

On the Sidelines of the Czech Republic Submission
to the 4th Cycle of the UPR Mechanism

The Key Challenges Impacting The Human Rights Conditions In the Czech Republic



"Working Paper"

Human Rights Situation in the Czech Republic

On the Sidelines of the Czech Republic's Submission to the 4th Cycle of the UPR Mechanism

The Czech Republic is subject to the 42nd session of the 4th Universal Periodic Review (UPR) cycle. It had its human rights file reviewed on January 23, 2022, and approved on January 27 of the same month. In line with the Czech Republic's membership of the Human Rights Council starting from May 10 2022, and the appointment of the Permanent Representative of this Republic to the United Nations, Václav Bálek, as President of the Human Rights Council, it is important to focus on the human rights situation in the Czech Republic and evaluate its commitments within the framework of the UPR mechanism and the voluntary pledges it made during its candidacy for membership in the Human Rights Council, which represents another opportunity to know the extent to which this country is making progress in terms of improving the human rights conditions and addressing the challenges thereto.

Maat for Peace, Development and Human Rights seizes this opportunity to present a working paper on the main challenges facing the human rights situation in this country, **specifically the extent of the Czech Republic's cooperation with international mechanisms for protection human rights, the consistency between national legislation and the principles and provisions of international human rights conventions and the challenges that impede the establishment of a national institution complying with the Paris principles, the issue of sheltering terrorists and organizations suspected to be linked to terrorism, including advocacy organizations that cover the activities of the Muslim Brotherhood, the need to restrict the existence and movements of these organizations and, as well as minority rights and hate speech. The Paper concludes with a set of recommendations to be combined into the recommendations of the 4th session of the Czech Republic.**

Axis I: cooperation with international human rights mechanisms

The Czech Republic has a fairly cooperative relationship with some international human rights mechanisms, such as the UPR and Treaty Bodies, but limited relations with UN special procedures and the Human Rights Council, as shown below:

1. Human Rights Council

The Czech Republic was elected four times as a member of the Human Rights Council, the last of which was on May 10, 2022, to replace the Russian Federation, whose membership was suspended, followed by its withdrawal from the Human Rights Council in April 2022. During its membership in the Council, Czech sponsored substantive decisions related to the right to freedom of peaceful assembly and association, equal participation of men and women in political and public affairs and Work to stop the application of the death penalty. In general, during its membership in the Human Rights Council, it participated in 10% of panel discussions, general discussions, and interactive dialogues (Figure 1). It often voted in favor of civil and political rights or join the consensus on it when there was no vote. In addition, it voted in favor of thematic decisions on economic and social rights and also joined the consensus on it, except for the votes on the decisions on the effects of foreign debt on economic and social rights, and the decisions of the Non-Aligned Movement regarding unilateral coercive measures. The Czech Republic also abstained from voting on the African Group's decision not to return funds which coming from an illegal source.

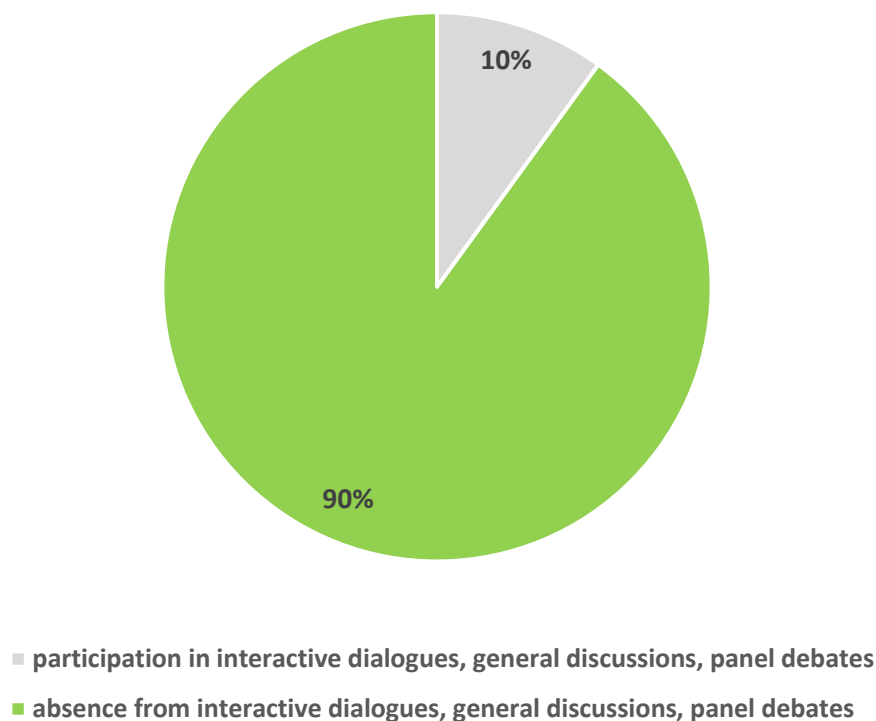


Figure 1 Czech participation in interactive dialogues, panel discussions and general discussions of the Human Rights Council

2. UPR

The Czech Republic recognizes the vital and important role played by the UPR mechanism in advancing the human rights situation. It has participated in the review of 93 countries during the 1st cycle of the review, and about 119 countries during the 2nd cycle through oral statements (Figure 2) ¹. By January 23 2023, The Czech Republic will have been reviewed by the UPR mechanism four times.

