

CZECH REPUBLIC

IMPLEMENTATION OF THE BEIJING PLATFORM FOR ACTION (1995) AND THE OUTCOME OF TWENTY-THIRD SPECIAL SESSION OF THE UNITED NATIONS GENERAL ASSEMBLY (2000) QUESTIONNAIRE FOR THE CZECH REPUBLIC

July 2004

Extract from the national action plan “Government priorities and procedures for the enforcement of the equality of men and women” - the national action plan was approved by the Government resolution No. 453 of 12 May 2004

Part One: Overview of achievements and challenges in promoting gender equality and women's empowerment

In the period following the Fourth World Conference on Women in Beijing the Czech Republic was concerned with developing policies for gender equality and empowerment of women. The Government adopted an action plan to support the implementation of the Beijing Declaration and Platform for Action (1995) and mechanisms were put in place to monitor achievement of goals set out in these documents.

Although the legal system of the Czech Republic ensures equality between men and women, it is not being fully implemented in practice. A persistent problem is the stereotype in the attitude of the Czech society to the role of men and women (gender stereotype).

National Action Plan (hereinafter NAP) for enforcement of gender equality – “Government priorities and procedures for the enforcement of the equality of men and women” (Priority a postupy vlady pri prosazovani rovnosti muzu a zen) was approved by the government in 1998. This document contains 40 measures that are assessed and up-dated every year by the government with respect to current society needs.

Since 2002 each ministry has established the gender focal point for issues of equal opportunities for men and women. The national coordinator of gender equality policy is Ministry of Labour and Social Affairs.

Government Council for Equal Opportunities for Men and Women as the Government's advisory body became operational in 2002. The intent of this governmental initiative was to help to eliminate shortcomings of an institutional character for the formulation and promotion of the policy and to create a platform for setting basic conceptual directions of this policy at the level of society as a whole. In addition to representatives of the executive at the level of deputy ministers the members of the Council are representatives of social partners and nongovernmental organizations.

NAP in the Czech Republic, as a follow-up to Beijing Platform for Action, was approved by Resolution No 236/1998 of 8 April 1998 by the Government as the fundamental programme document with a view to improving the status of women in the Czech Republic within the horizon of 10 years. It covers priorities, strategic goals and steps (measures for the solution), which should be implemented by the Government of the Czech Republic through the Government-authorized subjects, with a view to creating such conditions which would facilitate development and non-discrimination of both women and men.

NAP is in use and periodically up-dated. Each ministry develops tasks from NAP and apply them on its own conditions. The fulfilment of concrete tasks is annually monitored and evaluated. Ministry of Labour and Social Affairs as the coordinator draws up the annual report.

The documents of the UN Millennium Declaration and the Millennium Development Goals have been integrated into relevant sectoral programme documents.

Despite relatively good results, there is still much to be done in the Czech Republic. Affirmative actions and bold legislation are needed to overcome inherent prejudices and outright sexism. The high priority given to gender issues in the EU further enhances national activities in this field. At the same time higher male mortality and morbidity rates, suggest that gender issues in Czech Republic may not only occur women.

The Convention on the Elimination of all Forms of Discrimination against Women has affected national legislation and implementation of gender equality in following items.

The period 1999 – 2000 saw the amendment of several legal regulations and the adoption of new legal regulations on the matter of equality for men and women. These are chiefly:

- The Employment Act (No. 1/1991 of Coll.)
- The Labour Code (Act No. 65/1965 of Coll.)
- The Wages Law, on rewards for labour disposability and on the average wage (No. 1/1992 of Coll.)
- The Law on Remuneration and rewarding for labour disposability in budgetary organisations and in some other organisations and bodies (No. 143/1992 of Coll.).
- Civil Judicial Order (Act No. 99/1963 of Coll).

