the political and economic spheres and at the Government's apparent lack of attention to this phenomenon. This is reflected in the absence of any special temporary measures to remedy the situation, as well as the lack of Government willingness to consider any such measures.

189. The decline in the number of women's non-governmental organizations since the early days of the Czech Republic's establishment is also noted with concern by the Committee. The Committee considers the existence of an active civil society, in which a wide range of views and attitudes on gender equality find expression, to be highly beneficial for the promotion of equality between women and men. It also encourages Government cooperation with non-governmental organizations representing different women's interests and perspectives in the implementation and monitoring of the provisions of the Convention.

190. The Committee notes with particular concern the absence of special legislation on violence against women and is alarmed by the Government's perception that there is no need for such

legislation. The Committee considers the absence of data on the extent and prevalence of such violence in the Czech Republic to be a critical deficiency. It also expresses concern about the lack of information on any preventive measures and/or programmes to support victims of violence, raise public awareness of the issue and sensitize health professionals and law-enforcement personnel on the topic.

191. The Committee notes with concern the lack of measures and programmes to promote a positive image of women as actors in all areas at all levels of public life and to encourage equal sharing of family responsibilities by men in the media.

192. The Committee notes with concern that, in the Czech Republic, prostitution and trafficking in women are approached exclusively in the context of combating organized crime. These crimes are closely related to economic transition and socio-political changes. The Committee acknowledges the adverse effects of such developments as rising unemployment and increasing poverty as factors contributing to prostitution and trafficking in women.

193. The Committee views the Czech Republic's policy of creating "household management" schools, which, although not formally sex segregated, basically cater to female students and train them for traditional stereotypical roles, as promoting gender stereotyping. The same applies with regard to the practice of some schools admitting only boys because of their "different physical abilities". In stressing the importance of encouraging girls and boys to choose non-traditional fields of study in order to eliminate discrimination against women, the Committee expresses its heightened concern about such schools.

194. The Committee notes with concern that the Government appeared reluctant to direct girls to scientific and technological fields of study.

195. The Committee is very concerned about the prevailing wage disparities between women and men and the segregation of women in low-paying and low skilled work, which had been one of the results of privatization and economic rationalization.

196. The Committee also notes with concern the increase in over-protective measures for pregnancy and motherhood, as well as early retirement policies for women. It also noted that the cultural glorification of women's family roles could exacerbate the negative impact of economic rationalization policies on women.

197. The Committee is very disturbed about the high rate of induced abortions in the Czech Republic, particularly in the face of the wide availability of contraceptives. It is further dissatisfied to learn about the lack of information and training of health professionals with regard to contraceptives. Owing to the partial nature of the information provided in the oral report, the Committee is not entirely satisfied with the information provided on women's general health in the Czech Republic.

198. The Committee is especially disappointed not to have received answers to its questions on the implementation of the provisions of articles 7, 8 and 16 of the Convention in the Czech Republic's

oral responses. In particular, the very high divorce rate that prevails in the country, its causes, as well as the legal status of protection, if any, accorded to women in de facto unions are of special concern to the Committee.

Suggestions and recommendations

199. The Committee recommends that a definition of discrimination modeled on article 1 of the Convention be incorporated in the Constitution and other relevant laws.

200. The Committee recommends that the Government of the Czech Republic give impetus to the establishment of an adequately resourced national machinery with a clear mandate to implement, coordinate and monitor the provisions of the Convention. It further recommends that, as a future member of the European Union, the Czech Republic draw upon the experiences of the European Union countries, make efforts to get assistance from such countries as it designs machinery, and review its legislation and policies in the area of discrimination against women.

201. The Committee urges the Government of the Czech Republic to review its perspective on special temporary measures in the area of women's political and economic participation in leadership positions. In this context, it recommends instituting numerical goals and targets, as well as a plan of action with timetables to boost women's participation in these areas.

202. The Committee also urges the enactment of a special law and introduction of policies to combat all forms of violence against women, together with promotion of education and media programmes sensitizing the public on this issue. In addition, it recommends introduction of training for the judiciary, law enforcement officers, lawyers, health professionals and others whose work is relevant in the context of violence against women. The Committee strongly recommends that the Czech Republic initiate comprehensive research to assess the extent and nature of violence against women in the country.

