



**International Human Rights  
Instruments**

Distr.: General  
10 January 2012

Original: English

---

**Core document forming part of the reports of  
States parties**

**Czech Republic \***

[25 January 2010]

---

\* In accordance with the information transmitted to States parties regarding the processing of their reports, the present document was not formally edited before being sent to the United Nations translation services.

## Contents

	<i>Paragraphs</i>	<i>Page</i>
I. General information about the Czech Republic .....	1-107	3
A. Demographic, economic, social and cultural characteristics of the Czech Republic .....	1-45	3
B. The constitutional, political and legal structure of the Czech Republic .....	46-107	14
II. General framework for the protection and support of human rights .....	108-144	28
A. Acceptance of international conventions on human rights and freedoms .....	108-112	28
B. The legal framework for the protection of human rights at national level .....	113-118	30
C. Institutions created for the purpose of protection and support of human rights.....	119-142	31
D. The process of preparation of reports at national level.....	143-144	35
III. Information on non-discrimination and equality and the means of preventing discrimination and inequality.....	145-154	35

## I. General information about the Czech Republic

### A. Demographic, economic, social and cultural characteristics of the Czech Republic

1. The area of the Czech Republic is 78,866 km and as of 30 September 2009 the number of inhabitants was 10,501,197 people.<sup>1</sup> The population density was calculated at 133 inhabitants per square kilometer.<sup>2</sup>

2. The increase in the number of children born alive recorded since 2002 has slightly slowed down and in 2008 the number of children born alive was 91,300. The index for the total fertility sum (defined as children born alive per woman within the reproduction age) in 2007 increased to 1.49 (1.33 in 2006). The total number of inhabitants in the Czech Republic has been continuously increasing in the past five years although up until the year 2005 it was solely due to foreign immigration into the Czech Republic.<sup>3</sup> The population growth in 2006 with 36,100 people was the highest since the formation of the autonomous Czech Republic in 1993.

3. The growth of the birth rate in the Czech Republic since 2002 was preceded by its dramatic decrease compared to the previous period when even the gradual decrease in the death rate still indicated the population decrease. This situation was not compensated even by the positive balance of migration and therefore since 1994 the population in the Czech Republic has been decreasing. This trend of the total population balance was reversed in 2003 since when the population has been on the increase but solely due to the majority of immigrants from abroad.<sup>3</sup>

4. During the year 2006 there were 105,800 children born alive in the Czech Republic, which makes 3,600 more than in the previous year and at the same time it is the most since the year 1995 when the number of children born alive decreased below a hundred thousand for the first time. The five-year period between 2001-2005, within the context of evaluation of the long-term development of the birth rate, meant a change of this trend and radical decrease was replaced by an increase. The year 2005 was after 10 years again the year when the number of births surpassed the limit of 100,000.

5. Fertility is still low and does not secure simple reproduction of the population in a long-term outlook. The continuation of postponing the maternity until an older age is illustrated by the fact that the average age of a mother continues to rise, in 2007 to 29.1 years, in 2008 to 29.3 years.

6. The number of marriages concluded from January to September 2008 was 4,000 lower than in the same period the year before.<sup>4</sup> There were 44,700 marriages concluded in total. At the same time there were 23,400 divorces during the first three quarters of 2008; this situation can be compared to the same period of the year 2007, when there were 23,200

---

<sup>1</sup> [http://www.czso.cz/csu/redakce.nsf/i/obyvatelstvo\\_lide](http://www.czso.cz/csu/redakce.nsf/i/obyvatelstvo_lide).

<sup>2</sup> [http://www.czso.cz/csu/redakce.nsf/i/obyvatelstvo\\_lide](http://www.czso.cz/csu/redakce.nsf/i/obyvatelstvo_lide).

<sup>3</sup> Since 2001 (according to the Census, Houses and Flats in 2001), the figures include also foreigners with a visa for more than 90 days (in accordance with Act No. 326/1999 Coll., On Residence of Aliens) and foreigners with granted asylum (in accordance with Act No. 325/1999 Coll., On Asylum). From 1.5.2004, in connection with the "Euronovela" Act No. 326/1999 Coll., on Residence of Aliens, data is concerned with European Union citizens with temporary residency in the Czech Republic and the citizens of the third countries with long-term residency in the Czech Republic.

<sup>4</sup> The interest in the marriage increased in year 2007 due to the attractive date 7.7.2007, when 4,400 marriages were contracted within one day.

registered divorces. The intensity of divorcing has now for several years been stabilised at the level of around 50.0 per cent.

7. In the year 2007 life expectancy at birth increased to 73.7 years for men and 79.9 years for women, compared to the previous period.

8. The composition of the population in terms of the general representation of men and women is stable: women have a slightly higher population representation. On 31 December 2005, out of a total population of 10,251,079, women were represented at 51.2 per cent. Between 2000-2004, it was always 51.3 per cent. The representation of women and men within the age categories varies. The population of men is slightly more prevalent until the age of 30. The proportion between men and women is relatively equal between the age of 30 and 49. The population prevalence of women starts from the age of 50 and increases with age. In the age group 70-79 years the proportion of women to men is 60.4 per cent to 39.6 per cent and in older age groups it is 69.6 per cent to 30.4 per cent.

9. The presented data are summarised in the following table.

<i>Index</i>	<i>Measuring unit</i>	2002	2003	2004	2005	2006	2007
		<i>Population</i>					
Population (middle class)	Thousand people	10 200 774	10 201 651	10 206 923	10 234 092	10 266 646	10 323 000
Age							
0-14	Thousand people	1 605	1 571	1 539	1 514	1 490	1 477
15-64	Thousand people	7 180	7 211	7 240	7 275	7 308	7 391
65+	Thousand people	1 416	1 420	1 428	1 445	1 469	1 513
Thereof: women	Thousand people	5 236	5 233	5 235	5 243	5 254	5 275
Life expectancy at birth							
Men	Years	72.1	72	72.5	72.9	73.4	73.7
Women	Years	78.5	78.5	79.0	79.1	79.7	79.9
Live births per 1,000 inhabitants	%	9.1	9.2	9.6	10	10.3	11.1
Deaths per 1,000 inhabitants	%	10.6	10.9	10.5	10.5	10.2	10.1
Natural growth/decline per 1,000 inhabitants	%	-1.5	-1.7	-0.9	-0.6	0.1	0.1
Marriages per 1,000 inhabitants	%	5.2	4.8	5	5.1	5.1	5.5
Divorces per 1,000 inhabitants	%	3.11	3.22	3.24	3.06	3.06	3
Divorces per 100 Marriages	%	60.2	67.1	64.3	60.4	59.4	

	<i>Measuring unit</i>	2002	2003	2004	2005	2006	2007
<i>Index</i>	<i>National accounts</i>						
Production	CZK (billion) current price	6 033.2	6 385.4	7 060.5	7 531.9	8 421.4	9 193.5
(Previous year = 100)	% permanent price	103.1	105.1	106.8	105.6	110.8	107.6
Intermediate consumption	CZK (billion) current price	3 793.1	4 042.3	4 528.2	4 845.6	5 516.6	5 987.2
(Previous year = 100)	% permanent price	103.4	106.4	108.1	105.1	113	108.2
Gross domestic product <sup>5</sup>	CZK (billion) current price	2 464.4	2 577.1	2 817.4	2 994.4	3 220.3	3 530.2
(Previous year = 100)	% permanent price	101.9	103.6	104.6	106.5	106.4	106
Gross national income	CZK (billion) current price	2 352.1	2 466.1	2 661.3	2 846.4	3 042.0	3 339.4
(Previous year = 100)	% permanent price	102.8	104.2	103.4	105.7	104.8	
Gross disposable income	CZK (billion) current price	2 365.1	2 467.8	2 660.4	2 830	3 026.6	3 299.1
(Previous year = 100)	% current price	102.7	103.7	103.3	105.2		
Gross national product per 1 inhabitant to purchasing power parity	PPS <sup>6</sup>	14 595	15 390	16 595	17 426	18 777	19 966
Household final consumption expenditure	CZK (billion) current price	1 248.1	1 317.4	1 400.0	1 445.8	1 532.0	1 669.3
(Previous year = 100)	% permanent price	102.2	106	102.9	102.4	104.4	
Gross national savings	CZK (billion) current price	553.3	532.2	618.5	703.1	784.5	833
Gross national savings rate <sup>7</sup>	%	23.4	21.6	23.2	24.8	25.9	26.8
Gross fixed capital formation	CZK (billion) current price	677.8	687.5	727.2	746.1	812.9	857
(Previous year = 100)	% permanent price	105.1	100.4	103.9	102.3	107.6	105.8
Investment Rate	%	27.5	26.7	25.8	24.9	25.2	24.1
Fixed activity (situation on 31.12)	CZK (billion) current price	10 618.7	10 965.7	11 501.4	11 928.2		
Workers <sup>8</sup>	Thousand people	4 950.1	4 899.3	4 906.4	4 961.2	5 041.9	5 133.8
<b>Total labour productivity (previous year = 100)</b>	%		101.6	104.7	104.4	105.3	104.7
Unit labour costs <sup>9</sup> (previous year = 100)	%		103.7	103.1	101.6	98.5	100.1

10. The Czech Republic is still a very homogeneous nation within the framework of the European Union. The largest ethnic group in the Czech Republic after the Czech and Moravian is the Slovakian with only 1.9 per cent inhabitants in the country in 2001. Although the Roma people in the Czech Republic are the most diverse from the majority of

<sup>5</sup> Data is compiled from annual national accounts. Data from 2006 are produced by adding quarterly estimates of GDP.

<sup>6</sup> PPS (Purchasing Power Standard) – Standard of Purchasing Power; average purchasing power 1 PPS is equal to the average purchasing power of 1EUR in countries of EU25.

<sup>7</sup> Growth of Gross Fixed Capital to GDP.

<sup>8</sup> From data on the number of vacancies converted to full-time work hours according to the method ESA 95, it means including people who work full-time and part-time, foreign workers (employees and self-employed) and an estimation of workers from the statistically not recorded economy.

<sup>9</sup> The ratio of the index of compensations to employees and mixed household income per 1 worker with the index of total work productivity.

the Czech population on a social and demographic level, there is not enough statistical data on the Roma people. The reason is that the Roma people are not systematically monitored. Only a part of the total number was registered, which comprised the Roma inhabitants who registered themselves (less than 12,000) in the 2001 Census, Houses and Flats. The growing problem of social exclusion was highlighted by the research of the GAC agency in September 2006. According to the GAC research, in 300 areas in the Czech Republic 60,000-80,000 predominantly Roma inhabitants are suffering from social exclusion.

11. The following table contains population data by nationality and ethnicity, mother tongue, religious belief and sex.<sup>10</sup>

<i>Nationality and ethnicity, mother tongue, religious belief</i>	<i>Men</i>	<i>Women</i>	<i>Total</i>
Nationality			
Czech	4 475.817	4 773.960	<b>9 249.78</b>
Moravian	203 624	176 850	<b>380 474</b>
Silesian	6 578	4 300	<b>10 878</b>
Slovakian	94 744	98 446	<b>193 190</b>
Polish	21 571	30 397	<b>51 968</b>
German	18 391	20 715	<b>39 106</b>
Roma	6 149	5 597	<b>11 746</b>
Hungarian	7 711	6 961	<b>14 672</b>
Ukrainian	9 943	12 169	<b>22 112</b>
Russian	4 634	7 735	<b>12 369</b>
Ruthenian	529	577	<b>1 106</b>
Bulgarian	2 711	1 652	<b>4 363</b>
Romanian	667	571	<b>1 238</b>
Greek	1 671	1 548	<b>3 219</b>
Vietnamese	10 775	6 687	<b>17 462</b>
Albanian	500	190	<b>690</b>
Croatian	886	699	<b>1 585</b>
Serbian	1 138	663	<b>1 801</b>
Other	16 499	10 000	<b>26 499</b>
Czech and Roma	354	344	<b>698</b>
Czech and Slovakian	1 483	1 300	<b>2 783</b>
Czech and other	2 484	2 172	<b>4 656</b>
Moravian and Roma	6	3	<b>9</b>
Moravian and Slovakian	42	32	<b>74</b>
Moravian and other	1 392	1 020	<b>2 412</b>
Slovakian and Roma	41	36	<b>77</b>
Other combination	1 287	982	<b>2 269</b>
Unknown	90 444	82 383	<b>172 827</b>

<sup>10</sup> Source: ČSÚ: SLDB, 1.3.2001.

<i>Nationality and ethnicity, mother tongue, religious belief</i>	<i>Men</i>	<i>Women</i>	<i>Total</i>
<b>Total</b>	<b>4 982.071</b>	<b>5 247.989</b>	<b>10 230.06</b>
Mother tongue			
Czech	4 729.948	4 977.449	<b>9 707.397</b>
Slovakian	97 439	111 284	<b>208 723</b>
Roma	11 896	11 315	<b>23 211</b>
Polish	20 199	30 539	<b>50 738</b>
German	17 020	24 308	<b>41 328</b>
English	2 410	1 381	<b>3 791</b>
Russian	7 097	11 649	<b>18 746</b>
Other	53 720	45 538	<b>99 258</b>
Unknown	42 342	34 526	<b>76 868</b>
<b>Total</b>	<b>4 982.071</b>	<b>5 247.989</b>	<b>10 230.060</b>
Religious belief			
No religious belief	3 099.810	2 940.181	<b>6 039.991</b>
Assemblies of God (Pentecostal revival)	2 061	2 504	<b>4 565</b>
Unity of Brethren Baptists	1 584	2 038	<b>3 622</b>
Seventh-day Adventist Church	4 149	5 608	<b>9 757</b>
Evangelical Brethren Church	4 403	5 528	<b>9 931</b>
Czechoslovak Hussite Church	37 717	61 386	<b>99 103</b>
The Church of Jesus Christ Holy recent days (Mormons)	653	713	<b>1 366</b>
Greek-Catholic Church	3 454	4 221	<b>7 675</b>
Roman-Catholic Church	1 184 162	1 556 618	<b>2 740 780</b>
Českobratrská Evangelical Church	49 137	68 075	<b>117 212</b>
Evangelical Augsburg Religion in Czech Republic	6 176	8 709	<b>14 885</b>
Evangelical Methodist Church	1 130	1 564	<b>2 694</b>
Federation of Jewish Communities in Czech Republic	799	716	<b>1 515</b>
Unitas Fratrum	1 469	1 957	<b>3 426</b>
Christian congregations	3 082	3 845	<b>6 927</b>
Luterská Augsburg Evangelical Church in Czech Republic	2 357	3 055	<b>5 412</b>
Jehovah's Witnesses Religious society	9 367	13 795	<b>23 162</b>
Novoapoštolská Church in Czech Republic	186	263	<b>449</b>
Eastern Orthodox Church in Czech Republic	10 019	12 949	<b>22 968</b>
Silesian Augsburg Evangelical Church	6 343	7 677	<b>14 020</b>
Old Catholic Church in Czech Republic	687	918	<b>1, 605</b>
Unification Church (Moonists)	20	23	<b>43</b>
Scientology Church	73	37	<b>110</b>
Christian Community	1 751	2 261	<b>4 012</b>

<i>Nationality and ethnicity, mother tongue, religious belief</i>	<i>Men</i>	<i>Women</i>	<i>Total</i>
Anglican Communion	112	89	<b>201</b>
Islam	2 676	1 023	<b>3 699</b>
Buddhism	4 350	2 467	<b>6 817</b>
Hinduism	557	210	<b>767</b>
Hare Krishna movement	201	93	<b>294</b>
Other and not clearly identified	85 590	95 179	<b>180 769</b>
Not known	457 841	444 140	<b>901 981</b>
<b>Total</b>	<b>4 982.071</b>	<b>5 247.989</b>	<b>10 230.060</b>

12. In 2005 there were more than 4,000,000 households (4,189,700 households in total) in the Czech Republic. Most of the households (62.5 per cent) consisted of complete families, one quarter (25.1 per cent) consisted of single person households, 11.3 per cent represented incomplete families and the rest (1.1 per cent) were non-family households. There are 473,100 incomplete families in the Czech Republic in total and more than 1,000,000 (1,049.100) single-person households.