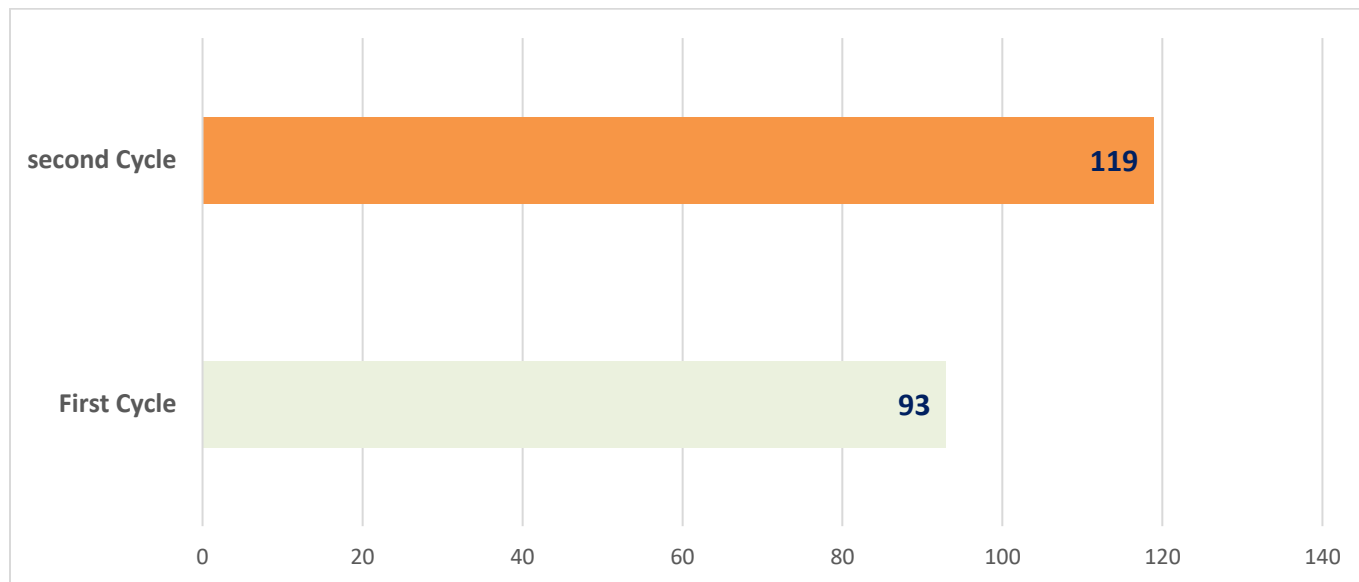


Figure 2 Participation of the Czech Republic in the review of countries during the 1st and 2nd sessions

The Czech Republic has been reviewed in three previous cycles. The first cycle, on April 16, 2008, member states made 30 recommendations to the Czech Republic, of which the Czech accepted 29, and rejected one related to joining the International Convention for the Protection of All Migrant Workers² (CRMW). In the second cycle, dated October 22, 2012, member states made 161 recommendations to the Czech Republic, of which 152 were accepted and 9 others were taken note of. In the third cycle, on November 6, 2017, member states submitted 201 recommendations to the Czech Republic, of which 178 were accepted, and 23 others were taken note of.

¹ https://yourhrc.org/country-detail/?country=Czech_Republic

² <https://www.upr-info.org/en/news/czech-republic-clarifies-its-position-its-recommendations>

Table No. (1)

The Czech position on the recommendations in the three rounds of the review

Cycle	Recommendations made	Accepted	Taken note of
1 st	30	29	1
2 nd	161	152	9
3 rd	201	178	23