In the period 2001-2003 there are chiefly:

- The amendment to the Act on Employment (No. 9/1991 Coll.), which contains a prohibition on sexual discrimination in the enforcement of employment rights
- The Act on Civil Servants of Self-Governing Local Authorities (No. 312/2002 Coll.), which provided a legal framework for the implementation of so-called positive action
- The amendment to the Labour Code (No. 65/1965 Coll.), which prohibits direct and indirect discrimination on a number of grounds, including a person's sex, the prohibition on harassment and sexual harassment defines terms relating to discrimination and provides a closer definition of sexual harassment in the workplace. It also stipulates that in cases where rights and obligations relating to equal treatment for men and women are violated, or discrimination occurs, as a part of labour relations, the employee is entitled to demand that the violation is ceased, that the consequences of the violation be remedied and that he or she receives reasonable compensation. The amendment also introduced a provision for parental leave
- The amendment to the Act on Professional Soldiers (No. 221/1999 Coll.) contains the obligation of service bodies to ensure equal access and equal treatment for all potential recruits and for all soldiers when formulating conditions for the performance of service
- The Service Act (No. 218/2002 Coll.) contains the principle of equal treatment for all civil servants concerning the conditions of the performance of the service, remuneration and other financial payments, education and the opportunity to achieve promotion in the service
- The amendment to the Act on Wages, remuneration for work stand-by and average earnings (No. 217/2000 Coll.) contains the principle of the equal wage for the same work or for work of the equal value
- The amendment to the Civil Procedure Code (Act No. 99/1963 Coll.) contains the principle of shifting the burden of proof in labour matters concerning sexual discrimination
- The amendment to the Code of Criminal Procedure (Act No. 265/2001 Coll.) regulates the specific conditions of the injured party's consent or non-consent to criminal prosecution

- The Act on the Service of Members of the Security Corps (No. 361/2003 Coll.) prohibits discrimination in the service, defines discrimination-related terms and establishes the right to demand judicial protection in the event of discrimination.

1. Legislation:

An amendment to the Civil Procedure Code entered into force as of 1 January 2003. The amendment provides for the right of legal entities which have a legitimate interest in ensuring that the non-discrimination principle is complied with to represent a party to proceedings in any judicial procedure concerning non-discrimination issues.

The Act on Civil Servants of Self-Governing Local Authorities entered into force as of 1 January 2003. Article 38 thereof is a legal basis for positive actions in staff recruitment and promotion (with a view of ensuring full equality in practice between women and men) in the area of local and regional self-government.

The Ministry of Labour and Social Affairs, Employment Services Administration issued Methodical Instruction No. 9/2002 on Administrative Supervision of Adherence to Labour Regulations on Equal Opportunities. This methodical instruction includes the requirement to focus the supervision of adherence to labour regulations on adherence to the relevant provisions prohibiting discrimination on the grounds of sex, including the principle of equal pay.

2. Non-legislative measures:

In May 2004, the Czech Government evaluated and approved the sixth Summary Report on the Fulfilment of the “Government Priorities and Procedures for the Enforcement of the Equality between Men and Women“ and updated measures contained therein (Government Resolution No. 453 of 12 May 2004).

Newly appointed members of the Government Council for Equal Opportunities for Women and Men (after the Parliamentary elections in 2002) held the initial meeting in December 2002. The Government Council has met seven times since then.

The Czech Republic entered into the European Community Programme “Framework Strategy on Gender Equality (2001 – 2005)” in December 2002.

A long-term project (30 months) aimed at the reconciliation of family and working life, realized within the European Community Initiative EQUAL, started in November 2002.

A twinning project “Improvement of the Public Institutional Mechanism for Applying, Enforcing and Monitoring Equal Treatment for Men and Women” started in August 2002 and ended in July 2003 (programme Phare EU).

Government Resolution No 456 of 9 May 2001 ordered all departments to create from 1 January 2002 one vacancy, at least half-time, for an employee (gender focal point), who would dedicate all time in his or her work to equal opportunities for men and women.

A very important part in the promotion of equality between men and women is also played by nongovernmental organizations. They cover areas beyond the competence of state administration, intervene where there is no suitable legislation, addressing this issue.

The Government of the Czech Republic assigned to the Ministry of Finance following the recommendation of Government Council for Equal Opportunities for Men and Women to work out the informative methodology how to proceed in a budgeting at national, regional and local levels to achieving gender equality and empowerment of women (gender budgeting).

There were major public discussions on gender perspectives and concerns of women in this areas:

- state grant policy
- methodology of gender budgeting
- reform of the election system
- gender statistics
- domestic violence

The antidiscriminatory law is currently prepared. There are debates on vertical and horizontal segregation and gender pay gaps.