13. The head of the household in both types of the above-mentioned households is a woman rather than a man: a woman is dominant in 77.3 per cent of incomplete families and 62.6 per cent of single person households.

14. The prevalence of women dominating the household over men is also apparent in the complete family households (71.4 per cent to 28.6 per cent) in the 15-24 age group. The older age groups show more similar numbers in both sexes in terms of household domination and in the age group over 50 years old the household domination is represented by men (53.6 per cent to 46.4 per cent).

15. The incomplete families are largely dominated by women regardless of age. Women form three quarters or more within each age group, which is between 74.8 per cent in the age group of 50 years old and older and up to 79.8 per cent in the age group of 25-34 years old.

16. Single person households are dominated by men in all the age groups except the oldest age group over 50 years old, which is dominated by women in 72.8 per cent of cases. The highest number of men (74.2 per cent) in single person households is within the age group of 35-44 years old.

17. The following table shows a summary of data on the average size of a household and the sharing of households with one parent.

	2002	2003	2004	2005	2006
<i>Type of household</i>	<i>Thousand</i>				
<b>Total</b>	<b>4 052.6</b>	<b>4 102.5</b>	<b>4 150.5</b>	<b>4 186.7</b>	<b>4 217.3</b>
Complete family	2 620	2 605.3	2 605.7	2 617	2 646.2
Incomplete family (household with one parent)	447.5	457	471.7	473.1	476.4
Single person household	927.8	981.1	1 018	1 049.1	1 054.4
Non-family household with several members	57.4	59.1	55.1	47.4	40.3
	%				
Total	100	100	100	100	100



<i>Type of household</i>	2002	2003	2004	2005	2006
Complete family	64.6	63.5	62.8	62.5	62.7
Incomplete family (households with one parent)	11	11.1	11.4	11.3	11.3
Single person household	22.9	23.9	24.5	25.1	25
Non-family household with several members	1.4	1.4	1.3	1.1	1

18. The long-term trend of population moving into the cities in many European countries has also been apparent in the Czech Republic. This fact is shown by data from the Census in 2001. In relation to the size of town groups the average population growth in the Czech Republic, which is 35.2 per cent, was surpassed in the groups of towns with more than 5,000 inhabitants. In 2001 63 per cent of the population of the Czech Republic lived in the cities.

#### *Living standard*

19. The average annual household consumption of a household member was CZK 120,208 in the year 2007, while the net annual income was CZK 125,817. The share of food costs has been decreasing within the last years and in 2006 and also in 2007 it was 1/5 of the total household outgoings. Education costs have also slightly decreased. In 2003 education costs represented 0.6 per cent of all household outgoings, in 2006 only 0.5 per cent, then in 2007 they again slightly increased to 0.6 per cent. In contrast the accommodation and health costs increased. Accommodation costs including energy and water increased one per cent from the year 2003 up to a total of 20.7 per cent in 2006, and in 2007 slightly decreased to 19.9 per cent. Health costs increased one tenth of a per cent to 2 per cent of the total household costs in the year 2006. In 2007 health costs increased to 2.3 per cent.

#### *The population ratio below the national limit of poverty*

20. The Czech Republic has set the limit of poverty as a subsistence minimum. The subsistence minimum is the level of household income which secures the basic living needs to its members. Below this level the state of material poverty begins. The subsistence level income is used as a criterion for making decisions regarding the social security benefits of the citizen or the household. If the income of a citizen does not reach the level of subsistence and he or she cannot increase it due to serious circumstances, the citizen may be able to receive benefits of Assistance in material needs. The subsistence minimum was established in the Czech Republic in 1991 and its level is adjusted on the first date of each year according to the growth of consumer prices. In the event that the consumer prices growth reaches over 2 per cent, review of the subsistence minimum may happen at any time of the year. In the year 2005, the subsistence level income was set to CZK 85,714 per year. In the same year 995,565 inhabitants lived below this level, which is 9.8 per cent of the whole of the population in the Czech Republic. In 2007 the subsistence level income was set to CZK 93,560 per year and 995,347 inhabitants lived below this level within the same year.

21. The Gini Coefficient, which describes the distribution of the household income, reached the value of 0.253 in 2005, which means that the Czech Republic belongs to the nations with very little income disparity.

#### *The percentage of infant and mother mortality*

22. The Czech Republic belongs to the nations with the lowest infant mortality. Most of the changes in the intensity of infant mortality happened up to the year 2000, after which

only very minor changes occurred. The coefficient of early newborn mortality (mortality in 7 days per 1,000 newborns) decreased 50 per cent from 3.2 per cent to 1.6 per cent between the years 1995-2000. The total infant mortality (up to one year) was 3.1 per cent in 2007 and in 2000 it was 4.1 per cent. The development of the infant mortality level in past years has exhausted the possibility of its further dramatic decrease. Maternal mortality is defined as the number of women dying in pregnancy, during labour and until 42 days or six weeks per 100,000 newborn babies. The number of women who die in this way has been below 10 cases of mortality per year since 1994. The maternal mortality rate fluctuates between 2-7 mortality cases per 100,000 children born alive.

*The medical termination of pregnancy in relation to live births and the use of contraceptives by women within the fertile age range*

23. In 2007 153,500 pregnancies were registered. Medical experts administered 40,917 abortions in total in the same year of which 25,414 were induced abortions. The number of induced abortions for medical reasons was 4,789. Of the total number of induced abortions 19,201 were mini-abortions. Since the year 2000 the number of induced abortions lowered by more than 7 per cent – 34,627 abortions were administered from the registered 137,124 pregnancies. The decrease in the number of induced abortions is put down to the wide availability of modern contraceptives. According to the Institute of Medical Information and Statistics, in 2005 contraceptives prescribed by a doctor were used by 51 per cent of women of fertile age, 45 per cent of women used hormonal contraceptives and the rest of the contraceptives used were intrauterine. In 1975 only 16 per cent of women used contraceptives, which were mostly intrauterine (9 per cent) and 20 years later the number increased to 27 per cent of women.

24. A radical decrease of induced abortion intensity was recorded across the age structure and mostly in the 20 and 30 year-old age groups. On the other hand the number of spontaneous abortions has grown within the last five years, which is probably due to higher risk pregnancies becoming more common as more pregnancies have been recorded in the older age groups.

*The percentage of HIV/AIDS and the main infectious and non-infectious diseases*

25. The Czech Republic belongs to the nations with the lowest number of HIV/AIDS cases. During the period of monitoring the number of new cases the figures showed around 0.5 cases per 100,000 persons. Approximately 1 in 5 of the infected cases out of the total number of infected cases were women and approximately 6 per cent of the infected cases were pregnant women.

26. In 2005 there were 144,146 infection cases recorded in the Czech Republic. Regular vaccination in the Czech Republic continued, namely against polio, diphtheria, tetanus, whooping cough, rubella, measles, mumps, and Hepatitis virus B. The result showed no more infections with polio, diphtheria, tetanus, measles and congenital rubella. There were 412 recorded cases of whooping cough (A 37.0) and 1,803 cases of mumps (parotid gland). Parotid gland infection predominantly affected young men between 15-19 years. There were also 8 cases of rubella reported. The decrease in illness is a result of effective vaccination.

27. The infection from Hepatitis B (B16) has decreased as a result of the vaccination of 12-year old children since 2001. VHB has been practically eliminated in the age group up to 16 years old. The 117 infected were syringe drug users. Hepatitis virus A was recorded in 322 cases. The increase in the illness was caused by 8 epidemics during which 190 persons, predominantly of Roma origin, were affected. The 44 cases were imported chiefly from Egypt, Brazil and the Ukraine. Amongst other types of Hepatitis (B17-B19) there were mostly cases of Hepatitis C (844) reported, which is virtually the same amount as in

the previous year. 526 of the infected cases were syringe drug users. 37 cases of Viral Hepatitis E infections were reported, which is one more case than in the previous year, of which the virus was imported from India 6 times. In 2004 there were 99 reports of meningitides infections, which is practically the same as in previous years.

#### *Mortality and 10 major causes of death*

28. The gross level of mortality since the year 2000 is stagnating around the figure of 10.5 per cent. During 2007 104,600 persons died, which makes 3,500 less than in 2005.

29. The level of mortality according to the number of deaths due to individual causes has not changed dramatically since the year 2000. The major mortality factor is shown in relation to the diseases of the circulatory system, which represents 45 per cent of mortality in men and 56 per cent of mortality in women. The second largest cause of mortality is related to the formation of neoplasms, which has increased in the structure of mortality during the present period, forming approximately one quarter of all mortality causes.

30. Table: The standardised level of mortality in men for selected causes of death per 100,000 men between 1995-2007.

<i>Mortality causes</i>	<i>1995</i>	<i>2001</i>	<i>2002</i>	<i>2003</i>	<i>2004</i>	<i>2005</i>	<i>2006</i>	<i>2007</i>
Neoplasms	345.1	317.5	323.3	321.1	315.2	296.8	286.8	277.5
Malignant neoplasm of lungs <sup>11</sup>	101.6	85.8	84.1	81	82.1	77.2	73.6	71
Diseases of circulatory system	708.1	567.6	560.6	568.5	530.9	508.1	477.8	453.7
Acute myocardial infarction	175.9	126	113.1	106.1	91.3	81.3	72	68.1
Vascular disease	176.3	148.6	144.7	148	127.2	123	113.4	91.6
Diseases of respiratory system	62.5	55.6	55.6	59.7	55.4	65.9	60.3	59.4
Diseases of digestive system	53.6	50.7	50.3	50.8	50.4	52.4	50.2	49.5
Injury and poisoning	106.2	90.4	91.4	96.3	89	82.8	77.6	78
Road traffic accidents	23.2	20.8	20.5	20.7	18.3	17.9	15.5	17.4
Suicides	25.8	24.9	23.3	26.2	24.3	23.8	21.1	20.8
Other	60	61.7	65.1	68.5	65.7	70.7	71.5	73.1
<b>Total</b>	<b>1 335.6</b>	<b>1 143.6</b>	<b>1 146.3</b>	<b>1 164.9</b>	<b>1 106.6</b>	<b>1 076.7</b>	<b>1 024.1</b>	<b>991.2</b>

31. Between 1975-2006 the level of intensity of mortality of women was on average 60 per cent of the mortality rate of men. During the whole period the most similar figures for mortality causes were related to brain vascular disease (only 20 per cent difference). The difference between the intensity of mortality caused by acute myocardial infarction has also reduced. The most apparent differences in the level of mortality between men and women were in 2007 shown in cases of injuries and accidents, in particular in cases of suicide where the intensity of mortality of women was reduced to a fifth of male suicide mortality. This negative development of mortality in women was caused by neoplasms of the lungs

<sup>11</sup> Malignant neoplasm of trachea, bronchi and lungs.

and the decrease in the intensity of mortality due to the same cause in men has reduced the differences between the sexes from more than 90 per cent in the year 1975 to 73 per cent in the year 2006. In case of other causes of mortality, the high numbers of male mortality have not dramatically changed.

32. Table: Standardised level of mortality of women in the selected causes of death per 100,000 women between 1995-2006.

<i>Mortality causes</i>	<i>1995</i>	<i>2001</i>	<i>2002</i>	<i>2003</i>	<i>2004</i>	<i>2005</i>	<i>2006</i>	<i>2007</i>
Neoplasms	191.4	179.3	175.3	177.5	173	166.2	164.9	157
Malignant neoplasm of lungs	16.8	19.1	18.2	18.8	18.6	18.8	19.7	19.1
Diseases of circulatory system	455	381.7	379.5	384.4	356.9	351.1	318.2	306.8
Acute myocardial infarction	78.3	56.9	52.4	48.1	41.6	37.2	34.1	31.5
Vascular diseases	134.8	122.5	119.5	120.6	1007	99.2	90.8	73.1
Diseases of respiratory system	31.6	26.6	27.2	30.9	25.5	33.5	30.3	29.3
Diseases of digestive system	26.3	25.8	26	27.5	25.7	26.8	26	25.5
Injuries and poisoning	47.9	33.8	32.8	35.4	34	29.3	25.4	26.1
Road traffic accidents	8.2	6.7	6.9	6.4	5.8	5.5	4.5	5.1
Suicides	7.5	5.4	5.3	5.8	4.7	4.8	4.2	3.6
Other	46.8	44.9	45.1	48	46.7	50.3	48.5	50.6
<b>Total</b>	<b>798.9</b>	<b>692.2</b>	<b>685.9</b>	<b>703.6</b>	<b>661.9</b>	<b>657.2</b>	<b>613.2</b>	<b>595.4</b>

#### *Education*

33. School attendance in the Czech Republic is compulsory.<sup>12</sup> Compulsory school attendance applies to Czech citizens, citizens of other European Union (EU) Member States and their family members, foreigners with permanent residency, long-term residency or visas for over 90 days in the Czech Republic and people that have been granted asylum or applying for asylum. Compulsory school attendance lasts 9 years. In 2006/2007 attendance of Elementary school was 876,513 pupils in total and there were 62,658 teachers, (that is, one teacher per 14 pupils). In June 2007 the number of pupils that completed school were 117,921.

34. The secondary school system was attended by 533,000 students in the same year. There are approximately 48,000 teachers operating in Secondary schools.

<sup>12</sup> Due to the fact that the school attendance is compulsory in the Czech Republic, the percentage of literacy or the number of completed attendances is not recorded.

*The economic situation in the Czech Republic*

35. The Czech economy has been growing continuously since the beginning of 1999. Joining the European Union shown positive effect in 2004 apparent in the fast turnover growth in the foreign market due to a wider connection with the international exchange.

36. The Czech economy kept its record speed of growth in the Gross Domestic Product also in 2007, when economic development increased by 6.5 per cent. The growth in the Gross Domestic Product was followed by employment growth (1.8 per cent). The rate of inflation reached 2.8 per cent. Nevertheless in the first quarter of 2008 the growth in the Gross Domestic Product decreased to 5.4 per cent.