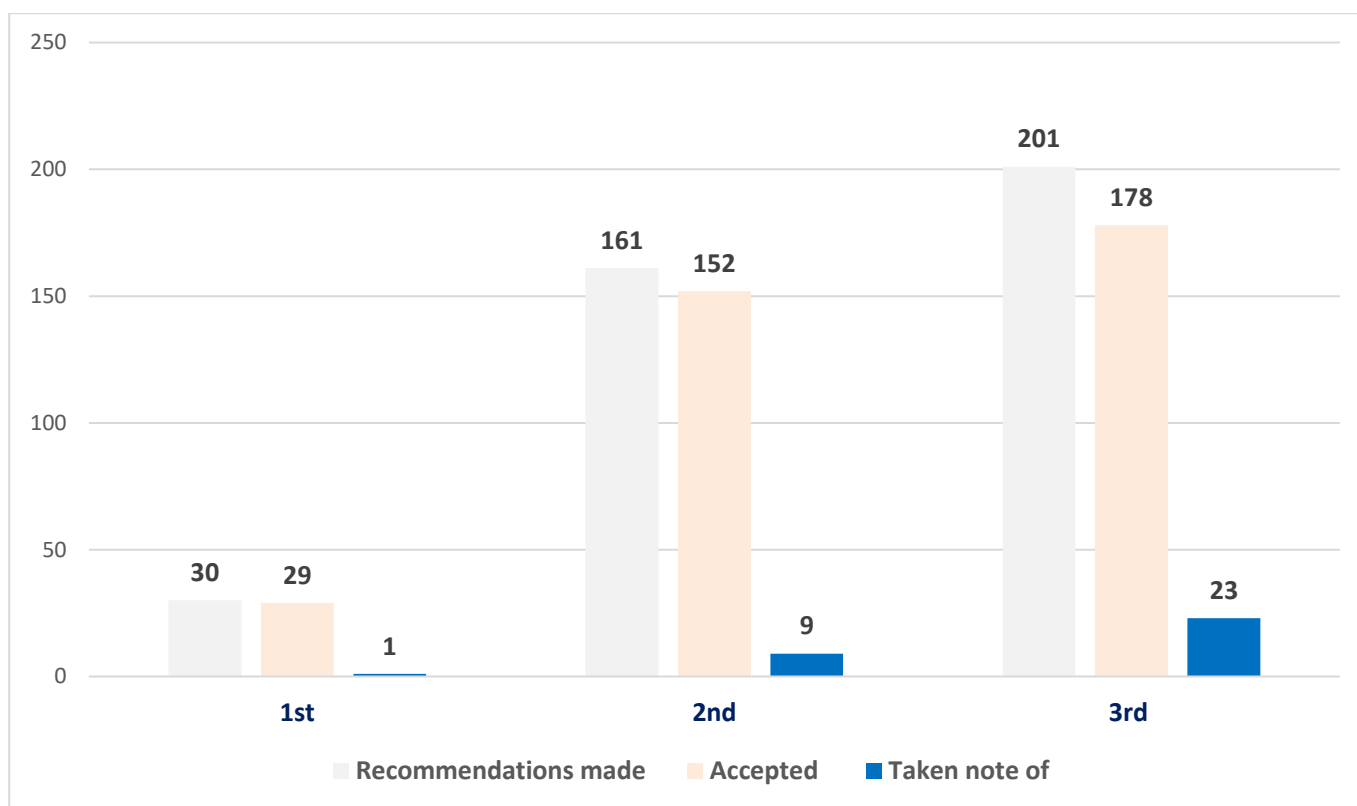


Figure 3 The situation of the Czech Republic regarding the recommendations in the three cycles.

Maat's analysis of the recommendations rejected or taken note of shows that the Czech Republic rejected or took note of one recommendation in the first UPR cycle, which is the recommendation related to the accession and ratification of the (CRMW). In the second UPR cycle, the Czech Republic took note of 9 recommendations. Taking into account the merged and the repeated recommendations, the recommendations that were taken note of in the second cycle are shown in the table below:

Table 2: Recommendations taken note of by the Czech Republic in the second cycle

Recommendations taken of by the Czech Republic in the second UPR Cycle
Joining the Optional Protocol to the International Covenant on Economic and Social Rights
Ratification of the International Convention for the Protection of All Migrant Workers and Members of Their Families
Ratification of the Palermo Protocol, along with Labor Organization Conventions No. 169 and 189
Explicitly prohibit corporal punishment of children in all settings
Conducting comprehensive and transparent investigations, in cooperation with Special Procedures, on what has been reported about the participation of the Czech authorities in secret programs of the CIA related to arbitrary detention, changing the location of suspects, or their secret transfer.

As for the third UPR cycle, the Czech Republic took note of 23 recommendations, and taking into account the repeated recommendations, the recommendations are as follows:

Table No. (3)

Recommendations that the Czechs took note of in the third cycle

Recommendations taken of by the Czech Republic in the third cycle of the review
Ratification of the International CRMW
Ratification of the International Labor Organization Convention on Indigenous and Tribal Peoples
Signing the Treaty on the Prohibition of Nuclear Weapons (TPNW)
Revising the Criminal Code to include crimes of incitement to violence, discrimination, and public insults of a racist nature
Revising its situation in order to provide compensation to Roma women who have been victims of forced sterilization
Establishing an effective mechanism to provide comprehensive redress for victims of forced and involuntary sterilization and prosecute those involved in these practices
Enabling women victims of forced sterilization to access justice and obtain adequate compensation
Strengthening the child protection system by explicitly prohibiting all forms of corporal punishment of children in all contexts