Major gender issues debated in the Czech Republic:

- Promotion of the principle of equality between men and women as part of Government policy
- Legal support for equality between men and women and raising legal awareness
- Promoting equal opportunities for men and women in access to economic activities
- Balancing social position of men and women caring for children and family members in need
- Suppression of violence directed at women

Part Two : Progress in implementation of the critical areas of concern of the Beijing Platform for Action and the further initiatives and actions identified in the twenty-third special session of the General Assembly

The Czech Republic can give following examples of successful actions, legislative changes, programmes and projects in the area of equal opportunities:

1. Promoting the principle of equality for men and women as a part of government policy

The Czech Republic annually monitors shifts in public opinion on equal opportunities for men and women by means of research into public opinion performed on the Ministry's behalf by the Taylor Nelson Sofres Factum agency. Since 2002, a representative sample of the Czech population has been asked the same questions on gender equality, and the resulting differences in the public's views on this subject are evaluated. In comparison to 2002 it was found that in 2003 men were more likely to consider the situation in obtaining appropriate work and remuneration as unfavourable for women. At the same time, however, there was a fall in the degree of clear agreement with all monitored principles of equal opportunities. The decline is more marked among women, who may thus be described in 2003 as being more reserved on the matter of equal opportunities than in the previous year. The research results should be seen in a wider context of events in the whole of society - for example, the research was performed at a time when topics discussed in the media may have been perceived negatively by women and were also ascribed to equal opportunities policies (e.g. the same retirement age for women). The research will be repeated in 2004 and should show whether this was an isolated fluctuation in public opinion or a new trend.

An area that has substantial influence on forming preconceptions of men's and women's roles and thus on gender stereotypes is that of the media and advertising. In order to study the media's influence on public opinion in greater depth, the Ministry of Labour and Social Affairs, as a part of its grant policy, ordered a research project entitled Women's image in the media and advertising and its effect on public opinion on equality for men and women. The research was again performed by Taylor Nelson Sofres Factum, which won a selection procedure for the order.

Among other things, the research found that in the media environment as a whole are women generally responsible for developing women's image themselves. The image is more positive than that held by public opinion. Male media workers also tend to present women in a more favourable light than the male section of the population. This may not entirely be at variance with reality. The fact that men occupy most decision-making public functions means that they find themselves far more frequently in situations of conflict, which are also reflected by the media. In this respect, women are somewhat in the shadows. This does not, however, apply to women who have decided to play an active role in public and political life. In general terms, both in the media and in society women are still presented in their traditional roles and activities, which may be regarded as sexual relations, childbearing and child rearing, caring for the family, caring for the home etc. Both female and male media workers resort to this stereotype, although a certain sympathy is evident in the media towards women's attempts at emancipation.

Traditional female roles and qualities are also employed by advertising to attract the attention of the target group for which they are intended. For advertising, women are a relatively pliable material, and advertising agencies sometimes abuse this.

The majority of the public are interested in questions of women's status in our society, although not deeply so. The question of women's equality is regarded as chiefly a women's problem in which men play rather a passive role. There is, nevertheless, a general conviction that absolute equality between the sexes should exist in society.

As the preceding sentences make clear, the fundamental problem in Czech society is the clinging to traditional gender stereotypes, which often extends to the labour-legal sphere, and thereby creates the conditions for discriminatory behaviour by employees on the labour market.

A fundamental breakthrough in the gender awareness of all participants has been achieved, and compliance with the principle of equality in the selection of women for managerial positions shows that progress is being made. The selection of appropriate female candidates for positions and managerial roles inside the Ministries is thus governed by general rules of selection procedures, with emphasis on the principle of equal opportunities. Its results fully correspond to the qualification requirements, experience and other specifications for the relevant work positions

2. Legal guarantees for equality for men and women and greater level of legal awareness

Between 1998 and 2000, in conformity with international undertakings (CEDAW) and preparation for future membership of the European Union, the Czech Republic adopted a series of important measures in the field of labour law to combat discrimination. Although the basic legal framework had already been established between 1998 and 2000, work continued subsequently to improve it. In 2003, several legal regulations were amended and new legal regulations were adopted that relate to the question of equality for men and women.

In March 2003, the Government submitted a bill to the Chamber of Deputies that would amend Act No. 65/1965 Coll., the Labour Code, as amended, and Act No. 312/2002 Coll., the Act on Civil Servants of Self-Governing Local Authorities and on the Amendment of Other Acts. The bill introduces major changes and additions in offering protection against discrimination on a variety of grounds (including sex); it transposes into Czech law the most recent anti-discrimination directives from the European Community, i.e. Council directive 2000/43/EU, implementing the principle of equal treatment for persons regardless of their racial or ethnic origin, Council directive 2000/78/EU, stipulating a general framework for equal treatment in employment and professions, and the European Parliament and Council directive 2002/73/EU, amending Council directive 76/207/EEC on the introduction of the principle of equal treatment for men and women concerning access to employment, specialist training and promotion in employment and concerning work conditions.