37. The harmonised index of consumer prices reached on average 2.1 per cent per year. The consumer prices index has been growing continuously since the year 1993. The table below indicates the development of the index in terms of the prices in the year 2005.

	2002	2003	2004	2005	2006	2007	2008
<b>Index of consumer prices – Total</b>							
<b>2005 = 100</b>	<b>95.4%</b>	<b>95.5%</b>	<b>98.1%</b>	<b>100.0%</b>	<b>102.5%</b>	<b>105.4%</b>	<b>112.1%</b>

38. The level of unemployment has been continuously decreasing and on 31 December 2007 reached 5.3 per cent (in the second quarter of 2008 it decreased to 4.2 per cent).

39. According to the figures on main employment the number of employees increased by 52,500 to 4,032,000 and the number of people working as self-employed increased by 16,000 to 779,200. Employment figures increased in the secondary sector (industry, building) by 48,900 to 1,929,400 and in the tertiary sector (services) increased by 23,400 to 2,716,000 people. The primary sector (agriculture, forestry, fish industry), which showed a decrease in employment since the 90s still shows a continuous decrease in employees by 7,700 to 181,700.

40. The total level of employment of the age group between 15-64 years has annually increased to 66.1 per cent. Although the level of employment is reduced by the rapid growth of university students, the number of employed persons is considerably growing as a result of employment of the strong age groups which were born in the period between the 1940s and the 1950s and in the first half of the 1970s.

41. The level of unemployment in the Czech Republic is more clearly demonstrated in the following table.

Age group	2002	2003	2004	2005	2006	2007
Population 15+	7.3	7.8	8.3	7.9	7.1	5.3
15-64 years	7.3	7.8	8.4	8	7.2	5.4
Men 15+	5.9	6.1	7	6.5	5.8	
15-64 years	5.9	6.1	7.1	6.5	5.9	
Women 15+	9	9.9	9.9	9.8	8.8	
15-64 years	9.1	9.9	10	9.9	8.9	

42. The table below contains data on employment in the major sectors of economic activity.

<i>Employment</i>	2002	2003	2004	2005	2006	2007
<b>Total</b>	<b>4 764.9</b>	<b>4 733.2</b>	<b>4 706.6</b>	<b>4 764</b>	<b>4 828.1</b>	<b>4 907.7</b>
<i>Sectors</i>						
Agriculture	227.9	213.1	202.3	189.4	181.7	176.3
Industry	1 888.3	1 863.4	1 844.6	1 880.5	1 929.4	1 979.3
Services	2 645	2 655.4	2 658.5	2 692.6	2 716	2 272.4
Men	2 700.4	2 686.2	2 663.1	2 705.5	2 741.9	2 793.1
<i>Sectors</i>						
Agriculture	157	147.4	140.3	131.4	123.5	122.7
Industry	1 320.4	1 311.3	1 301.4	1 335.6	1 366.2	1 412.4
Services	1 220.2	1 226.9	1 220.7	1 237.5	1 252.1	1 257.7
Women	2 064.5	2 047	2 043.5	2 058.5	2 086.1	2 114.6
<i>Sectors</i>						
Agriculture	70.9	65.7	61.9	58.1	58.2	53.5
Industry	567.9	552.1	543.3	544.9	563.2	566.9
Services	1 424.8	1 428.5	1 437.8	1 455	1 464	1 493.9

#### *Gross Domestic Income*

43. Gross National Income has been growing from 2000 to 2006 but in 2007 began to decrease. The speed of growth fluctuates between 2-3 per cent. Development of Gross Domestic Income is shown in the following table:

		2001	2002	2003	2004	2005	2006	2007
Gross National Income CZK (billion)	CZK (billion)	2 273.2	2 352.1	2 466.1	2 661.3	2 846.4	3 042.0	3 340.0
(previous year = 100)	%	103.0	102.8	104.2	103.4	105.7	104.8	

#### *The State social costs*

44. The total sum of CZK 1,362 billion was designated for public costs in 2006 from which 9.7 per cent has been allocated to education, 14.6 per cent to health, 29.8 per cent to social security and 6.5 per cent has been allocated to housing.

#### *The domestic and foreign debt*

45. The Central Government debt of the Czech Republic has been growing since 1995. The total Government debt was CZK 892.3 billion in 2007 from which the foreign debt formed CZK 123 billion and domestic debt formed CZK 769.3 billion (86.2 per cent).

## **B. The constitutional, political and legal structure of the Czech Republic**

46. The legislative power in the Czech Republic is held by Parliament. Parliament consists of two chambers: The Chamber of Deputies and the Senate. Every citizen of the Czech Republic who has reached the age of 18 has the right to elect members of the Chamber of Deputies and the Senate.

47. The Chamber of Deputies has 200 members elected for 4 years. Election into the Chamber of Deputies is conducted by a secret ballot on the basis of universal, equal and direct suffrage in accordance with the principles of proportional representation. Every citizen of the Czech Republic who has the right to vote and has not encountered any obstacle to the exercise of voting rights<sup>13</sup> on the day of elections and reached the age of 21, with the exception of restrictions on personal freedom stated by law in order to protect the health of the people, may be elected to the Chamber of Deputies.<sup>14</sup>

48. The Senate has 81 members who are elected for a six-year period. Every two years one third of the members of the Senate are elected. The election for the Senate is conducted by a secret ballot on the basis of universal, equal and direct suffrage in accordance with the principles of proportional representation. Every citizen of the Czech Republic who has the right to vote, reached the age of 40 and has not encountered any obstacle to the exercise of voting rights may be elected to the Senate.<sup>15</sup>

49. The Head of the State is the President, who is elected by Parliament at a joint meeting of both Chambers.<sup>16</sup> The term of presidential office lasts five years and no one can be elected for the post of the President more than twice in a row. Any citizen eligible for election to the Senate may be elected President. The President has the right to take part in meetings of both Chambers of Parliament and meetings of the Government. The chief legislative power belongs to the Government, which consists of the Prime Minister, the Deputy Prime Minister, and Ministers. The Government is accountable to the Chamber of Deputies. The Prime Minister is appointed by the President and according to his proposal other members of Government are appointed. Members of the Government may not be engaged in activities contrary to the nature of the performance of his functions. The Government may ask the Chamber of Deputies for a vote of confidence. The Chamber of Deputies may express no confidence in the Government. The Prime Minister shall submit his resignation in the hands of the President whilst other members of the Government shall submit their resignation to the President through the Prime Minister. Resolution of the Government is to be approved by more than half of its members. The Government may issue decrees in order to implement a legal act within the limits of the law. The Ministry, other administration authorities<sup>17</sup> and organs of Territorial administration may, on the basis and within the limits of the law, issue legal decrees if they have been appointed for it by law.

50. In accordance with the Constitution of the Czech Republic the control of the management of the State assets and the performance of the State budget is executed by an independent body – The Supreme Audit Office. The President and The Vice President of The Supreme Audit Office are appointed by the President of the Republic on the basis of the proposal of the Chamber of Deputies. The scope of power, legal position and

---

<sup>13</sup> In accordance with Act No. 247/1995 Coll., On elections to Parliament of the Czech Republic and amending certain other laws, as amended by Act No. 212/1996 Coll.

<sup>14</sup> Provision of Paragraph 2, Act No. 247/1995 Coll. states: the obstacles to the exercise of voting rights are: (a) the statutory restrictions of personal freedom in order to protect the health of people; (b) deprivation of legal capacity.

<sup>15</sup> In accordance with Act No. 1/1993 Coll., Constitution of the Czech Republic and Act No. 247/1995 Coll., On Elections into the Parliament of the Czech Republic, as amended.

<sup>16</sup> In accordance with Constitutional Act No. 1/1993 Coll., Constitution of the Czech Republic and Act No. 90/1995 Coll., On the Rules of Procedure of the Chamber of Deputies.

<sup>17</sup> Power and area of legal activity of the highest State administration is designated by the Czech National Council, Act No. 2/1969 Coll., On the establishment of Ministries and other central organs of the State Administration of the Czech Republic, as amended.

organisation structure as well as other details regarding the Supreme Audit Office are given by law.<sup>18</sup>

51. The central bank of the State is the Czech National Bank. The chief objective of the Czech National Bank is to ensure price stability. The activity of the Czech National Bank may not be interfered with except for the legal cause. The scope of power, legal position and other details are given by law.<sup>19</sup> The bank headquarters consist of a Committee with seven members. The members are appointed and dismissed by the President of the Czech Republic. Membership in the bank Committee is not to be combined with membership in the Chamber of Deputies, Government position or high position in other banks and business organisations.

*The political system and elections*

52. According to the Constitution the political system is based on free and voluntary development and open competition of the political parties and movements with respect to the basic democratic principles and rejection of violence as a means to promote individual interests. Political decisions stem from the will of the majority which is expressed in the free election system. The decision of the majority is concerned with the protection of minorities.

53. The number of political parties at the national level is still growing. The numbers for each in individual years are shown in the following table.

<i>Year</i>	<i>Number of political parties</i>
2001	108
2002	118
2003	121
2004	123
2005	129
2006	139
2008	141

*Proportional representation of the population eligible to vote*

54. Between 2000 and 2008 there were a number of elections conducted, namely for the Chamber of Deputies of Parliament of the Czech Republic (2002, 2006), elections for the Senate of the Czech Parliament (2000, 2002, 2004, 2006 and 2008), elections for the Municipal Councils (2002 and 2006), elections for the Regional Council (2000, 2004 and 2008) and elections for the European Parliament (2004 and 2009).

55. The right to vote, for the Chamber of Deputies and the Senate of Parliament of the Czech Republic was given to the citizens of the Czech Republic who reached the age of 18 years at least on the day of the election and without an obstacle stated by the law in the exercise of the voting right. An elector was able to exercise the voting right on the basis of a polling card in any of the polling stations within the constituency, as long as the constituency in which the elector has been added to the permanent list of electors belonged to the same constituency as the election running. The proportion of electors eligible to vote for the Parliament of the Czech Republic was approximately 81 per cent.

<sup>18</sup> Act No. 166/1993 Coll., On the Supreme Audit Office, as amended.

<sup>19</sup> Act No. 6/1993 Coll., On the Czech National Bank, as amended.



56. The right to vote for the European Parliament in the Czech Republic was given to Czech citizens who reached the minimum age of 18 at least on the second day of the elections and citizens of other Member States who reached the minimum age of 18 at least on the second day of the elections and were registered at least 45 days in the evidence of the population (with the exception of people who encountered an obstacle in the exercise of the voting right according to the voting law). The proportion of electors eligible to vote for the European Parliament was approximately 81 per cent.

57. The right to vote for the Regional Councils was given to those citizens of the Czech Republic who reached the minimum age of 18 at least on the second day of the elections and there was no obstacle to the exercise of their voting right according to law. The right to vote could be exercised only in the area of the constituency where the elector has permanent residency and where he or she is registered on the list of permanent electors. The proportion of eligible electors for the Regional Councils was approximately 71 per cent.

58. The right to vote for the Municipal Councils was given to those citizens of the Czech Republic with registered permanent residency within the constituency, with no obstacle to the exercise of the voting right, who reached the minimum age of 18 at least on the day of the election, and to the members of another State with the right to vote which has been approved by valid international agreement with the Czech Republic, while fulfilling the same conditions as stated for Czech citizens. Similar conditions were implemented in the case of the voting right for the town Council or the part of the town or town district, with the condition of the permanent residency of the elector within the constituency. There is no central evidence of the number of eligible electors for the Municipal Councils.

*The proportion of non-citizens registered on the electoral lists*

59. In accordance with Paragraph 28, Section 1, Act No. 491/2001 Coll., On Elections to Municipal Council, as amended, the electoral list may contain the name of an elector who is not a citizen of the Czech Republic if the elector is able to show evidence of citizenship of another country which gives the right to vote to the elector according to the international agreement which is also acknowledged by the Czech Republic and which is contained in the International Agreements Collection, and the evidence of permanent residency in the place of the elections. At present, the only such international treaty is the Treaty of Accession of the Czech Republic to the European Union. Therefore the right to vote for the Municipal Council is available only to a foreigner who is a citizen of one of the European Union Member States and fulfills other conditions specified by law (aged at least 18 years and with permanent residency within the constituency). There is no central evidence of the total number of foreign electors because the supplement lists of permanent electors are managed by individual Municipal Councils only.

60. The citizens of other European Union Member States are able to vote in the Czech Republic for the European Parliament. The evidence shows that 99 citizens of other European Union Member States participated in the elections for the European Parliament in the Czech Republic in 2004.<sup>20</sup> The total number of citizens of other European Member States that were registered for the elections for the European Parliament is also unavailable as the data is managed by the individual Municipal Councils.

*The number of complaints on the management of the election process*

61. The administration as well as the legal aspect of the election process is carefully researched. The complaints of the organisation and technical nature of the election

---

<sup>20</sup> According to data of the Ministry of the Interior.

management on the Regional level is dealt with by the Ministry of the Interior. Complaints of a similar nature on the Municipal level are dealt with by the Regional Councils. Statistics regarding these complaints are not recorded. A judicial review of the elections is executed by the Supreme Administrative Court of the Czech Republic and the Regional Courts.

*Elections for the Chamber of Deputies of Parliament of the Czech Republic in 2006*

62. The Supreme Administrative Court received in total 70 complaints concerning elections for the Chamber of Deputies, 4 of which were submitted late. From the remaining 66 complaints, 60 were submitted by individuals and 6 by political parties. The Electoral Senate consisting of seven members rejected 33 complaints and 22 complaints were refused.<sup>21</sup> For the purpose of this report, the number of rejected complaints included the ones which were partly dismissed and at the same time partly rejected. The rest of the 15 cases were dealt with in a different manner because they were no longer considered as election complaints according to the election law.

63. Complaints were concerned with the accuracy of the election campaign and the manner of the election media presentation as well as the election law in relation to the conversion of votes to mandates. Finally there were also complaints about the access to the voting process and doubts about the accuracy of the calculation of votes.

*Elections for the Municipal Councils and for the Senate of Parliament 2006*

64. The Supreme Administrative Court received 12 complaints in total concerning the election process in the election matters. The 5 complaints directed against the elections for the Senate of Parliament of the Czech Republic doubted the just election of certain candidates.

*Population coverage and specification of the ownership of the main media channels*

65. The publishing of the periodical press in the Czech Republic is based on freedom of information and therefore is not tied by the regulation control of the State. The Ministry of Culture only keeps evidence of the press released and distributed in the Czech Republic including the information on publishers and some details about the published titles. This evidence is in the form of a public access database on the web pages of the Ministry of Culture. Periodicals are issued and distributed at a national scale or only within the individual regions. The national press has around 10,804 titles and the regional 3,370 titles. The evidence of the periodicals only contains the publisher of a title. The actual owner of the publishing company is not and cannot be traced by the Ministry of Culture by law.