Ratification of the Palermo Protocol, along with Labor Organization Conventions No. 169 and 189
Explicitly prohibit corporal punishment of children in all settings
Adopting a law preventing corporal punishment of children
Adopting specific legislation recognizing the crime of commercial sexual exploitation of children and their use in prostitution
Adopting a clear and broad definition of child pornography and prostitution, consistent with international law
Allocating sufficient resources for social services to prevent family separation, including in the case of children with disabilities
Adopting all necessary measures to guarantee the rights of persons with disabilities, remove restrictions that may limit their legal capacity, and in particular encourage access to effective judicial and administrative procedures for persons with disabilities who face situations of discrimination and inequality
Reviewing the Foreign Nationals Residence Act so that immigrants and refugees do not pay for their detention
Ending the detention of migrants and refugees, especially children, whether accompanied, unaccompanied or separated
Ending the detention of all migrant children, accompanied, unaccompanied or separated from their families
Ending the detention of all children, whether accompanied or not as mentioned before, and implement, without delay, alternatives to detention in law and practice.
Reviewing its national laws and practices to end the detention of all migrant children
Fulfilling its commitment to the EU resettlement scheme, end the practice of issuing expulsion orders before asylum applications are registered and fully comply with the principle of non-refoulement

the Czech Republic explained that some recommendations were not accepted in the third UPR cycle of the review as it does not intend to ratify the CRMW and their families on the grounds that it considered the protection afforded by existing national legislation to be sufficient and in line with all other obligations undertaken by the Czech Republic In the field of human rights, therefore, there is no need for the Czech Republic to join the Convention, and the recommendation was not accepted accordingly.

In its explanation for not accepting Recommendation No. 14 related to International Labor Organization (ILO) Convention No. 169 concerning Indigenous and

Tribal Peoples, it indicated that there are no indigenous or tribal people on its lands. In her justification for not accepting Recommendation No. 21 related to signing the TPNW, made it clear that the Treaty does not provide an effective path to nuclear disarmament and merely repeats international obligations. The Czech Republic also justified its disagreement with all recommendations regarding compensation for Roma women victims of forced sterilization by the fact that the main means of reparation for victims of forced sterilization is through legal procedures and it has duly considered every criminal complaint lodged in connection with cases of illegal sterilization, and in In each case, the criminal justice procedure was duly completed in accordance with the Code of Criminal Procedure.

3. Special Procedures

The Czech Republic has limited cooperation with the United Nations Special Procedures, as the Czech Republic sent a permanent invitation to the special procedures in September 2000. However, the last visit of a special rapporteur to the Czech Republic was in September 1999, which is the visit of the Special Rapporteur on racism, and before that in the period from 20 to 25 May 1996. The Czech Republic received the visit of the Special Rapporteur on the sale of children and child pornography, while the Special Rapporteur on the right to population was supposed to visit the Czech Republic in November 2001 and the Working Group on Business and Human Rights was supposed to visit the Czech Republic in July 2014, the two visits were not completed as shown in the table below.

Table No. (4) The position of the Czech Republic on cooperation with the Special Procedures

Mandate	Visit Position	Date of Visit/ Scheduled Date
Special Rapporteur on the sale and sexual exploitation of children	Completed	May 1996
Special Rapporteur on contemporary forms of racism	Completed	September 1999
Special Rapporteur on the right to housing	Did not take place	Was scheduled in November 2001
Working Group on Business and Human Rights	Did not take place	Was scheduled to start in July 2014

4. UN Treaty Bodies

The Czech Republic is a member state in eight basic human rights treaties and most of the protocols attached to these treaties³. Not only has the Czech Republic acceded to the International Convention for the Protection of All Migrant Workers and Members of Their Families, but on the other hand, there is a slowdown noticed by Maat in the state's cooperation with these treaty bodies, especially with regard to providing periodic reports, the Czech Republic is generally late in submitting periodic reports to the United Nations treaty bodies, sometimes for more than three years⁴.

Axis II: Harmonization of laws with international treaties and the establishment of a national institution

1. Harmonization of laws with international human rights treaties

The Czech Republic, as previously mentioned, is a state party to eight core human rights treaties. These treaties form a part of the constitution under Article 10 of the Constitution of the Czech Republic. International treaties under this article also take precedence over domestic laws. However, the Czech Republic still has not agreed to all its domestic laws with the principles and provisions of international human rights treaties. For example, the anti-discrimination law and the labor law did not include color and descent among the forms of discrimination that should be prohibited, in contravention of the definition of discrimination contained in Article 1 of the International Convention for the Protection of All Persons from Racial Discrimination.

In a similar context, the Czech Republic did not include some forms of torture in Article 149 of the Criminal Code, in contravention of Article 1 of the Convention against Torture, and there is no legal article in the Criminal Code stating that “exceptional circumstances may not be invoked to justify enforced disappearance, in contravention of Article 1 of The first of the International Convention for the Protection of All Persons from Enforced Disappearance. The Committee on Enforced Disappearance, in its concluding observations in September 2022, in its comment on the first report, demanded that the Czech Republic make an amendment that expressly affirms that no exceptional circumstances, whatever they may be, may be invoked to justify enforced disappearance in accordance with Article 1 of the convention. The Children's Law also makes exceptions that allow children to marry before reaching the age of 18, in contravention of the Convention on the Rights of

³ <https://treaties.un.org/Pages/Treaties.aspx?id=4&subid=A&clang=en>

⁴ https://tbinternet.ohchr.org/_layouts/15/TreatyBodyExternal/Countries.aspx

the Child. In the table shown below, local or national laws that conflict with treaties and the International Convention on Human Rights ratified by the Czech Republic.