The Act contains a definition of the following terms: direct and indirect discrimination, harassment and sexual harassment. Harassment on grounds of sex, sexual orientation, racial or ethnic origin, disability, age, religion or faith and sexual harassment are considered forms of

discrimination. Discrimination on grounds of pregnancy or maternity is considered to be sex discrimination. Discrimination also covers conduct that incites, instigates or produces pressure leading to discrimination. The bill also newly regulates an employee's individual legal entitlements in labour-law relations where there is a violation of rights and obligations concerning equal treatment or discrimination on any of the grounds stated in Section 1 (4) of the Labour Code. The employee affected is entitled to demand that the violation cease, that the consequences of such violation be remedied and that he/she receive adequate satisfaction. If such employee's dignity or reputation at the workplace is substantially harmed and no adequate remedy found as described above, the employee may claim monetary compensation for this non-material detriment, the amount to be decided by a court, which will take into account the gravity of the loss and the circumstances under which the violation of rights and obligations occurred. The previous legal regulation only afforded these rights in the event of a violation of rights and obligations relating to equal treatment for men and women.

The Act establishes the legal framework for the adoption of so-called positive action. It states that „discrimination does not include temporary measures on the part of the employer that are designed to ensure that, in recruiting employees into a labour-law relationship, expert training and the opportunity to obtain a functional or other position in employment, there is equal representation of men and women where grounds for such measure exist in the unequal representation of men and women at the employer. The employer's procedure may not, however, disadvantage an employee of the opposite sex whose qualities are higher than the qualities of employees recruited at the same time into a labour-law relationship.“ The bill requires an employer to inform employees of any measures it might take to ensure equal treatment and to prevent discrimination. The law came into force on 1 March 2004.

Legal protection against domestic violence will fall under the Senate's proposed amendment to the Code of Criminal Procedure submitted to the Chamber of Deputies in April 2003. The original Senate draft introduced new case merits for an offence according to Section 215a “maltreatment of a person living in shared accommodation“. Amendments to the proposal were submitted which modified the original wording. As of 10 December 2003, the Chamber of Deputies approved the Senate's proposal in the wording of the amendments. The law came into force on 1 June 2004.

In June 2003, the Government submitted to the Chamber of Deputies a draft amendment to Act No. 117/1995 Coll., on state social support, as amended. The amendment to the Act on state social support was approved by Parliament and came into force 1 January 2004. The amendment, Act No. 453/2003 Coll., which amends Act No. 117/1995 Coll., on state social support, as amended, and certain other acts, introduces an important change concerning the parental contribution. A parent who fulfils the legally-prescribed conditions (to personally, daily and properly care for at least one child up to the age of four, or seven if the child suffers from long-term disability or long-term severe disability) may draw the parental contribution while he/she is in gainful employment, and shall still be entitled to the parental contribution regardless of the size of his/her earnings. The legislation expands the possibility of the beneficiary of a parental contribution to improve his/her family's living standard; in particular it will improve the financial situation of young families and enables them better to combine work and parental obligations.

In November 2003, the Government submitted to the Chamber of Deputies a draft for a new Act on employment (due to come into effect on the first day of the second month following its publication). The bill retains all that is positive and workable from the current employment acts and transposes the requirements of the latest legal regulations from the European Union with regard to anti-discrimination, i.e. Council Directive 2000/43/EU, which implements the principle of equal treatment between persons, irrespective of their racial or ethnic origin, Council directive 2000/78/EU, which stipulates the general framework for equal treatment in employment and professions, and European Parliament and Council directive 2002/73/EU, which amends Council directive 76/207/EEC on the introduction of the principle of equal treatment for men and women with regard to employment, specialist training and promotion in employment, and with regard to work conditions.

The proposed employment act for the first time expressly defines the terms: direct and indirect discrimination, harassment, sexual harassment. Harassment on grounds of sex, sexual orientation, racial or ethnic origin, disability, age, religion or faith and sexual harassment is regarded as discrimination. Discrimination also covers conduct that incites, instigates or produces pressure leading to discrimination. Discrimination on grounds of pregnancy or maternity is regarded as discrimination on grounds of sex.