66. In the case of radio broadcasting, the public service operator is by law Czech Radio. The nationwide broadcasts of Czech Radio stations which are available in almost all parts of the country are: Czech Radio 1 — Radio journal, Czech Radio 2 — Prague, Czech Radio 3 — Vltava and Czech Radio 6. Apart from those stations Czech Radio operates Regional broadcasting through 12 stations. As well as the public service broadcast in the Czech Republic there are national and regional commercial radio programmes with monitored ownership by the Board of Radio and Television Broadcast.

67. The public service operator of television broadcasting is Czech Television, which at present operates two analogue channels and two digital channels: ČT 4 – Sport and ČT 24. These station-wide programmes have a coverage of at least 95 per cent of the population of the country. A Station-wide commercial broadcast is offered by the programmes NOVA

---

<sup>21</sup> The Court may refuse an application without a formal investigation when the formal requirements are not fulfilled. The Court may reject the complaint if the cause is not justified.

TV and PRIMA TV. There are also many station-wide and regional operators of television broadcasting through cable and satellite as well as operators of other programme licences. There is a transfer to digital television broadcast at present which will significantly broaden the possibilities and number of programmes.

*The seat distribution in Parliament*

The Chamber of Deputies of the Parliament of the Czech Republic after 2002 and 2006 elections.

68. In 2002 elections, The Czech Social-Democratic Party (ČSSD) received the highest amount of seats (70), followed by The Civic Democratic Party (ODS) with 58 mandates, the Communist Party of Bohemia and Moravia (KSČM) with 41 seats and the last was the coalition of the Christian and Democratic Union – The Czechoslovak People's Party and The Freedom Union – The Democratic Union (KDU-ČSL US-DEU) with 31 mandates.

69. In the 2006 elections, the winner was The Civic Democratic Party (ODS) with 81 seats, followed by The Czech Social-Democratic Party (ČSSD) with 74 mandates, the Communist Party of Bohemia and Moravia (KSČM) with 26 mandates. The Christian and Democratic Union – The Czechoslovak People's Party received 13 mandates. The Green Party (SZ) historically for the first time received Parliament membership with 6 mandates. The next elections for the Chamber of Deputies are planned for the year 2010.

*Elections for the Senate of Parliament of the Czech Republic*

70. In 1996 in the first round of elections one third of senators was elected for two years, one third for four years and one third for six years. In 1998 the second round of election was held in one third of the election districts. The length of the mandate of all the senators in the second round of the election process is six years. After elections in 2000, ODS with 25 chairs was the strongest party in the Senate, followed by KDU-ČSL and ČSSD with 13 chairs (10 mandates). KSČM had 3 senators. 23 senators had no involvement in political parties. Seven other seats were divided amongst the smaller parties.

71. In 2002-2004 ODS was still getting stronger in the Senate with 35 mandates. The second strongest party was KDU-ČSL with 12 seats. ČSSD received 6 mandates and KSČM received 2 mandates. The independent senators received 19 seats. Other minor parties shared 7 seats.

72. ODS had success in the following elections for the Senate with a large representation of senators. In 2004-2006 ODS had 39 senators, the second strongest party was ČSSD with 11 seats, then KDU-ČSL with 9 mandates. The Communists had 2 seats and 16 senators with no political involvement. Other minor parties shared 4 mandates.

73. In 2006 elections ODS received absolute majority of 41 seats in the Senate, followed by ČSSD with 12 senators and KDU-ČSL with 11 senators. The Communist Party had the least number of senators (2). The independent candidates managed to receive 15 seats. In 2008 the ODS again received the majority of seats in the Senate (35), followed by ČSSD with 29 seats, KDU-ČSL received 7 seats. The Communist Party again received the least number of seats (3).

*The proportion of women in political and administrative posts*

74. The number of women in the Chamber of Deputies with a 200 membership representation decreased from the previous 34 to the present number of 31 (15.5 per cent). After the second round of the elections for the Senate in autumn 2006 women received 12 chairs (14 per cent) from the total of 81 chairs and after the election in the Autumn 2008 it was 14 chairs. There is not a single woman amongst the 12 governors. The statutory

Committees have 19 per cent women representatives and the Councils only 12 per cent women.

75. The table<sup>22</sup> indicates the development of the number of women members in the lower house of Parliament.

<i>Party</i>	<i>Elections 2002 Number of women members</i>	<i>Elections 2002 Proportion of women members</i>	<i>Elections 2006 Number of women members</i>	<i>Elections 2006 Proportion of women members</i>	<i>Increase/decrease against the previous period</i>
ODS	8	14%	9	11%	+1
KDU-ČSL	2	9.5%	2	15%	0
SZ*	-	-	3	50%	+3
ČSSD	11	14%	9	12%	-2
KSČM*	12	29%	8	31%	-4
<b>Total</b>	<b>34</b>	<b>17%</b>	<b>31</b>	<b>15.5%</b>	<b>-3</b>

\* The party operates according to quota or allocation for arranging the lists of candidates.

#### *The proportion of national and municipal elections*

76. Between the years 2000 and 2008 there were two elections in the Czech Republic for the Chamber of Deputies of Parliament of the Czech Republic (2002, 2006) and four elections for the Senate of Parliament of the Czech Republic (2002, 2004, 2006 and 2008). For the first time there were elections for the European Parliament (2004). On the local level there were two elections for the Municipal Councils (2002 and 2006) and elections for the Regional Councils (2000, 2004 and 2008).

#### *Average elector participation in the national and local elections according to administrative districts*

77. The highest average participation is traditionally in elections for the Chamber of Deputies of Parliament (between 58 per cent). The Municipal Council elections also have high elector participation (46 per cent). Elections for the European Parliament have a lower elector participation (around 30 per cent), as well as the Regional Council elections and the first round of elections for the Senate. Elector participation in the second round of elections is around 20 per cent, with the exception of the year 2002, when in the second round more than 30 per cent of electors voted.

78. The elector participation according to administrative districts is presented in the supplements.

#### *Approval of non-government and non-profit making organisations*

79. Amongst the non-government and non-profit making organisations are in particular the Civic associations. Civic associations are founded in accordance with Act No.83/1990 Coll., On Association of Citizens, as amended. In accordance with law it is possible to found associations, companies, unions, movements, clubs and other civic associations as well as trade unions and employer organisations.

<sup>22</sup> Source: Forum 50%, article "Czech women deputies are becoming endangered species: female representation in the newly elected Chamber of Deputies", Authors: Lenka Bennerová and Jana Smiggels Kavková.

80. An association becomes a legal body by registering at the Ministry of the Interior. There are special conditions for the registration process. The registration process begins on the day when the Ministry of the Interior receives the application for registration which has no fault in it. If the application has not fulfilled the stipulated conditions the Ministry of the Interior will inform the preparatory committee about this fact and that it is not possible to begin the registration process until the faults in the application are removed. If there are no reasons for rejection of the registration application the Ministry of the Interior will complete the registration within 10 days from the beginning of the registration process. If the Ministry of the Interior finds legal cause for the rejection of the application<sup>23</sup> the preparatory committee may submit an appeal against the decision of the Ministry of the Interior to the Municipal Court in Prague within 60 days of receiving the decision.

81. As a means of protection against the case of no action by the Ministry of the Interior the law on Association of citizens allows the creation of association by law in cases when the preparatory committee does not receive the decision of rejection of the application within 40 days of the beginning of the application proceedings. In that case the date of the registration becomes the following date after the 40 day period.

82. The engrossment of statutes is completed once on the day of registration. The application for the registration submits the preparatory committee consisting of at least three persons of whom at least one should be 18 years old. An essential part of the application for registration is the complete version of the statutes in two copies which must contain all the conditions stipulated by law.

83. In accordance with Act No. 83/1990 Coll. in the case of founding an association there is no "index of associations" in the form of a public list. On the basis of the duty of the Ministry of the Interior to submit information the evidence of associations is kept by the Czech Statistical Office. The database containing the title and residence of associations can be found on the website of the Ministry of the Interior.

84. 74,090 associations were present in the database on 31 December 2008.

85. Non-government and non-profit making organisations are also Public benefit organisations, Foundations and Funding organisations.

86. Public benefit organisations are legal bodies and they offer beneficial services for the public on the basis of set conditions which are equal for all the users. Net profit cannot be used for personal benefit by anyone including the founders of the project, members or employees. In accordance with law the profit must be used on offering the services which are stipulated in the original document of the organisation. Public benefit organisations are registered in the index of the Regional Courts according to the residence of the organisation.

87. Foundations and Funding organisations are associations of capital collection set up for the purpose of public benefit objectives. Funding organisations may use the capital and other funds for the purpose of achieving their objectives. The total of the foundation capital (minimum of CZK 500,000) must not fall below this minimum amount during the whole period of existence of the Foundation. Funding organisation funds on the other hand may use all of the capital for the individual purpose.

---

<sup>23</sup> The concern is for example with not allowed associations in the sense of Paragraph 4 Act On Association of citizens, association in order to deny or restrict the personal, political or other rights of the citizens due to their nationality, gender, origin, political or other views, religious belief and social status, arouse hatred and intolerance for these reasons, promote violence, or otherwise violate the Constitution and other laws, or an association which follows their objectives in a way which is inconsistent with the Constitution and laws or the association is armed or with armed services.

*Organisations with an international element*

88. An organisation with an international element is according to Paragraph 1 Section 2 Act No. 116/1985 Coll., on the conditions of organisations with an international element in the Czechoslovak Socialist Republic, as amended by Act No. 342/2006 Coll., an international non-government organisation. In accordance with Paragraph 6 of the law it is possible to establish a special organisation for the representation of the interests of the Czech Republic. On the basis of the law the Ministry of the Interior may approve the establishment of an international non-government organisation or allow the organisation to operate or have residence in the Czech Republic.

89. In the case of the requirement for approval for an existing international non-government organisation to operate or to have residence in the Czech Republic, such an organisation must add to the application a document showing evidence that it has been established as a legal body and the statutes stipulated by law. The documents submitted must be legally attested and legally translated into the Czech language. The proposal of statutes must be added to the application in the case of the issue of establishment of a new international non-government organisation.

90. It is possible to issue approval after an agreement has been reached with the Ministry of Foreign Affairs and after the agreement of the appropriate central administrative office.

91. Application for the approval of the establishment of the organisation with an international element or approval for such an organisation to operate or to reside in the Czech Republic in accordance with Act No. 116/1985 Coll., such an organisation may be rejected in the case that its statutes, the application proposal and its operation are not consistent with the legislation of the Czech Republic, or if the organisation is not a legal body and if there are any other important reasons which prevent the establishment of the organisation by law.

92. 208 organisations had received approval up to 31 December 2006.

*The judicial system*

93. The basic rights and freedoms are in accordance with Article 4 of the Constitution under the protection of the judicial power. The judicial power is executed by independent courts in the name of the Republic. The judges are independent in their office. The post of a judge is not consistent with the post of President, Member of Parliament or any other position in the public administration sector. The law stipulates other activities that are inconsistent with the post of a judge.<sup>24</sup>

94. Courts have a duty to provide legal protection for rights. The court is the only body which makes decisions on conviction and punishments for an offence. The system of courts is formed by the Supreme Court, the Supreme Administrative Court, the High Courts, the Regional and the District Courts. The law on courts and judges states the function and organisation of a court. The judge is appointed by the President of the Republic with no time limit. The judge is tied by law in making decisions. All the participants in court proceedings have equal rights. The court proceedings are oral and public and exceptions are stated by law. The judgment is always announced in public.

95. In both civilian and criminal proceedings the rule of two-instances applies. This means that if the judgment has been reached in the case proceedings by the court of the first instance, which is usually the District Court, appeal against this decision is heard and

---

<sup>24</sup> Act No. 335/1991 Coll., On courts and judges, as amended.

decided by the court of second instance and application for regular remedial measure against this decision cannot be filed. In certain cases stipulated by law, the Regional Court decides as the court of first instance and the High Court is then the court of second instance (this is the case with e.g. serious criminal offences).

96. The Supreme Administrative Court is the supreme judicial body in matters that belong to the jurisdiction of administrative courts. The Supreme Administrative Court ensures the unity and legality of judgments related to the administrative judicial system, decides on cassation complaints<sup>25</sup> and monitors and evaluates final decisions of regional courts and takes views.

97. A special position is held by the Constitutional Court of the Czech Republic,<sup>26</sup> which is an independent judicial body for the protection of the Constitution that stands apart from the rest of the judicial system. The Constitutional Court consists of 15 judges appointed by the President of the Republic for a period of 10 years.

98. The Constitutional Court is the final body of the judicial system, which may be able to correct the jurisdiction of interior offices, in particular the District Courts. In the case of confrontation of international and interior law, the Constitutional Court applies in its jurisdiction the international and regional (European) Conventions on Human Rights, especially the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the Convention on the Rights of the Child, and the Convention on Protection of the Fundamental Human Rights and Basic Freedoms, as amended. The Constitutional Court may abolish laws or parts of the law which are inconsistent with the constitutional order of the Czech Republic, in particular the Constitutional Charter, or the international agreement. The abolishment of the legal standard or its part solely in relation to its inconsistency with an international agreement is within the present jurisdiction of the Constitutional Court quite a rare occurrence.

99. The law states who and under what conditions is justified to submit a proposal to initiate proceedings and other rules of the proceedings before the Constitutional Court. Judges of the Constitutional Court are bound in their jurisdiction only by the constitutional law, international agreements according to Article 10 of the Constitution of the Czech Republic and the law on the Constitutional Court and its proceedings. Enforceable judgments of the Constitutional Court are binding for all legal bodies and persons.

100. The Prosecuting Attorney's Office<sup>27</sup> brings an action for criminal proceedings in the name of the State and fulfils the duties according to judicial order,<sup>28</sup> and fulfils other judicial duties, for example the Civil Procedure Code.<sup>29</sup> The system of the Prosecuting Attorney's Office is formed by the Attorney's general Office, the High Prosecuting Attorney's Office, the Regional and the District Prosecuting Attorney's Office.

---

<sup>25</sup> Appeal in cassation is a lawful act against the jurisdiction of the Regional Court in the administrative judicial system by which the person involved in the proceedings or the person associated with the proceedings seeks to repeal a court decision. Appeal in cassation is possible against every court decision as long as the law does not specify otherwise. It is possible to submit an appeal in cassation only for law-related reasons, especially for reason of the claimed judicial fault of the judgment of the previous proceeding.

<sup>26</sup> Act No. 182/1993 Coll., On the Constitutional Court, as amended.

<sup>27</sup> Act No. 283/1993 Coll., On Prosecuting Attorney's Office, as amended.

<sup>28</sup> Act No. 141/1961 Coll., On Judicial Criminal Proceeding (Criminal Procedure), as amended.

<sup>29</sup> Act No. 99/1963 Coll., On Civil Procedure Code, as amended.