Table No. (5) Local laws and their conflict with international treaties

Czech Republic National law	Convention conflicting with its articles	Inconsistencies
Anti-discrimination law Labor law	International Convention on the Elimination of All Forms of Racial Discrimination	The Anti-Discrimination Law and the Labor Law did not include "color or lineage" among the forms of discrimination in contradiction with the Convention
Criminal law	Convention Against Torture	The Czech Republic did not include some forms of torture in Article 149 of the Criminal Code, in contravention of Article 1 of the Convention against Torture.
Child law	Convention on the Rights of the Child	The Children's Law makes exceptions that allow children to marry before they reach the age of 18
Criminal law	International Convention for the Protection of All Persons from Enforced Disappearance	There is no specific provision in domestic law stating that "exceptional circumstances may not be invoked to justify enforced disappearance in contravention of Article 1 of the Convention."
Decree No. 27/2016 regarding the education of students with special educational needs and the gifted	Convention on the Rights of the Child	The decree distinguishes between children with disabilities and Roma children who are classified as having mild disabilities and other children, which is contrary to the Convention on the Rights of the Child, especially Article 28 of the Convention.

2. Establishing a national human rights institution in accordance with the Paris Principles

The Czech Republic is currently among the four member states of the European Union without a national institution that complies with the Paris Principles relating to the status of national institutions for the promotion and protection of human rights⁵. Instead, there is an ombudsman, but does not comply with the Paris Principles and its mandate is limited to dealing with individual human rights complaints. The Czech Republic received about 10 recommendations in the 3rd round of the review related to either establishing a national human rights institution that complies with the Paris Principles or expanding the mandate of the current ombudsman. The Czech Republic accepted all the recommendations in this regard; however, no national human rights institutions have been established yet⁶. In October 2019, the Czech Parliament adopted a resolution calling on the government to take clear legislative steps towards the establishment of a national human rights institution by the end of 2020. However, this decision was not discussed, especially in light of the spread of the Corona epidemic, and the Czech Republic still has not establish this institution and is not entitled to apply for classification A from the Subcommittee on Accreditation of the Global Alliance of National Human Rights Institutions.

Axis III: harboring terrorists and organizations alleged to be linked to terrorism

There is a contradiction in the Czech Republic's strategy for dealing with persons and organizations allegedly linked to terrorism or to the Muslim Brotherhood, which has been classified as a terrorist group by some UN Member States.⁷ In early 2016, Czech President Milos Zeman stated that the Muslim Brotherhood was responsible for the current wave of refugees in Europe, and that migration is an organized invasion, he repeated these statements on repeated occasions after that, the latter tried to legitimize his statements by claiming that he had obtained them before from high-ranking Islamic officials⁸.

Nevertheless, the Czech Republic hosts a group of advocacy and human rights organizations that are claimed to be linked to terrorists or openly support terrorist groups. Perhaps the most prominent of these organizations is the Center for Muslim Communities, along with the General Union of Muslim Students, and the Islamic Foundation in Prague and

⁵ https://www.demas.cz/wp-content/uploads/2022/06/demas_nhri_2022.pdf

⁶ انظر التوصيات من 24 إلى 34، على الرابط التالي: https://www.upr-info.org/sites/default/files/documents/2018-03/a_hrc_37_4_a.pdf

⁷ WHY DID RUSSIA DESIGNATE THE MUSLIM BROTHERHOOD A TERRORIST ORGANIZATION, <https://bit.ly/3Huksox>

⁸ Case Study: The Dangerous Speech of Miloš Zeman in the Czech Republic, Page 4, <https://bit.ly/3iPmGWf>

Brno, the second largest city in the Czech Republic (see Table No. 6). In the statement of the alleged link between these organizations and terrorism, there are some indications. The Islamic Foundation in Prague, Czech Republic, expressed on its website its support for the statement of the Federation of Islamic Organizations in Europe (FIOE), founded by the Muslim Brotherhood, regarding a terrorist attack took place in Germany in July 2016. The organization also shared a video about Combating Islamophobia by the Council on American-Islamic Relations (CAIR), a Washington D.C.-based non-profit organization, affiliated with the Muslim Brotherhood, listed as terrorist group by some states⁹. The Egyptian Front for Human Rights is run by the Czech Republic, a human rights organization that criticizes the human rights situation in Egypt, and focuses on the policies of the security services. For example, in 2019, the Egyptian Front held a symposium in which the Czech Republic called for the prevention of the export of weapons to Egypt, claiming that this violates the policies of the European Union. This symposium was held at the Scout Institute in Prague, and the organization used this symposium to criticize the Egyptian and Czech governments,¹⁰ and mock Egypt's efforts to combat terrorism, which are praised by the Security Council in its report on ISIS activities.¹¹

