



HAUT-COMMISSARIAT AUX DROITS DE L'HOMME • OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS

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Excellency,

I wish to inform you that the Committee on the Elimination of Racial Discrimination, during its 106th session, considered the follow-up report submitted by the Government of the Czech Republic, pursuant to article 9 (1) of the Convention and rule 65 (1) of the Rules of Procedure of the Committee.

The Committee welcomes the submission of the report, in response to its request to receive information within one year, on the implementation of the recommendations contained in paragraphs 10, 16 (b) and 20 of the concluding observations (CERD/C/CZE/CO/12-13), adopted following the consideration of the State party's combined 12th and 13th periodic reports, at its 99th session, held in August 2019.

The Committee appreciates the opportunity provided to continue its dialogue with the State party and would like to draw the State party's attention to the observations mentioned below. The Committee requests that comments and responses on actions taken by the State party on these issues be included in its combined 14th and 15th periodic reports, which was due for submission in a single document on 24 March 2022.

Paragraph 10 of the Concluding Observations

The Committee notes that a study has been conducted by the State party on the establishment of a National Human Rights Institution in line with the Paris Principles, and that the State party intends to implement one of the two possible solutions offered by that study, namely, to either extend and adapt the mandate of the Public Defender of Rights, or to create a new National Human Rights Institution. The Committee recommends that the State party expedite the process of implementing one of the two options and requests it to provide, in its next periodic report, details on the solution opted for and on its implementation, including on how it will ensure that the new institution, or the Public Defender of Rights under its new mandate, is in line with the

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Paris Principles, whether it can represent victims of racial discrimination in court, and on measures taken to facilitate its accreditation by the Subcommittee on Accreditation. The Committee considers the answer to this recommendation unsatisfactory.

Paragraph 16 (b) of the Concluding Observations

The Committee welcomes that the Constitutional Court of the State party has decided that the regulation on benefit-free zones is an unconstitutional limitation of the right to assistance in need, and that the regulation will be abolished, following the publication of the decision in the Collection of Laws. The Committee invites the State party to include in its next periodic report, information on the concrete implementation of the Court's decision and its results. The Committee considers the answer to this recommendation satisfactory.

Paragraph 20 of the Concluding Observations

While the Committee notes the Special Act adopted by the Parliament in the State party on the provision of granting a lump sum to Roma sterilized in violation of the law, it is concerned that there is a limit of three years after the entry into force of the Act to fill out a claim. The Committee is concerned about the adequacy of such a compensation and its proportionality to the harm suffered by the victims and requests the State party to provide information, in its next periodic report, on measures taken to raise awareness among and support for Roma victims of forced sterilization to claim such a compensation. While noting the information provided by the State party previously, the Committee regrets the lack of measures taken to extend the statute of limitations for bringing legal claims in cases of forced sterilization. It reiterates its recommendation to the State party to ensure that all cases of forced sterilization are investigated and those responsible are prosecuted and, if convicted, punished with penalties commensurate to the offences. The Committee considers the answer to this recommendation partially satisfactory.

Rest assured, Excellency, that the Committee looks forward to continuing its constructive dialogue with the Government of the Czech Republic, with a view to providing it with assistance in its efforts to ensure the effective implementation of the Convention.

Please accept, Excellency, the assurances of my highest consideration.

Yours sincerely,



Verene Shepherd
Chair

Committee on the Elimination of Racial Discrimination