*Information on judicial acts (data on criminal offences and information on offenders and victims)*

101. Capital punishment was abolished in the Czech Republic in 1990 by amendment of Act No. 175/1990 Coll.

102. In the Czech Republic 75,728 offenders were sentenced for criminal offences up to 31 December 2007; 12.0 per cent of this figure were women. Within the various age groups of the accused and sentenced there are particular differences. The age group 9-21 years yields a relatively higher number of accused cases amongst men and women, almost a tenth, than the number of convicted cases, 3.6 per cent men and only 1.6 per cent women. After the age of 30 both sexes show a higher number of convictions rather than the similar age groups for the convicted cases.

103. Amongst the victims of criminal offences, men dominated, approximately 55 per cent. Groups of people were victims to criminal offences in 9.6 per cent of cases. The most common criminal offences were grievous bodily harm (32.0 per cent), followed by robbery (26.6 per cent), dangerous or threatening behaviour (12.4 per cent) and blackmail (7.9 per cent).

104. Amongst the male victims the most common offence was grievous bodily harm (42.8 per cent), followed by robbery (26.6 per cent), blackmail (9.2 per cent) and dangerous or threatening behaviour (7.2 per cent).

105. Amongst the female victims the most common offence was robbery (25.6 per cent), followed by grievous bodily harm (21.3 per cent) and dangerous or threatening behaviour (16.9 per cent), sexual abuse (8.7 per cent), rape (6.8 per cent) and blackmail (6.4 per cent).

106. In the Czech Republic 4,613 victims of robbery were recorded in 2006; 1,676 of this figure were women victims. In comparison with the year 2000 the number of female victims of robbery increased by approximately 10 per cent. The number of female victims of sexual abuse also increased in comparison with the year 2000. The number of female victims of murder increased from 26.7 per cent to 45.3 per cent between 2000-2002 but then up to 2005 the number of female victims of murder decreased to 34.5 per cent.

107. The total number of people in detention and in custody between 2000-2006 is shown in the following table.<sup>30</sup>

---

<sup>30</sup> The number of detained and custody cases are statistically recorded only in terms of the total numbers without the specification of different offences, always up to 31 December of each year. The tables show the numbers of custody cases as the accused. Persons detained in exercise of the custodial sentence are shown as convicted. The statistics show in both adult and youth categories the numbers of women and men separately. In accordance with Act No. 218/2003 Coll., On the liability of youth for unlawful acts and youth justice matters, as amended (Law on the judiciary in matters of youth) a person older than 18 but younger than 19 years may be included in the exercise of the custodial sentence of youth. The total numbers of convicted youth therefore include persons who are no longer considered children according to Article 1 of the Convention on the Rights of the Child.



**Number of prisoners in remand prisons and in prisons of the Prison Service of the Czech Republic at the end of the year**

	<i>Accusation</i>							<i>Conviction</i>												<i>Prisons total</i>	
	<i>Adults</i>		<i>Youth</i>		<i>Total accusation</i>		<i>Sum Total Accusation</i>	<i>With supervision</i>		<i>Increased supervision</i>		<i>With surveillance</i>		<i>With increased surveillance</i>		<i>Youth</i>		<i>Total conviction</i>			<i>Sum Total conviction</i>
	<i>M</i>	<i>W</i>	<i>M</i>	<i>W</i>	<i>M</i>	<i>W</i>		<i>M</i>	<i>W</i>	<i>M</i>	<i>W</i>	<i>M</i>	<i>W</i>	<i>M</i>	<i>W</i>	<i>M</i>	<i>W</i>	<i>M</i>	<i>W</i>		
31.12.2006	2 219	121	58	1	2 277	122	2 399	496	44	5 684	431	7 956	297	1 131	29	109	2	15 376	803	16 179	18 578
<b>Total</b>	<b>2 340</b>		<b>59</b>		<b>2 399</b>		<b>2 399</b>	<b>540</b>		<b>6 115</b>		<b>8 253</b>		<b>1 160</b>		<b>111</b>		<b>16 179</b>		<b>16 179</b>	<b>18 578</b>
31.12.2005	2 634	162	63	1	2 697	163	2 860	416	35	5 517	396	8 091	274	1 192	32	120	4	15 336	741	16 077	18 937
<b>Total</b>	<b>2 796</b>		<b>64</b>		<b>2 860</b>		<b>2 860</b>	<b>451</b>		<b>5 913</b>		<b>8 365</b>		<b>1 224</b>		<b>124</b>		<b>16 077</b>		<b>16 077</b>	<b>18 937</b>
31.12.2004	3 011	179	73	6	3 084	185	3 269	352	25	5 219	360	7 626	215	1 144	31	96	6	14 437	637	15 074	18 343
<b>Total</b>	<b>3 190</b>		<b>79</b>		<b>3 269</b>		<b>3 269</b>	<b>377</b>		<b>5 579</b>		<b>7 841</b>		<b>1 175</b>		<b>102</b>		<b>15 074</b>		<b>15 074</b>	<b>18 343</b>
31.12.2003	3 154	162	90	3	3 244	165	3 409	342	26	4 655	318	7 116	196	1 095	26	90	4	13 298	570	13 868	17 277
<b>Total</b>	<b>3 316</b>		<b>93</b>		<b>3 409</b>		<b>3 409</b>	<b>368</b>		<b>4 973</b>		<b>7 312</b>		<b>1 121</b>		<b>94</b>		<b>13 868</b>		<b>13 868</b>	<b>17 277</b>
31.12.2002	3 123	159	99	3	3 222	162	3 384	327	28	4 054	263	6 837	195	1 023	21	80	1	12 321	508	12 829	16 213
<b>Total</b>	<b>3 282</b>		<b>102</b>		<b>3 384</b>		<b>3 384</b>	<b>355</b>		<b>4 317</b>		<b>7 032</b>		<b>1 044</b>		<b>81</b>		<b>12 829</b>		<b>12 829</b>	<b>16 213</b>
31.12.2001	4 225	238	116	4	4 341	242	4 583	344	29	4 886	301	7 883	195	993	19	84	3	14 190	547	14 737	19 320
<b>Total</b>	<b>4 463</b>		<b>120</b>		<b>4 583</b>		<b>4 583</b>	<b>373</b>		<b>5 187</b>		<b>8 078</b>		<b>1 012</b>		<b>87</b>		<b>14 737</b>		<b>14 737</b>	<b>19 320</b>
31.12.2000	5 448	356	156	7	5 604	363	5 967	321	18	5 072	339	8 566	234	900	11	107	3	14 966	605	15 571	21 538
<b>Total</b>	<b>5 804</b>		<b>163</b>		<b>5 967</b>		<b>5 967</b>	<b>339</b>		<b>5 411</b>		<b>8 800</b>		<b>911</b>		<b>110</b>		<b>15 571</b>		<b>15 571</b>	<b>21 538</b>

**The proportion of persons detained in custody per 100,000 inhabitants<sup>31</sup>**

<i>Figure from year</i>	<i>The number of detained persons to every 100,000 inhabitants</i>
2000	209
2001	188
2002	159
2003	169
2004	180
2005	125
2006	181

**Summary of the average lengths of court detention in days in the Czech Republic (period from 2002 to 2006)<sup>32</sup>**

<i>Figures from year</i>	<i>2002</i>	<i>2003</i>	<i>2004</i>	<i>2005</i>	<i>2006</i>
Number of detentions	7 214	6 600	6 262	5 847	5 618
Average length (in days)	375	400	324	298	311

**Number of persons in custody (conviction) according to the length of the sentence<sup>33</sup>**

<i>Length of the sentence</i>	<i>Figure to the date 31.12 2000</i>			<i>Figure to the date 31.12 2001</i>			<i>Figure to the date 31.12 2002</i>		
	<i>Men</i>	<i>Women</i>	<i>Total</i>	<i>Men</i>	<i>Women</i>	<i>Total</i>	<i>Men</i>	<i>Women</i>	<i>Total</i>
Up to 3 months	193	16	<b>209</b>	185	7	<b>192</b>	255	13	<b>268</b>
From 3 to 6 months	946	59	<b>1 005</b>	996	54	<b>1 050</b>	987	60	<b>1 047</b>
From 6 to 9 months	974	58	<b>1 032</b>	934	41	<b>975</b>	850	38	<b>888</b>
From 9 months to 1 year	2 688	104	<b>2 792</b>	2 515	100	<b>2 615</b>	2 084	77	<b>2 161</b>
From 1 to 2 years	3 264	85	<b>3 349</b>	2 914	68	<b>2 982</b>	2 350	63	<b>2 413</b>
From 2 to 3 years	1 906	76	<b>1 982</b>	1 728	53	<b>1 781</b>	1 469	45	<b>1 514</b>
From 3 to 5 years	1 963	73	<b>2 036</b>	1 844	95	<b>1 939</b>	1 526	83	<b>1 609</b>
From 5 to 7 years	1 159	55	<b>1 214</b>	1 128	50	<b>1 178</b>	944	52	<b>996</b>
From 7 to 10 years	871	30	<b>901</b>	915	25	<b>940</b>	852	21	<b>873</b>
From 10 to 15 years	809	45	<b>854</b>	835	49	<b>884</b>	809	51	<b>860</b>
Over 15 years	174	3	<b>177</b>	175	4	<b>179</b>	171	4	<b>175</b>

<sup>31</sup> The figure per 100,000 inhabitants is monitored only for the category of detained persons in custody; this table shows detained cases and cases in the exercise of custodial sentence, again without distinguishing the type of offence they were detained or sentenced for.

<sup>32</sup> The court detention is monitored only in terms of the average length, that is, the length of time in which the case is investigated by courts. The preparatory case proceedings are not available. The information provided is from 2002.

<sup>33</sup> The information available is on the number of convicted men and women in custody always up to 31 December of each year according to the length of the sentence. The number of persons in custody according to the type of offence is not monitored.

<i>Length of the sentence</i>	<i>Figure to the date 31.12 2000</i>			<i>Figure to the date 31.12 2001</i>			<i>Figure to the date 31.12 2002</i>		
	<i>Men</i>	<i>Women</i>	<i>Total</i>	<i>Men</i>	<i>Women</i>	<i>Total</i>	<i>Men</i>	<i>Women</i>	<i>Total</i>
Life sentence	19	1	<b>20</b>	21	1	<b>22</b>	24	1	<b>25</b>
<b>Total</b>	<b>14 966</b>	<b>605</b>	<b>15 571</b>	<b>14 190</b>	<b>547</b>	<b>14 737</b>	<b>12 321</b>	<b>508</b>	<b>12 829</b>

<i>Length of the Sentence</i>	<i>Figures up to 31.12.2003</i>		
	<i>Men</i>	<i>Women</i>	<i>Total</i>
Up to 3 months	363	26	<b>389</b>
From 3 to 6 months	1 295	76	<b>1 371</b>
From 6 to 9 months	1 069	44	<b>1 113</b>
From 9 months to 1 year	2 236	86	<b>2 322</b>
From 1 to 2 years	2 645	76	<b>2 721</b>
From 2 to 3 years	1 468	51	<b>1 519</b>
From 3 to 5 years	1 501	72	<b>1 573</b>
From 5 to 7 years	835	54	<b>889</b>
From 7 to 10 years	858	27	<b>885</b>
From 10 to 15 years	821	53	<b>874</b>
Over 15 years	182	4	<b>186</b>
Life sentence	25	1	<b>26</b>
<b>Total</b>	<b>13 298</b>	<b>570</b>	<b>13 868</b>

<i>Length of the sentence</i>	<i>Figures up to 31.12.2004</i>			<i>Figures up to 31.12.2005</i>			<i>Figures up to 31.12.2006</i>		
	<i>Men</i>	<i>Women</i>	<i>Total</i>	<i>Men</i>	<i>Women</i>	<i>Total</i>	<i>Men</i>	<i>Women</i>	<i>Total</i>
Up to 3 months	506	34	<b>540</b>	546	28	<b>574</b>	396	22	<b>418</b>
From 3 to 6 months	1 649	99	<b>1 748</b>	1 889	120	<b>2 009</b>	1 662	123	<b>1 785</b>
From 6 to 9 months	1 162	49	<b>1 211</b>	1 322	67	<b>1 389</b>	1 253	67	<b>1 320</b>
From 9 months to 1 year	2 314	83	<b>2 397</b>	2 442	113	<b>2 555</b>	2 403	136	<b>2 539</b>
From 1 to 2 years	2 978	87	<b>3 065</b>	3 152	95	<b>3 247</b>	2 556	129	<b>2 685</b>
From 2 to 3 years	1 563	61	<b>1 624</b>	1 620	81	<b>1 701</b>	1 505	81	<b>1 586</b>
From 3 to 5 years	1 546	74	<b>1 620</b>	1 556	91	<b>1 647</b>	1 911	87	<b>1 998</b>
From 5 to 7 years	801	54	<b>855</b>	837	43	<b>880</b>	1 098	46	<b>1 144</b>
From 7 to 10 years	878	34	<b>912</b>	909	42	<b>951</b>	1 225	44	<b>1 269</b>
From 10 to 15 years	808	57	<b>865</b>	838	55	<b>893</b>	1 029	57	<b>1 086</b>
Over 15 years	204	3	<b>207</b>	196	3	<b>199</b>	309	8	<b>317</b>
Life sentence	28	2	<b>30</b>	29	3	<b>32</b>	29	3	<b>32</b>

<i>Length of the sentence</i>	<i>Figures up to 31.12.2004</i>			<i>Figures up to 31.12.2005</i>			<i>Figures up to 31.12.2006</i>		
	<i>Men</i>	<i>Women</i>	<i>Total</i>	<i>Men</i>	<i>Women</i>	<i>Total</i>	<i>Men</i>	<i>Women</i>	<i>Total</i>
<b>Total</b>	<b>14 437</b>	<b>637</b>	<b>15 074</b>	<b>15 336</b>	<b>741</b>	<b>16 077</b>	<b>15 376</b>	<b>803</b>	<b>16 179</b>

### Number of deaths and suicides in detention and custody<sup>34</sup>

<i>Unusual circumstance</i>		<i>Year</i>													
		<i>2000</i>		<i>2001</i>		<i>2002</i>		<i>2003</i>		<i>2004</i>		<i>2005</i>		<i>2006</i>	
		<i>M</i>	<i>W</i>	<i>M</i>	<i>W</i>	<i>M</i>	<i>W</i>	<i>M</i>	<i>W</i>	<i>M</i>	<i>W</i>	<i>M</i>	<i>W</i>	<i>M</i>	<i>W</i>
<i>Death of prisoners</i>															
Accused	Adult	4		3		1		1		1		2		3	
	Youth														
Convicted	Adult	19		12		13		14		17		16		9	
	Youth														
<b>Total</b>		<b>23</b>		<b>15</b>		<b>14</b>		<b>15</b>		<b>18</b>		<b>18</b>		<b>12</b>	
<i>Suicide</i>															
Accused	Adult	6		3		9		7	1	10	1	2		4	1
	Youth														
Convicted	Adult	2		1	1	4		3		5		4		4	
	Youth	1													
<b>Total</b>		<b>9</b>		<b>5</b>		<b>13</b>		<b>11</b>		<b>16</b>		<b>6</b>		<b>9</b>	

## II. General framework for the protection and support of human rights

### A. Acceptance of international conventions on human rights and freedoms

108. The Czech legislation made one reservation in relation to the Human Rights Agreements, in particular in the case of the United Nations Convention on the Rights of the Child. The provision is described in more detail in the Third and Fourth Periodic Report on the fulfilment of commitments which stem from the Convention on the Rights of the Child which was given to the United Nations Committee on the Rights of the Child in 2008. The Czech legislation made another reservation in relation to the European Convention for the Protection of Human Rights and Fundamental Freedoms issued by the European Council, in particular Articles 5 and 6. The reservation by the Czech legislation states that this provision does not prevent legal custodial punishment in accordance with an Act on certain conditions of employment of soldiers (Act No. 76/1959 Coll).<sup>35</sup>

109. The Czech Republic is the Contracting Party of the following International Agreements on human rights:

<sup>34</sup> Death in detention (accusation) and death in custody (conviction) are monitored for men, women and youth in individual years. Suicides are monitored separately.