The Czech Parliament, and a member of the European Parliament's budgetary oversight committee, Tomáš Zdechovský, criticized these organizations, describing them as sleeper cells, and criticized what he called the European Union's funding for the threats subjected to, meaning that the European Union is financing extremism, and that the money supposed to be funding youth and development ends with a group of terrorists, terrorist organizations and movements¹², adding that the European Union, including the Czech Republic, has adopted a system that ignores organizations that quietly spread extremist ideologies. He also said that the Security Information Service in the Czech Republic is aware of the activities of these terrorist organizations, this raises more important questions about the reason for the survival of these organizations in the Czech Republic, despite the knowledge of the intelligence services in the Czech Republic about their activities. Although there are no available statistics regarding the Muslim Brotherhood or extremist figures in the Czech Republic, Siran Atish, a German writer of Kurdish and Muslim origin, warned the

⁹ CEE ACTIVITIES OF THE MUSLIM BROTHERHOOD: CZECH REPUBLIC, POLAND, SERBIA Page 9, <https://bit.ly/3XTCTbU>

¹⁰ <http://zpravodajstvi.ecn.cz/?x=2569832>

¹¹ Fourteenth report of the Secretary-General on the threat posed by ISIL (Da'esh) to international peace and security and the range of United Nations efforts in support of Member States in countering the threat, Page 7, Para 27, <https://bit.ly/3tgzJ5q>

¹² <https://bit.ly/3J0CWOL>

Czech Republic, in a television interview, of the growing danger of the Muslim Brotherhood, claiming that they are concentrated in the “Černý Most” area in Prague.¹³

We pause for a moment when Tomasz Szatkowski described the terrorists in the Czech Republic as sleeper cells, because this description may be confirmed by the incident of the terrorist Samer Shehata, who grew up in a moderate family in Prague in the Czech Republic until he left it in 2017, while he returned to the Czech Republic after his arrest in Jordan in 2018 on charges of financing Terrorism and aiding terrorist groups in Syria, especially Hay'at Tahrir al-Sham "formerly Al-Nusra"¹⁴. In May 2022, he was sentenced to 10 years in prison for the aforementioned charges. Shehata admitted to the judge that he had sent two of his relatives, including his younger brother Omar, to Syria, and they also lived in the Czech Republic.¹⁵ Shehata also admitted that his brother Omar is still alive, but he left Hay'at Tahrir al-Sham and works in teaching English in some areas in western Syria¹⁶. Here, it is imperative for the Czech Republic to track these extremists who live on its territory at the present time, and some of them, according to the Security Information Department, hold Czech citizenship, in order to prevent them from joining terrorist groups, and monitor their movements, some of which may be represented in financing these groups. This is also supported by what Tomio Okamura, a member of the House of Representatives in Czech, who reported that there are secret rooms for preaching related to the terrorist Samer Shehata frequented by individuals linked to jihadist activity, one of these rooms is in a house in a small village in the village of Tuchoměřice northwest of Prague¹⁷.

Despite these organizations avoiding explicitly referring to their association with the Muslim Brotherhood, a report by the Anti-Extremism Project pointed out that the Brotherhood dominates most of these institutions. The report linked this dominance to the fact that active members of this institution are required to attend events organized by Muslim Brotherhood groups in Europe and to constantly publish the outputs of these events on their platforms on social networking sites. Local Czech reports say that the problem of the Muslim Brotherhood is not planning terrorist attacks on the population; however, it is the most religious movement that spreads extremist ideas among Muslims living in European countries, including the Czech Republic. In a related context, some social media users reported that C4 explosives that reach terrorists in Sinai and are used in terrorist operations,

¹³ <https://bit.ly/3iGEgM9>

¹⁴ <https://reportermagazin.cz/a/pcEjS/salafiste-od-vltavy>

¹⁵ <https://bit.ly/3iQ33gM>

¹⁶ <https://reportermagazin.cz/a/pcEjS/salafiste-od-vltavy>

¹⁷ <https://bit.ly/3IZ9hFC>

500 kilos of them were seized in 2018 only¹⁸. They were taken out of some factories in the Czech Republic and shipped, until they reach their final destination, which are the terrorists¹⁹. This could be consistent with the case of the arrest of the terrorist Dominik Kobulnický, in whose apartment at the end of 2017 criminal investigators found chemicals for the production of explosives.

Table No. (6) Organizations alleged to be linked to terrorism in the Czech Republic

Organization Name	The organization name in Czech	Year Founded
Muslim Community Centre	Ústředí Muslimských Obcí	1991
Muslim Students Association	Všeobecný Svaz Muslimských Studentů a Mládeže	1991
Islamic Foundation in Prague	Islámská nadace v Praze	1993
Islamic Foundation in Brno	slámská nadace v Brne	1994
Islamic Union	Muslimská unie	2000
The Egyptian Front for Human Rights	Egyptská fronta pro lidská práva	2017