203. The Committee recommends a comprehensive study and analysis of the effects of the economic and socio-political transition of the country on women. It is necessary to carry out such a study from a gender perspective to determine the differential impact of the transition on women and men and to determine the differential policies that are required.

204. The Committee strongly recommends the formulation and implementation of effective policies to combat prostitution and trafficking of women. The Committee suggests that measures to combat these crimes require not only services to victims and sanctions for perpetrators, but the design and implementation of comprehensive national social and economic policies to create new opportunities for women. It therefore recommends that the Government take effective action to combat feminization of poverty and to improve the economic situation of women in order to prevent trafficking and prostitution.

205. The Committee urges the Government to launch specific training programmes to educate health professionals, as well as mass campaigns to inform the public on the use of contraceptives and misuse of induced abortions as a means of family planning.

206. The Committee strongly stresses the need to promote the image of women as individuals and independent actors in the public sphere and recommends that the Government launch comprehensive, systematic, goal-oriented efforts to balance the existing positive emphasis placed on women's role in the private sphere in laws, policy measures and governmental attitudes, with an equal emphasis on their public sphere functions. In this regard, the Committee also recommends that the Government encourage men, through public media campaigns, school curricula and special temporary measures, such as effective use of paternity leave, to share family responsibilities equally with women.

207. The Committee requests the wide dissemination in the Czech Republic of the present concluding comments in order to make the people of the Czech Republic, and particularly government administrators and politicians, aware of the steps that have been taken to ensure de facto equality for women and the further steps required in this regard. It also requests the Government to continue to disseminate widely, and in particular to women's and human rights organizations, the Convention, the Committee's general recommendations and the Beijing Declaration and Platform for Action.

CEDAW A/57/38 part III (2002)

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

(a) Introduction by the State party

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

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

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

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

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

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

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

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

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

(b) Concluding comments of the Committee

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

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

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

Positive aspects

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

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

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

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

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

Principal areas of concern and recommendations

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

88. The Committee urges the State party to ensure that Czech law provides adequate and accessible enforcement procedures and legal remedies for violations of women's rights. The

Committee recommends the strengthening of education and training programmes in particular for judges, lawyers and law enforcement personnel on the Convention and on the legislative reforms aimed at eliminating discrimination against women. It urges the State party to ensure that Czech law provides adequate enforcement procedures and legal remedies for violation of women's rights. It recommends that awareness-raising campaigns targeted at women be undertaken so that women can avail themselves of procedures and remedies for violations of the rights under the Convention. The Committee invites the State party to provide, in its next report, information about complaints filed in courts based on the Convention, as well as any court decisions that refer to the Convention. It encourages the State party to further reflect, within the framework of the intended legislation on discrimination, on the establishment of quasi-judicial mechanisms.

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

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

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

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

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

94. In the light of its general recommendation 19, the Committee urges the State party to place high priority on the introduction of comprehensive and holistic measures to address violence against women in the family and in society. The Committee calls upon the State party to ensure that such violence is prosecuted and punished with the required seriousness and speed, and that women victims of violence have immediate means of redress and protection, including protection orders. The Committee requests the State party to enact legislation on domestic violence. It recommends that measures be taken to provide shelters for women victims of violence in sufficient numbers and to ensure that public officials, especially law enforcement officials, the judiciary, health-care providers and social workers, are fully sensitized to all forms of violence against women. The Committee invites the State party to undertake awareness-raising measures through the media and public education programmes, including a campaign of zero tolerance, to make such violence socially and morally unacceptable.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

112. The Committee requests the wide dissemination in the Czech Republic of the present concluding comments in order to make the people of the Czech Republic, in particular government administrators and politicians, aware of the steps that have been taken to ensure the de jure and de facto equality of women and the further steps required in this regard. It also requests the State party to continue to disseminate widely, in particular to women's and human rights organizations, the Convention, its Optional Protocol, the Committee's general recommendations and the Beijing

Declaration and Platform for Action, as well as the results of the twenty-third special session of the General Assembly, entitled “Women 2000: gender equality, development and peace for the twenty-first century”.