<sup>35</sup> Section 17 Act No. 76/1959 Coll., On certain conditions of employment of soldiers.

- (a) The International Convention on the Elimination of All Forms of Racial Discrimination;
- (b) The International Covenant on Civil and Political Rights, including the Optional Protocol to The International Covenant on Civil and Political Rights, and the second Optional Protocol to The International Covenant on Civil and Political Rights aiming at the abolition of the death penalty;
- (c) The International Covenant on Economic, Social and Cultural Rights;
- (d) The Convention on the Elimination of All Forms of Discrimination against Women;
- (d) The Convention on the Rights of the Child, including its Optional Protocol on the involvement of children in armed conflict;
- (e) The Convention for the Protection of Human Rights and Fundamental Freedoms and its Additional Protocols;
- (f) The Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and its Optional Protocol;
- (g) Framework Conventions for the Protection of National Minorities;
- (h) European Social Charters and related Protocols ratified by the Czech Republic (as specified in the footnote below).

110. Texts of the ratified International Conventions are published in the Czech language in the Collection of Laws.<sup>36</sup> Texts of the introductory and periodical information documents on fulfilment of resolutions which stem from International Covenants and Conventions are published on the internet.

111. The significant feature of the Czech legal order is the Constitutional principle, Article 10 Constitution of the Czech Republic, by which International Agreements are issued, ratified and which are approved by Parliament. The Czech Republic is legally bound

---

<sup>36</sup> International Conventions of the United Nations published in the Collection of Laws: International Covenant on Civil and Political Rights (ICCPR): Act No. 120/1976 Coll; International Covenant on Economic, Social and Cultural Rights (ICESCR): Act No. 120/1976 Coll; International Convention on the Elimination of All Forms of Racial Discrimination (CERD): Act No. 95/1974 Coll; Convention on the Elimination of All Forms of Discrimination against Women (CEDAW): Act. No. 62/1987 Coll; Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT): Act No. 143/1988 Coll. and 39/1997 Coll. (Provision repeal of the first ratification of the selected Articles); Convention on the Rights of the Child (CRC): Act No. 104/1991 Coll.

The International Convention for the Protection of the Rights of All Migrant Workers and Members of Their Families has not yet been ratified by the Czech Republic.

International Conventions of the Council of Europe: Convention for the Protection of Human Rights and Fundamental Freedoms, including Protocols. Published in Collection of Laws, Act No. 209/1992 Coll., as amended by Act No. 41/1996 Coll. and Act No. 243/1998 Coll. Framework Convention for the Protection of National Minorities: Provision, Act No. 96/1998 Coll. European Social Charter: the Government expressed an agreement with the proposal of the Minister of Labour and Social Affairs on 25th November 1998 resolution No. 776 regarding ratification of the European Social Charter (1961), Protocol on the European Social Charter (1988), Amended Protocol of the European Social Charter (1991) and the signing of the Agreement of the revised European Social Charter (1996) with Provision of ratification. The Chamber of Deputies approved the Charter in July 1999, Senate approved in August of the same year. Ratification documents are kept by the Secretary General of the Council of Europe.

by International Agreements and they are part of the legal order; in the case that the International Agreement states something apart from the law it becomes valid.

112. As a Contracting Party of the Convention for the Protection of Human Rights and Fundamental Freedoms the Czech Republic approves the jurisdiction of the European Court of Human Rights. The Court makes the decision on complaints of persons, non-government organisations and groups regarding alleged violations of rights and freedoms which are guaranteed by the Convention. The decisions of the Court are legally binding for the Czech Republic. The decision process of the Court is under supervision of the Committee of Ministers of the Council of Europe.

## **B. The legal framework for the protection of human rights at the national level**

113. The Czech Republic is in accordance with the Constitution, a sovereign, unitary and democratic State based on the respect of the rights and freedoms of individuals and citizens. Every citizen may act in a way which is not prevented by law and no one can be forced to act in a way that the law does not require. The fundamental rights and freedoms are under the protection of the judicial power. The Constitutional Order, in accordance with Article 3 of the Constitution, also contains the Charter of Fundamental Rights and Freedoms.<sup>37</sup> The Charter respects the inviolability of fundamental human rights, citizens' rights and the sovereignty of law.

114. The Charter introduces into the Constitutional Order most of the provisions stated in the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights. The act of introduction of the Charter into the Constitutional Order of the Czech Republic ensured that all relevant Provisions of the two Covenants are also included in Czech legislation. Apart from that, according to the constitutional law<sup>38</sup> the Czech Republic accepted all the obligations which were relevant for the Czechoslovak federative republic up to its disappearance from international law, apart from the obligations related to the territory which are not under the sovereignty of the Czech Republic. This act ensured the continuity of the observance of all the obligations of the former Federation and the Czech Republic and beyond the framework of the obligations which stem from the Charter.

115. The principal protection of the rights guaranteed by international agreements is secured by the Courts in the Czech Republic. In accordance with Article 36, Section 1, of the Charter, everyone is entitled to assert their individual rights according to law at the independent and impartial Courts and the specific cases at other legal institutions. Anyone who believes that their rights have been unfairly treated by the decision of public authorities may ask the Court to investigate the legality of such a decision if the law does not state otherwise. Above all the jurisdiction of the Court does not exclude investigation of decisions related to the fundamental rights and freedoms guaranteed by the Charter. The Charter also amends the right to compensation for damages caused by unlawful decision of the Court, another Government or public authority or the incorrect legal procedure.

116. Legal Standards related to human rights and fundamental freedoms are contained in the Constitution of the Czech Republic and the Charter as well as in the Material Civil Law and the Procedural Civil Law, the Criminal Law and the Administrative Law (the Civil

---

<sup>37</sup> Act No. 2/1993 Coll., On Declaration of the Charter of Fundamental Rights and Freedoms as part of the Constitutional Order of the Czech Republic, as amended.

<sup>38</sup> Act No. 4/1993 Coll., On measures related to the disappearance of the Czech and Slovak Federative Republic.

Code and the Code of Civil Procedure, the Criminal Law and the Code of Criminal Procedure, the Administrative Code)<sup>39</sup> and other Legal procedures.

117. All of the Constitutional Laws, the legal and the administrative Codes valid in the Czech Republic including the documents of the ratified International Agreements are announced in the Collection of Laws and published with the commentary and references of the judicial literature.<sup>40</sup>

118. The protection of rights in the sense of Article 2 of the International Covenant on Civil and Political Rights and Articles 2 and 4 of the International Covenant on Economic, Social and Cultural Rights is safeguarded by means of Constitutional complaints which may be submitted to the Constitutional Court by:

(a) An individual or legal body against the final decision or other provision of a public administration if they believe that the fundamental rights and freedoms, which are protected by the Constitutional Law or the International Convention for the Protection of Human Rights and Fundamental Freedoms by which the Czech Republic is legally bound, have been violated;

(b) Municipal Authorities against unlawful Government action;

(c) A political party against the decision on its dissolution or other decision which is not in compliance with the Constitution or an unlawful decision on its activity.

Along with the Constitutional complaint, legal action for abolishment of legislation or a part thereof may be lodged if the cause of the legal action is due to the fact that such legislation has been implemented and thereby caused a situation in which the constitutionally or internationally guaranteed rights and freedoms have been violated.

### **C. Institutions created for the purpose of protection and support of human rights**

119. In 1998 the Government established the post of a Government Commissioner for Human Rights.<sup>41</sup> The key institutional measure for the improvement of the current situation and at the same time a reaction to the demands of international organisations regarding the institutional security of the protection of human rights in the country was the creation of The Government Council of the Czech Republic for Human Rights.<sup>42</sup> The Council is an advisory and coordination body of the Czech Government for questions on protection of human rights and fundamental freedoms of individuals within the jurisdiction of the Czech Republic. The Council has made provisions for cooperation with non-government and non-profit-making organisations and the Council is formed by representatives of the non-profit

<sup>39</sup> Act No. 40/1964 Coll., Civil Code, as amended. Act No. 99/1963 Coll., Code of Civil Procedure, as amended. Act No. 140/1961 Coll., Criminal Code, as amended. Act No. 141/1961 Coll., On the judicial criminal proceedings (Criminal Law), as amended. Act No. 71/1967 Coll., On Administrative procedure (Administrative Code), as amended.

<sup>40</sup> Since 1st January 2000 the publishing of legal documents is amended by Act No. 309/1999 Coll., On Collection of Laws and Collection of International Agreements. In the Collection of International Agreements are International Agreements announced in the language which is decisive for the international interpretation and the translation into the Czech language.

<sup>41</sup> Resolution of the Government of the Czech Republic of 9 September 1998, No. 579.

<sup>42</sup> Resolution of the Government of the Czech Republic of 9 December 1998, No. 809, for the improvement of the Protection of Human Rights of the Czech Republic (on the 50th Anniversary of signing the Universal Declaration of Human Rights).

sector and Representatives of the Public and the Government Administration. The Chairman of the Council is a Government Commissioner for Human Rights.

120. In the same period, resolutions have been implemented for the establishment of the following new advisory bodies for the purpose of protection and support of human rights. The Government Council for National Minorities gives support to the cultural activities of the members of National Minorities. The Council is an advisory and Governmental initiative body for the questions relating to National Minorities and their members.<sup>43</sup>

121. In 2001 the Government founded the Government Council for Equal Opportunities for Men and Women which prepares proposals for assertion and achievement of equal opportunities for men and women. The Council in particular processes and recommends the basic conceptual directions for the Government procedure in the implementation of equal opportunities for men and women.<sup>44</sup>

122. In 2003 the Government established the Government Council for Sustainable Development as a permanent advisory, initiative and coordination body for the area of sustainable development and strategic management.<sup>45</sup>

123. In 2006 the Government established the Government Council for the Senior and Elderly Population.<sup>46</sup> The Council was established to create an environment for the healthy, active and dignified aging of the population, equal opportunities for senior citizens in all areas of life, protection of their human rights and the development of inter-generational relationships in the family and in society.

124. The Government Council for Roma Community Affairs has been established to encourage the implementation of human rights by Roma Community who are more vulnerable to discrimination, social exclusion and poverty in comparison to other ethnic groups.<sup>47</sup> The purpose of the Council is to help the integration of the Roma Community into the society and to ensure their equal opportunities.

125. Since 2007 the office of Human Rights and National Minorities has been managed by the Minister of Human Rights and National Minorities.

126. In January 2008 was established the Agency for Social Inclusion in the Roma Localities which aims to improve the living conditions of inhabitants in these localities, to stop the growing number of Roma ghettos and set up the most effective model for the access of finances from the European funds for integration of the Roma Community.

127. The protection of human rights and fulfilment of the obligations which stem from the International Agreements, is the responsibility of Committees and Commissions of both Chambers of Parliament of the Czech Republic:

---

<sup>43</sup> The Council was established by Act No. 273/2001 Coll., On Rights of the Members of National Minorities.

<sup>44</sup> The Council also coordinates the basic direction of conceptions of equal opportunities for men and women in various administrative departments, issues the range of priorities for projects for support of realisation of equal opportunities for men and women and identifies the current issues related to equal opportunities in the society.

<sup>45</sup> Resolution of the Government of the Czech Republic No. 778 of 30 July 2003. The Council was approved by the Government Act No. 836 of 6th March 2003.

<sup>46</sup> Resolution of the Government of the Czech Republic No. 288 of 22 March 2006.

<sup>47</sup> Resolution of the Government of the Czech Republic No. 581 of 17 September 1997, then as the Interdepartmental Commission for the Roma Community Affairs, in 2001 renamed to the Council for Roma Community Affairs. Its activity is amended by law, accepted by the Resolution of the Government of the Czech Republic No. 10 of 28th January 2004.



- The Petition Committee of the Chamber of Parliament which has two other Committees – the Committee for Application of the Charter of Fundamental Human Rights and Freedoms and the Committee for Nationalities
- The Permanent Committee for equal opportunities
- The Committee for Education, Science, Culture, Human Rights and Petitions of the Senate of Parliament.

*Distribution of information on the application of human rights*

128. The introduction and periodical information on human rights including the final recommendations of the United Nations Committees are available to the public in both Czech and English versions on the web pages of the Government Office ([www.vlada.cz](http://www.vlada.cz)) – in the section of the Government Council for Human Rights and the section of the Government Resolutions.

*Increase of the awareness of human rights amongst officials and other professions*

129. Government officials who are involved with the issue of human rights will at the beginning of their post complete the initial educational course which also includes qualifications in the subject of human rights. After the initial course employees will attend courses which are more specifically on human rights. Employees also take part in other seminars which are more practical in order to broaden their knowledge and keep in touch with current developments on the issue. These seminars are arranged by the appropriate departments as well as by non-government organisations.

*Encouragement of the awareness of human rights through educational programmes and Government financed public information campaigns*

130. The Secretariat of the Government of the Czech Republic for Human Rights ensures communication and cooperation between the Government Commissioner for Human Rights and Government Administration and Councils, organisations operating in the public sector and other institutions, in particular the Ombudsman office. The Secretariat also manages awareness and education activities in relation to the protection of human rights; for example the Secretariat organises the Government Campaign against racism each year.

131. In 2003 the Secretariat of the Council of the Government of the Czech Republic for Human Rights organised the Campaign on the unacceptability of domestic violence.

132. The Government also finances a number of other awareness activities. The realisation happens on the level of the individual Ministries (the Ministry of the Interior, the Ministry of Labour and Social Affairs, the Ministry of Education, Youth and Sports) or in the form of support for the activities of the non-government organisations.

*Role of the civil society including the non-government and non-profit making organisations*

133. The Czech Republic provides the financial means to the Civil Society Development Foundation which gives help to endangered and disadvantaged groups, protects human rights, democratic values, contributes to the living in tolerance of the national minorities in the society or otherwise encourages the public interest in matters of local development and public life. The chief objective of the Foundation is to provide funding for individual grant programmes of the specific non-government and non-profit making organisations projects registered in the Czech Republic, for example Civil Associations, Public Benefit organisations and churches. Between 1999-2007 CZK 2.422 billion were distributed from the Investment Foundation amongst 73 Foundations.