Note: Data of the advocacy organizations for the anti-extremism project

Axis IV: Minorities Rights and Hate Speech

The number of minorities in the Czech Republic is about 250,000; the majority are Roma, ranging from 150,000 to 200,000, according to the International Minorities Group²⁰. The rest are Muslims 10,000; (according to the report on religious freedoms issued by the US State Department), immigrants, Jews, and other minorities such as the Polish minority. The Czech Republic has committed itself in its voluntary pledges submitted to the Human Rights Council upon its application for membership in the Council to promote human rights conditions, including combating discrimination against Roma and preventing hate speech and stereotypical prejudices against members of minorities. The Roma are the largest minority group subjected to practices inconsistent with the United Nations Declaration on the Rights of Persons Belonging to National or Ethnic, Religious, and Linguistic Minorities. Women victims of forced sterilization face challenges in obtaining compensation, which was approved by a law

¹⁸ <https://bit.ly/3iSyozl>

¹⁹ <https://bit.ly/3GQdn0k>

²⁰ <https://bit.ly/3XAiUiN>

that entered into force in August 2021. Roma children also faced racial segregation in their access to education. This minority was also subjected to discrimination in employment and access to services from the government's administrative apparatus.

In the past two decades, improvements have been made to address the Roma situation, including the Anti-Discrimination Act enactment, and although the inclusion of Roma in the Council of Nationalities, they are still exposed to obstacles and arbitrary practices that limit their full access to their rights.

The arbitrary practices against this minority can be summarized as follows:

Delay in compensation for women victims of forced sterilization or their families. Between 1996 and 2012, the Roma women in the Czech Republic were subjected to involuntary forced sterilization without consent. It is a program implemented by the government against minority women in the past; it is a form of systematic violence that may be torture, according to the Office of the High Commissioner for Human Rights. Attempts to grant them compensation only succeeded in 2021, when Parliament passed a law in June 2021, and the President approved it in August to enter into force²¹. The law grants compensation to women who have been forcibly displaced at around 300,000 CZK. Despite the law's entry into force, women who try to get compensation face problems in their approach to getting their due. For example, how the application for compensation is processed is a complicated procedure that may discourage these women from pursuing their application, as it may continue for 60 days without a response to the woman's eligibility for compensation. Some reports stated that the request takes longer to decide²².

Education: According to the Organization for Economic Co-operation and Development, the Roma students make up about 3% of the total number of students in the Czech Republic; however, Roma students suffer discrimination compared to other students. According to the European Union's Agency for Fundamental Rights, children from this minority are misdiagnosed as having a mild intellectual disability to enroll in special education schools or special needs programs. They are separated from the rest of the children who are citizens, and these schools do not receive sufficient support, including insufficient human and financial resources²³. The Committee on the Elimination of All Forms of Racial Discrimination and the Committee on the Rights of the Child considered in their concluding observations that such discrimination reinforces racial segregation; it is also inconsistent with the Convention against Discrimination in Education. That is also consistent with the European Court of Human

²¹ Czech Republic should intensify efforts to combat stereotypes and hate speech against national minorities, <https://bit.ly/3G0GEbK>

²² <https://bit.ly/3IUywsP>

²³ Page 9, <https://bit.ly/3QNoKuh>

Rights ruling, which recognized in a previous ruling that Roma children were sent to schools attended by people with special needs without sufficient justification, which constitutes apartheid. Therefore, the majority of young Roma do not complete their secondary education. The percentage of young Roma between 18 and 24 who left school at an early age range from 72 to 85%²⁴.

Discrimination against the Roma in the State Administration: the Roma is discriminated against when accessing services in the Czech Republic in contravention of local laws. Article 16, paragraph 4, of the Administrative Code, states that “a citizen of the Czech Republic belonging to a national minority who has lived for a long time on the territory of the Czech Republic while submitting requests or submissions or obtaining services from administrative bodies has the right to act in the language of his national minority, and that if he does not have the governing body is an official who can communicate in the minority language. Interpretation is needed; the authority bears the cost of this translation. This right applies to national, regional, and local authorities, but there is a slowdown in implementing this article²⁵.

Discrimination in Employment: the employment policy, and the granting of job opportunities in the Czech Republic do not address racial discrimination in employment and the workplace. There is a causal relationship between the limited access of Roma to education and their low acceptance of employment, and they are more vulnerable to discrimination in the formal labor market. Before the Corona pandemic, the unemployment rate in 2019 fell to the lowest rate in the history of the Czech Republic. Although the Czech Republic has the lowest unemployment rate in Europe²⁶, there is a rise, as noted by the Committee on the Elimination of Racial Discrimination, in the unemployment rate of Roma and their underrepresentation in the public sector. According to the Committee on the Elimination of All Forms of Racial Discrimination²⁷, Roma faces challenges in the labor market due to bias, indirect discrimination, and a lack of proper education or training. It estimated that three out of every four of these minorities are exposed to discrimination when searching for work²⁸, which is inconsistent with Article 7 of the International Covenant on Economic, Social, and Cultural Rights.