134. The major mechanism for cooperation between the Government Administration and non-government organisations in the area of human rights is the Council of the Government of the Czech Republic for Human Rights and its Committees. The Council also participates in the preparation of the periodical information regarding the fulfilment of international obligations in the area of human rights.

*Development cooperation and support*

135. The Czech Republic definitively ceased to be the recipient of international development cooperation for the support of human rights after entry into the European Union. The Czech Republic now offers development cooperation abroad.

136. The Czech Republic supports democracy and human rights in developing and transforming countries in the form of transformation cooperation. The focus is on the establishment and strengthening of democratic institutions, legislation of the State, civil society and implementation of the principles of correct administration of public affairs – “good governance”. Transformation cooperation is implemented in particular through: educational projects, information distribution, sharing of views and experience with a non-violent rejection of totalitarian systems in the process of social transformation. In 2004 the Program of Transformation Cooperation was established for this purpose. Since 2005 the Program operates with an annual budget. The objectives of the Program are defined in the Conception of the Transformation Cooperation which states the following priority countries: Belarus, Bosnia and Herzegovina, Georgia, Iraq, Cuba, Republic of Moldova, Myanmar/Burma, Serbia and Ukraine.

137. Twenty-two projects and individual activities were realised with CZK 7.56 million in 2005, 55 projects and individual activities with CZK 47.221 million in 2006 and 17 projects were realised in 2007.

138. The chief objective of development cooperation – reducing poverty in the development countries – stems from the Conception of the Foreign Development Support of the Czech Republic for the period 2002-2007. The Czech Republic in the Conception promotes democracy, human rights and social justice, the integration of developing countries into the world economic system and sustainable global development. International statistics on the amount of foreign support are monitored by the Organisation for Economic Cooperation and Development (OECD), which also defines the criteria of official developmental help.

139. The Czech Republic official developmental help costs between 2000-2006 are shown in the table.

<i>Year</i>	<i>2000</i>	<i>2001</i>	<i>2002</i>	<i>2003</i>	<i>2004</i>	<i>2005</i>	<i>2006</i>
Official developmental help	245.40 million CZK	568.20 million CZK	1 025.00 million CZK	2 668.30 million CZK	1 631.50 million CZK	1 541.95 million CZK	1 756.70 million CZK
Bilateral help	378.20 million CZK	439 million CZK	460.90 million CZK	287.60 million CZK	1 148.60 million CZK	1 694.01 million CZK	1 880.20 million CZK
Multilateral help							

140. Since 2006 75 per cent of resources for the bilateral help projects were directed to the eight priority countries: Angola, Bosnia and Herzegovina, Yemen, Republic of Moldova, Mongolia, Serbia, Vietnam and Zambia. In 2008 the priority countries were: Burma, Belarus, Bosnia and Herzegovina, Georgia, Iraq, Cuba, Republic of Moldova, Serbia and Ukraine. With the entry of the Czech Republic into the European Union the Principles of Foreign Development Cooperation are the conceptual basis for closer

territorial concentration of developmental assistance. The selection of the priority countries is based on the following criteria: need for help, the ability of the country to receive help and the tradition of developmental cooperation. The developmental projects will continue and there are around 30 countries at present that receive help. It is essential that help is not divided amongst too many different projects but rather concentrated into a smaller number of countries and sectors.

141. The humanitarian program MEDEVAC<sup>48</sup> was designed for patients, in particular children from areas afflicted by war or other areas in need of help which have no means to receive medical assistance locally and when their medical condition is so serious that their life is in danger. The program is designed for patients in need of medical help which is unavailable to them at home. The Ministry of the Interior provides the technical means and the possibility for medical help for these seriously ill and injured patients in the Czech Republic and at the same time guarantees the arrangement of the legal stay of these patients in the Czech Republic, as well as covering all the costs in relation to their medical cure and arrangement of transport back to their country of origin. The operation of child patients requires the written consent of the legal guardian in case of an essential medical operation the extent of which can only be predicted after expert examination in the Czech Republic. It is therefore necessary that within the program child patients are accompanied by the legal guardian in the Czech Republic.

142. Current statistics of the humanitarian program MEDEVAC show 114 transported cases that were given medical support in the Czech Republic (predominantly children), from areas afflicted by war or natural catastrophe, including Bosnia and Herzegovina, Kosovo, Chechnya, Iraq, Pakistan and Afghanistan between 1993-2007.

#### **D. The process of preparation of reports at national level**

143. The reports are issued by the Department of the Secretariat of the Government Office of the Czech Republic for Human Rights on the basis of the sources given by the central bodies of the Government Administration: The Ministry of Transport, The Ministry of Finance, The Ministry of Culture, The Ministry of Defence, The Ministry for the Regional Development, The Ministry of Labour and Social Affairs, The Ministry of Justice, The Ministry of Education, Youth and Sports, The Ministry of the Interior, The Ministry of Foreign Affairs, The Ministry of Health, The Ministry of Agriculture, The Ministry of Environment, The Czech Statistic Office and the Ombudsman Office. Other sources of information are provided by non-government and non-profit making organisations and academic institutions.

144. Reports are processed by the interdepartmental comment procedure and submitted to the Government before they are sent to the United Nations General Secretariat.

### **III. Information on non-discrimination and equality and the means of preventing discrimination and inequality**

145. The principle of equality is amended by the Constitution of the Czech Republic and the Charter. Article 1 of the Charter states the freedom and equality of people in dignity and rights. Article 3, Section 1, of the Charter states: the fundamental rights and freedoms are

<sup>48</sup> Resolution of the Government of the Czech Republic No. 907 of 26 July 2006, on the continuation of the humanitarian program of evacuation of disabled inhabitants and Resolution of the Government of the Czech Republic No. 765 of 11 July 2007 on the continuation of the humanitarian program of evacuation of disabled inhabitants (MEDEVAC).

guaranteed to all irrespective of gender, race, colour of the skin, language, faith or religion, political or other opinion, national or social origin, belonging to a national or ethnic minority, property, birth or other status. Article 3, Paragraph 3, of the Charter provides that: nobody may be caused detriment to his or her rights because he or she asserts his or her fundamental rights and freedoms. The prohibition of discrimination is also contained in Article 24 of the Charter, which provides that the national or ethnic minority of any individual shall not be used to his or her detriment.

Protection against discrimination is also amended by international agreements by which the Czech Republic is legally bound.<sup>49</sup>

146. The principle of equality is contained in particular in the provisions of the Civil Code and the Code of Civil Procedure, law on Employment,<sup>50</sup> law on State Social Support,<sup>51</sup> law on Education,<sup>52</sup> law on Consumer Protection<sup>53</sup> and others.

147. The law on Employment prevents direct and indirect discrimination in the application of the law on Employment for reasons of gender, sexual orientation, race or ethnic origin, nationality, citizenship, social origin, birth, language, health, age, faith or religion, property, marital or family status, age or family duties, political or other opinion, membership and activity in political parties or movements, trade unions or employer organisations. Persecution is also prevented by law and a victim of discrimination has the right to seek protection in court.

148. The Czech Republic provides protection against discrimination by means of courts. The court procedure and the involvement of participants in the civil court proceedings are amended by the Code of Civil Procedure, which states that each individual has the right to seek protection in court for the injustice of the right being threatened or violated – the case proceeding in matters of individual civil rights protection. The Code of Civil Procedure states the principle of transference of the burden of proof in cases of alleged discrimination on the basis of race or ethnic origin in matters of providing medical support and social security, access to education and higher vocational qualifications, access to public procurement, membership in employee or employer organisations, membership in professional and vocational associations and selling goods in a shop or offering services. The Code of Civil Procedure and the Code of Administrative Procedure allow the participants to be represented by associations in matters of protection against discrimination on the basis of gender, race or ethnic origin, religion, faith, opinion, disability, age or sexual orientation providing that the statutes of the association contain the protection against discrimination. A similar resolution is contained in the law on Consumer Protection, which states that legal action may be initiated for court proceedings in matters of consumer protection in absentia by associations representing the consumer in legal proceedings providing that the statutes of the association contain the appropriate objectives.

149. The particular provisions of the Code of Criminal Procedure and The Criminal Law ensure the form of penal procedure against race or ethnic origin discrimination. The Municipal Authorities also have the legal power to ensure sanctions against discrimination.

---

<sup>49</sup> The International Convention on the Elimination of All Forms of Racial Discrimination, the Convention on the Elimination of All Forms of Discrimination Against Women, the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights and the Convention on the Rights of the Child.

<sup>50</sup> Act No. 435/2004 Coll., On Employment, as amended.

<sup>51</sup> Act No. 117/1995 Coll., On State Social Support, as amended.

<sup>52</sup> Act No. 561/2004 Coll., On Pre-school, Primary, Secondary, Higher Vocational and other Education, as amended.

<sup>53</sup> Act No. 634/1992 Coll., as amended.

150. The Ombudsman of Rights acts in the name of the protection of the rights of individuals involved in official proceedings and proceedings of other State administration institutions if the procedure does not conform to the law, the principles of the democratic legal State and good governance. The Ombudsman contributes to the protection of fundamental rights and freedoms in cases where the official body does not take legal measures against unlawful action.

151. The Czech Trade Inspection<sup>54</sup> controls and monitors the correct process and provision of services related to the sale or delivery of goods and products or offering services including the non-discrimination policy.

152. The Ministry of Labour and Social Affairs, Job Centres and the National Labour Inspectorate control the legality of employment in accordance with law. The control activity is concerned in particular with the correct application of work and employment legislation procedure including the non-discrimination policy.

153. The Government follows the principle of equal opportunities for men and women in all its decision-making processes with the belief that implementation of this principle is an effective method for the realisation of true equality. The individual Ministers have the duty to include education on human rights in relation to equal opportunities for men and women in educational programs and for the employees in the administration sector. Protection against various forms of discrimination in particular at the conceptual level and in the formation of policies is the responsibility of four Government advisory bodies – the Council of the Government of the Czech Republic for Human Rights, the Government Council for National Minorities, the Council of the Government of the Czech Republic for Equal Opportunities for Men and Women and the Council of the Government of the Czech Republic for Roma Community Affairs.

154. The Government made a provision for the law on equal treatment and legal protection against discrimination – anti-discrimination law which is to unite the legislation on the protection against discrimination and to ensure the compliance of the Czech legal system with the European Union legislation. This law came into force on 1 September 2009 as Act no. 198/2009 Coll. According to this regulation a person has in all circumstances the right to equal treatment and legal protection against discrimination. Legal remedies are set out in section 10 of this statute. In cases where this right is breached, everyone can seek a remedy in the court through legal action in the form of request of waiver of interference with this right, removal of the consequences of discriminatory behaviour or seeking appropriate satisfaction. Should it happen that providing this form of remedy will not be sufficient, the person still has the right to seek monetary compensation for the non-pecuniary loss he/she has suffered.

**The number of convicted cases including the number of convicted for specific offences between 2003-2007**

<i>Index</i>	<i>2003</i>	<i>2004</i>	<i>2005</i>	<i>2006</i>	<i>2007</i>
<b>Total number of convicted cases</b>	<b>66 131</b>	<b>68 442</b>	<b>67 561</b>	<b>69 445</b>	<b>75 728</b>
Paragraph 219 – murder	173	143	153	121	118
Paragraph 221, 222, 225 – grievous bodily harm, affray	3 065	3 298	3 082	2 714	2 390

<sup>54</sup> Act No. 64/1986 Coll., On Czech Trade Inspection, as amended.

<i>Index</i>	<i>2003</i>	<i>2004</i>	<i>2005</i>	<i>2006</i>	<i>2007</i>
Paragraph 234 – robbery	1 587	1 695	1 608	1 532	1 411
Paragraph 241 to 243 – rape and sexual abuse	557	595	491	468	455
Paragraph 247, 248, 250 – theft, embezzlement, fraud	23 465	22 855	21 263	20 201	18 747
Paragraph 246 – trafficking in women/paragraph 232a trafficking in human beings <sup>55</sup>	5	12	20	1	0
	0	0	0	1	4

#### The total number of judges<sup>56</sup> up to 1 January 2005 and 2006

<i>Courts</i>	<i>Planned No.</i>	<i>Evidence No.<sup>57</sup></i>	<i>Difference</i>	<i>Planned No.</i>	<i>Evidence No.</i>	<i>Difference</i>
Municipal court Prague						
Judges – Regional court	263	232	-31	241	227	-14
District court	299	326	27	321	335	14
Candidates	0	72			42	
Regional court Prague –						
Judges – Regional court	100	86	-14	95	89	-6
District court	175	174	-1	175	173	-2
Candidates	0	20			12	
Regional court Č. Buděj –						
Judges – Regional court	65	49	-16	63	49	-14
District court	92	99	7	92	99	7
Candidates	0	15			11	
Regional court Plzeň –						
Judges – Regional court	101	75	-26	104	78	-26
District court	144	164	20	144	163	19
Candidates	0	23			15	
Regional court Ústí n/L. –						
Judges – Regional court	110	90	-20	121	93	-28

<sup>55</sup> In the case of information provided on the unlawful act of trafficking in human beings (Paragraph 232a), it is important to take into account that this resolution has been included in the criminal law by Act No. 537/2004 Coll., with legal force implemented from 22 October 2004. The law is statistically monitored from 2006. Previously there was a criminal law against trafficking in women (Paragraph 246) for the purpose of sexual intercourse, with legal force from 1 July 2002 on the basis of the amendment to the criminal law No. 134/2002 Coll., Trafficking in human beings (unlawful act of trafficking in human beings for the purpose of sexual intercourse). Amendment Paragraph 246 was abolished with legal force from 22 October 2004 in relation to the above noted Paragraph 232a.

<sup>56</sup> The Ministry of Justice monitors the total numbers of judges at the individual stages of the judicial system with the exception of the Constitutional Court, always up to 1 January of each year. The tables show figures in the row under the “evidence number”. The numbers of public prosecutors are monitored in the same way.

<sup>57</sup> The term “evidence number” means the actual number of judges/public prosecutors operating in courts/public prosecutor’s offices.