Housing discrimination: the Anti-Social Exclusion Strategy estimates that between 80,000 and 100,000 people live in a state of social exclusion, including about

²⁴ Page 18, https://fra.europa.eu/sites/default/files/fra_uploads/fra-2014-roma-survey-dif-employment_cs.pdf

²⁵ <http://zakony.centrum.cz/spravni-rad/cast-2-hlava-2-dil-3-paragraf-16>

²⁶ <https://msmstudy.eu/the-czech-republic-has-the-lowest-unemployment-rate-in-europe/>

²⁷ Committee on Racial Discrimination urges Czechia to adopt special measures to eliminate historic and deep-rooted discrimination of Roma, <https://bit.ly/3GPqpuP>

²⁸ Page 30, https://fra.europa.eu/sites/default/files/fra_uploads/fra-2014-roma-survey-dif-employment_cs.pdf

600 unplanned and socially marginalized areas, which results in an inappropriate standard of living and poor access to social and public services. According to a report issued by the Agency for Fundamental Rights of the European Union, 42% of Roma live in residential areas polluted by smoke, vehicle exhaust, or dust. These individuals face the risk of forced eviction. Where said many residents of this minority live in what is known as Finnish houses in the Harrison neighborhood, which are houses owned by a German real estate company, which is the largest giver of residential rents in the Czech Republic. Since 2020, another company has bought more than 42,500 apartments in the Czech Republic, especially units of house miners. The company wants to sell more real estate properties and has negotiated with some tenants. That means residents who rent from this company fear losing their homes or being at risk of forced eviction²⁹. According to the Committee on Civil and Political Rights, these pressures and negotiations may force the Roma to move to isolated areas or to stay in them. Finally, the Czech government did not face discrimination against Roma in the housing area. There are reports of 458 cases of discrimination against Roma who found vacant apartments yet faced high rents or landlords' refusal to rent apartments to members of that minority³⁰.

Concerning hate speech, Article 356 of the Czech Criminal Code prohibits incitement to hatred³¹. However, country research funded by the European Union confirmed that 75% of non-minority citizens in the Czech Republic see coexistence with Roma as a problem³². The exposure of the Roma to these discourses prompted activists from this minority to file criminal complaints to hold accountable the people who incited against them online. In a related context, a previous government opinion poll confirmed that 70% of Czech citizens refuse to receive refugees from Syria or North Africa. Although the Czech Republic receives fewer refugees compared to the countries of the European Union, this percentage increased after the Russian-Ukrainian war, and the refugee percentage currently reaches more than 300 thousand refugees in the Czech Republic. The number of asylum seekers was about 1146 asylum applications in 2020. These discourses are fueled by the use of racist hate speech and anti-immigrant and anti-Roma slogans by politicians and public figures, including members of parliament, mayors, and members of the government, in addition to the role of the media in spreading racist stereotypes, feelings of prejudice against minority groups, and fear of immigrants. According to the Advisory Committee on the Framework Convention for the Protection of Minorities, some politicians' statements supported hate speech in the Czech Republic led to intimidation, as many members of

²⁹ Czech Republic's third-largest city sees demonstration for dignified housing, Romani people among the protesters, <https://bit.ly/3Xlvd2e>

³⁰ Page 25, <https://bit.ly/3kg8uFY>

³¹ <http://www.errc.org/press-releases/czech-roma-rights-activists-file-criminal-complaints-against-online-hate-speech>

³² Page 15, <https://bit.ly/3Z0ljb8>

national minorities hesitate to claim their rights³³. The Ministry of the Interior of the Czech Republic claimed that hate speech crimes decreased 2021 by 26% compared to 2020. However, the same report stated that many hate crimes against Roma increased from 19 to 33 cases in 2021; it was 30.6% of the related crimes³⁴.

Recommendations:

- Establishment of a national human rights institution that complies with the Paris Principles relating to the status of national human rights institutions.
- Integration of Roma children into formal education and the racial segregation of children prevention in education under international treaties ratified by the Czech Republic and the Convention against Discrimination in Education.
- Reconsidering the recommendations that the Czech Republic took note of in the third round of the review, in particular the ratification of the International Convention for the Protection of All Migrant Workers.
- Tracking the activities of persons and organizations allegedly linked to terrorism and restricting and monitoring their movements.
- Opening an investigation into the incidents of transferring highly explosive C4 material to terrorists in Sinai and other regions in the Middle East.
- Implementing the Roma Inclusion Strategy 2021-2030 as soon as possible, in close consultation with Roma representatives. The need to include an operational action plan with clear indicators that allow for monitoring and evaluating the impact.
- Harmonization of all national legislation and laws with the principles and provisions of international human rights conventions and treaties; including anti-discrimination law, labor law, and some criminal law provisions.
- Ensuring that the Roma has access to adequate housing and confront the Czech government's racial discrimination based on the right to housing.
- Encouraging the Roma children to continue their studies by identifying the root causes of many dropping out of school.
- Taking further steps to prevent hate speech, particularly by politicians, government officials, or the media.
- Granting women, victims of forced sterilization, the compensation approved by the law and eliminate the obstacles that prevent this
- Making additional efforts to respect the rights of all national minorities in practice.

³³ Page 4, <https://bit.ly/3WkShNd>

³⁴ <https://bit.ly/3GPqPkX>