<i>Courts</i>	<i>Planned No.</i>	<i>Evidence No.<sup>57</sup></i>	<i>Difference</i>	<i>Planned No.</i>	<i>Evidence No.</i>	<i>Difference</i>
District court	240	223	-17	240	231	-9
Candidates	0	25			11	
Regional court Hr. Král. – Judges – Regional court	100	84	-16	101	83	-8
District court	157	174	17	157	174	17
Candidates	0	14			10	
Regional court Brno – Judges – Regional court	180	145	-35	187	150	-37
District court	263	274	11	263	278	15
Candidates	0	35			22	
Regional court Ostrava – Judges – Regional court	199	145	-54	201	144	-57
District court	322	324	2	322	328	6
Candidates	0	53			42	
High Court Prague – Judges	94	89	-5	92	92	0
High court Olomouc – Judges	48	44	-4	48	47	-1
Supreme court – Judges	65	60	-5	62	62	0
Supreme Administrative court – Judges	42	21	-21	34	25	-9
<b>Total – judges – Regional court</b>	<b>1 118</b>	<b>906</b>	<b>-212</b>	<b>1 113</b>	<b>913</b>	<b>-200</b>
High courts – 142133- 9140139-1 Supreme courts and Supreme Administrative courts 10781-269687-9				66	1 714	1 781
<b>Total judges in the Czech Republic 30592878- 18130632920-143</b>	<b>1 692</b>	<b>1 758</b>				
<b>Total – candidates – Regional court</b>	<b>67</b>	<b>257</b>			<b>165</b>	

### The total numbers of public prosecutors up to 1 January 2005 and 2006

<i>Public Prosecutor's Office</i>	<i>Planned No.</i>	<i>Evidence No.</i>	<i>Difference</i>	<i>%</i>	<i>Planned No.</i>	<i>Evidence No.</i>	<i>Difference</i>	<i>%</i>
Municipal Public Prosecutor's Office Prague								
MPPO	50	42	-8	84%	51	47	-4	92%
DPPO	130	128	-2	98%	129	127	-2	98%
C.		16				3		
<b>Total</b>	<b>180</b>	<b>170</b>	<b>-10</b>	<b>94%</b>	<b>180</b>	<b>174</b>	<b>-6</b>	<b>97%</b>

<i>Public Prosecutor's Office</i>	<i>Planned No.</i>	<i>Evidence No.</i>	<i>Difference</i>	<i>%</i>	<i>Planned No.</i>	<i>Evidence No.</i>	<i>Difference</i>	<i>%</i>
Regional Public Prosecutor's Office Prague								
RPPPO	28	20	-8	71%	24	21	-3	88%
DPPO	92	73	-19	79%	96	83	-13	86%
C.		14				6		
<b>Total</b>	<b>120</b>	<b>93</b>	<b>-27</b>	<b>77%</b>	<b>120</b>	<b>104</b>	<b>-16</b>	<b>87%</b>
Regional Public Prosecutor's Office Č. Budějovice								
RPPPO	17	16	-1	94%	17	16	-1	94%
DPPO	56	45	-11	80%	56	49	-7	88%
C.		5				2		
<b>Total</b>	<b>73</b>	<b>61</b>	<b>-12</b>	<b>84%</b>	<b>73</b>	<b>65</b>	<b>-8</b>	<b>89%</b>
Regional Public Prosecutor's Office Plzeň								
RPPPO	24	18	-6	75%	22	18	-4	82%
DPPO	83	73	-10	88%	85	82	-3	96%
C.		18				5		
<b>Total</b>	<b>107</b>	<b>91</b>	<b>-16</b>	<b>85%</b>	<b>107</b>	<b>100</b>	<b>-7</b>	<b>93%</b>
Regional Public Prosecutor's Office Ústí n/L.								
RPPPO	34	26	-8	76%	34	25	-9	74%
DPPO	112	85	-27	76%	112	96	-16	
C.		12				6		
<b>Total</b>	<b>146</b>	<b>111</b>	<b>-35</b>	<b>75%</b>	<b>146</b>	<b>121</b>	<b>-25</b>	<b>83%</b>
Regional Public Prosecutor's Office Hradec Kr.								
RPPPO	24	22	-2	92%	24	21	-3	88%
DPPO	85	71	-14	83%	85	74	-11	87%
C.		11				5		
<b>Total</b>	<b>109</b>	<b>93</b>	<b>-16</b>	<b>85%</b>	<b>109</b>	<b>95</b>	<b>-14</b>	<b>87%</b>
Regional Public Prosecutor's Office Brno								
RPPPO	39	33	-6	85%	39	32	-7	82%
DPPO	137	113	-24	82%	137	120	-17	88%
C.		30				15		
<b>Total</b>	<b>176</b>	<b>146</b>	<b>-30</b>	<b>83%</b>	<b>176</b>	<b>152</b>	<b>-24</b>	<b>86%</b>



<i>Public Prosecutor's Office</i>	<i>Planned No.</i>	<i>Evidence No.</i>	<i>Difference</i>	<i>%</i>	<i>Planned No.</i>	<i>Evidence No.</i>	<i>Difference</i>	<i>%</i>
Regional Public Prosecutor's Office Ostrava								
RPPO	43	29	-14	68%	43	32	-11	74%
DPPO	180	145	-35	80%	180	161	-19	89%
C.		58					34	
<b>Total</b>	<b>223</b>	<b>174</b>	<b>-49</b>	<b>78%</b>	<b>223</b>	<b>193</b>	<b>-30</b>	<b>87%</b>
Chief Public Prosecutor's Office Prague								
	59	56	-3	95%	59	54	-5	92%
Chief Public Prosecutor's Office Olomouc								
	28	25	-3	89%	28	26	-2	93%
The Supreme Public Prosecutor's Office								
	51	47	-4	92%	51	47	-4	92%
<b>Total – Public Prosecutors</b>	<b>1 272</b>	<b>1 066</b>	<b>-206</b>	<b>84%</b>	<b>1 272</b>	<b>1 131</b>	<b>-141</b>	<b>89%</b>
<b>Total – candidates</b>		<b>164</b>				<b>76</b>		

#### The numbers of policemen and civil servants per 100,000 inhabitants in 2002-2006

<i>Year</i>	<i>2002</i>	<i>2003</i>	<i>2004</i>	<i>2005</i>	<i>2006</i>
Number of inhabitants	10 206 436	10 203 269	10 211 455	10 220 577	10 251 079
Number of policemen	44 887	45 894	46 819	47 129	45 207
Number of civil servants	11 804	11 913	11 896	11 658	11 437
Number of policemen to 100,000 inhabitants	439.8	449.8	458.5	461.1	441
Number of civil servants to 100,000 inhabitants	115.7	116.8	116.5	114.1	111.6
Number of policemen and civil servants to 100,000 inhabitants	555.4	566.6	575	575.2	552.6

#### The amount of public costs on police/security between 2000-2006

##### The costs on the police force between 2000-2006 in CZK (thousand)

<i>Year</i>	<i>Police force total from the beginning of the year</i>	<i>Police of the Czech Republic total without transfer into the reserve fund</i>
2000	22 375 45	22 075 853
2001	23 185 932	22 535 284
2002	25 486 988	24 866 069
2003	27 309 981	26 490 173
2004	29 060 071	27 971 171
2005	32 472 831	30 273 654
2006	34 011 414	32 417 454

### The elections for the chamber of deputies of parliament of the Czech Republic in 2002

Code and name of the region	Constituencies			Registered electors	Envelopes sent out	Election participation in %	Envelopes returned	Valid votes	Valid votes in %
	Total	Processed	%						
CZ0110 The Capital – Prague	<b>1 105</b>	1 105	100.00	982 543	589 283	59.98	588 650	586 459	99.63
CZ0210 Central Bohemian	<b>2 047</b>	2 047	100.00	918 747	540 056	58.78	539 546	537 201	99.57
CZ0310 South Bohemian	<b>1 260</b>	1 260	100.00	502 951	292 287	58.11	292 119	290 888	99.58
CZ0320 Pilsen	<b>1 090</b>	1 090	100.00	449 559	260 733	58.00	260 540	259 470	99.59
CZ0410 Karlovy Vary	<b>348</b>	348	100.00	243 169	121 986	50.17	121 854	121 140	99.41
CZ0420 Ústí	<b>1 045</b>	1 045	100.00	664 668	336 637	50.65	336 377	334 662	99.49
CZ0510 Liberec	<b>580</b>	580	100.00	341 225	190 493	55.83	190 361	189 441	99.52
CZ0520 Hradec Králové	<b>937</b>	937	100.00	441 725	268 735	60.84	268 466	267 341	99.58
CZ0530 Pardubice	<b>871</b>	871	100.00	403 799	246 885	61.14	246 476	245 335	99.54
CZ0610 Vysočina region	<b>1 169</b>	1 169	100.00	409 935	255 990	62.45	255 809	254 808	99.61
CZ0620 South Moravia	<b>1 499</b>	1 499	100.00	922 412	553 757	60.03	553 193	550 759	99.56
CZ0710 Olomouc	<b>913</b>	913	100.00	510 163	300 393	58.88	300 103	298 763	99.55
CZ0720 Zlín	<b>680</b>	680	100.00	474 232	284 656	60.02	284 414	283 192	99.57
CZ0810 Moravia-Silesia	<b>1 324</b>	1 324	100.00	999 356	551 815	55.22	551 237	548 547	99.51
<b>Total</b>	<b>14 868</b>	<b>14 868</b>	<b>100.00</b>	<b>8 264 484</b>	<b>4 793 706</b>	<b>58.00</b>	<b>4 789 145</b>	<b>4 768 006</b>	<b>99.56</b>

### The elections for the chamber of deputies of parliament of the Czech Republic in 2006

Code and name of the region	Constituencies			Registered electors	Envelopes sent out	Election participation in %	Envelopes returned	Valid votes	Valid votes in %
	Total	Processed	%						
CZ010 The Capital – Prague	<b>1 112</b>	1 112	100.00	963 199	659 883	68.51	659 147	656 495	99.60
CZ020 Central Bohemia	<b>2 047</b>	2 047	100.00	943 840	622 543	65.96	622 200	620 047	99.65
CZ031 South Bohemia	<b>1 367</b>	1 367	100.00	518 573	338 949	65.36	338 710	337 387	99.61
CZ032 Pilsen	<b>1 088</b>	1 088	100.00	453 899	290 115	63.92	289 884	289 049	99.71
CZ041 Karlovy Vary	<b>348</b>	348	100.00	244 051	137 841	56.48	137 748	137 117	99.54
CZ042 Ústí	<b>1 046</b>	1 046	100.00	658 371	376 720	57.22	376 374	374 736	99.56
CZ051 Liberec	<b>584</b>	584	100.00	347 095	216 410	62.35	216 252	215 510	99.66
CZ052 Hradec Králové	<b>939</b>	939	100.00	445 372	297 024	66.69	296 855	295 931	99.69
CZ053 Pardubice	<b>871</b>	871	100.00	408 177	274 984	67.37	274 846	273 921	99.66
CZ061 Vysočina	<b>1 137</b>	1 137	100.00	409 618	276 960	67.61	276 832	275 997	99.70
CZ062 South Moravia	<b>1 407</b>	1 407	100.00	936 694	611 527	65.29	611 096	608 804	99.62
CZ071 Olomouc	<b>923</b>	923	100.00	519 383	335 120	64.52	334 845	333 849	99.70
CZ072 Zlín	<b>679</b>	679	100.00	480 215	321 258	66.90	321 033	319 933	99.66
CZ080 Moravia Silesia	<b>1 318</b>	1 318	100.00	1 004 818	613 115	61.02	612 673	610 200	99.60
<b>Total</b>	<b>14 866</b>	<b>14 866</b>	<b>100.00</b>	<b>8 333 305</b>	<b>5 372 449</b>	<b>64.47</b>	<b>5 368 495</b>	<b>5 348 976</b>	<b>99.64</b>

## The elections for the district councils in 2000

Code and name of the region	Constituencies			Registered electors	Envelopes sent out	Election participation in %	Envelopes returned	Valid votes	Valid votes in %
	Total	Processed	%						
CZ0210 Central Bohemia	2 049	2 048	99.95	894 615	293 178	32.77	291 032	284 275	97.68
CZ0310 Budějovice	1 266	1 266	100.00	495 549	169 147	34.13	168 424	165 241	98.11
CZ0320 Pilsen	1 093	1 093	100.00	443 935	157 797	35.55	157 230	15 890	97.24
CZ0410 Karlovy Vary	348	348	100.00	239 385	68 072	28.44	67 799	65 812	97.07
CZ0420 Ústí	1 051	1 051	100.00	649 187	192 665	29.68	191 314	184 625	96.50
CZ0510 Liberec	580	580	100.00	336 369	111 241	33.07	110 980	108 272	97.56
CZ0520 Hradec Králové	935	935	100.00	436 977	151 827	34.74	151 607	148 754	98.12
CZ0530 Pardubice	878	878	100.00	400 795	146 118	36.46	145 395	141 908	97.60
CZ0610 Jihlava	1 172	1 171	99.91	406 054	145 609	35.86	144 960	141 430	97.56
CZ0620 Brno	1 390	1 390	100.00	905 459	316 306	34.93	315 574	310 648	98.44
CZ0710 Olomouc	913	913	100.00	507 341	173 467	34.19	172 867	167 639	96.98
CZ0720 Zlín	680	680	100.00	470 707	169 795	36.07	169 274	164 727	97.31
CZ0810 Ostrava	1 324	1 324	100.00	996 130	321 163	32.24	320 209	312 903	97.72
<b>Total</b>	<b>13 679</b>	<b>13 677</b>	<b>99.99</b>	<b>7 182 503</b>	<b>2 416 385</b>	<b>33.64</b>	<b>2 406 665</b>	<b>2 349 124</b>	<b>97.61</b>

## The elections for the district councils in 2004

Code and name of the region	Constituencies			Registered electors	Issued cards	Election participation in %	Returned cards	Valid votes	Valid votes in %
	Total	Processed	%						
CZ020 Central Bohemia	2 047	2 047	100.00	925 330	284 351	30.73	283 805	277, 453	97.76
CZ031 South Bohemia	1 259	1 259	100.00	502 938	153 151	30.45	152 740	149, 088	97.61
CZ032 Pilsen	1 088	1 088	100.00	449 374	14 814	31.34	140 641	138, 504	98.48
CZ041 Karlovy Vary	348	348	100.00	241 442	60, 337	24.99	60 163	58 652	97.49
CZ042 Ústí	1 046	1 046	100.00	656 799	166 602	25.37	166 265	163 175	98.14
CZ051 Liberec	584	584	100.00	343 147	105 788	30.83	105 604	103 998	98.48
CZ052 Hradec Králové	939	939	100.00	442 119	143 942	32.56	143 770	142 145	98.87
CZ053 Pardubice	871	871	100.00	406 730	132 580	32.60	132 098	128 921	97.59
CZ061 Vysočina	1 137	1 137	100.00	407 000	129 509	31.82	129 336	127 251	98.39
CZ062 South Moravia	1 417	1 417	100.00	930 744	276 526	29.71	275 816	269 422	97.68
CZ071 Olomouc	923	923	100.00	516 974	147 024	28.44	146 783	144 724	98.60
CZ072 Zlín	680	680	100.00	479 121	146 758	30.63	146 549	144 617	98.68
CZ080 Moravia-Silesia	1 314	1 314	100.00	1 005 660	277 074	27.55	276 359	269 493	97.52
<b>Total</b>	<b>13 653</b>	<b>13 653</b>	<b>100.00</b>	<b>7 307 378</b>	<b>2 164 456</b>	<b>29.62</b>	<b>2 159 929</b>	<b>2 117.443</b>	<b>98.03</b>