The proposed employment act established the legal basis by which to apply so-called positive action, i.e. measures that are designed to prevent or correct disadvantages that stem from a natural person's membership of a discriminated group, with the aim of ensuring equal treatment in practise. The act also for the first time regulates the person's individual legal entitlements in the event of a violation of rights and obligations with regard to equal treatment or discrimination. The person affected is entitled to demand that the violation cease, that the consequences of such violation be remedied and that he/she receive adequate satisfaction. Should the employee's dignity or reputation have been seriously compromised in the workplace and no adequate remedy found as described above, the employee is entitled to financial compensation for non-material loss, the amount to be decided by a court, which will take into account the gravity of the loss and the circumstances under which the violation of rights and obligations occurred. The law came into effect on 1 October 2004.

3. Guaranteeing equal opportunities for men and women in access to economic activity

Women's situation on the labour market has remained unchanged for many years. The Czech labour market is marked by the high level of female employment on the one hand, and on the other by discrimination against women on the part of employers, with women taking the majority of poorly-paid jobs with poor conditions.

It is not, however, wholly the case that women are compelled to work by financial necessity, even if the average Czech family would not be able to get by without a double income. Research into public opinion on women's status on the labour market, performed by the Institute of Sociology of the Academy of Science for the Ministry of Labour and Social Affairs, has shown that for most Czech women work is the second most important life value, and that women place the same degree of

importance on work as do men. 85 % of men and 83 % of women consider work to be important in their lives.

Other findings from the research:

- For women, work chiefly represents the means to finance family, household and their independence, and as security against illness and old age. It is also very important that the work is interesting and important. The feeling of routine is last among the reasons for working.
- Three quarters of the Czech population are of the opinion that women are disadvantaged on the labour market in comparison with men.
- Women with children in pre-school age, older women and women following maternity leave form three out of five of the most frequently disadvantaged groups on the labour market.
- The Czech population considers the biggest inequality between men and women on the labour market to lie in chances of promotion. Only one-third of the population thinks that women have the same opportunities for promotion as men.
- In addition to the burden of caring for children and the household, people see the main reasons for women's unequal status on the labour market as lying in the structure of the labour market and the policy of employers to favour men, who dominate in work.
- 40% of women have experienced discrimination in employment; about half of them on grounds of gender.

The greatest problems are experienced by women and men with children in pre-school age, who are forced to seek other than individual or internal family strategies in order to harmonise family and work obligations.

The most successful strategy for harmonising work and family is the efficient division of work and care between partners. Particularly with children of pre-school age, women and men have problems combining family duties. Although Czech employers offer some, if limited, possibilities for more flexible work organisation, we find an important difference between the women and men who use these possibilities. Paradoxically, the options used by men, who generally do not take the main responsibility for caring for the household and children, are rather of an autonomous character – flexible working time and the possibility to work from home. Conversely, possibilities used by women tend to depend on a personal agreement with fellow employees or the employer, and therefore offer less independence.

There is much demand on the labour market for family-friendly forms of employment, demand that significantly exceeds supply. Such measures, which Czech employees fail to supply in sufficient number, would be chiefly welcomed by those who are unable to harmonize work and family by agreement between partners. This form of partner agreement, however, often copies the gender contract and means the woman taking over all the work in the household and care for children as a way of enabling the man to meet the demands of his work.

A large proportion of women and men are interested in having free working time, the chance of working from home, or working part-time. Women who reappear on employment offices'

records after a break for maternity/parental leave receive greater attention, with a range of special activities on offer (e.g. renewing qualifications, adaptation and motivation courses etc.).

As a rule, general supervision of compliance with labour-law regulations checks that employers do not violate the prohibition on discrimination (on all grounds). At present, there are no statistical records for supervision of sex discrimination (including its consequences), although the number of proven cases of discrimination is low due to the continuing difficulties in clearly proving discriminatory behaviour. Written documentation is absent concerning recruitment, and employers often justify their rejection of applicants on the grounds that the person does not meet the expert or other requirements for the relevant profession.

4. Equalising the social status of women and men caring for children and dependent family members

As part of its grant policy, it was asked the Institute of Sociology of the Academy of Sciences of the Czech Republic to carry out sociological research with the title Supporting men's use of parental leave. The aim of the research was to identify men's views on the option of caring for a child up to the age of four and to find whether and how the public's views have changed on men's use of parental leave, or the possibility of men alternating child-care duties with their wife/partner. To specify the major positive and negative factors that influence whether men take or do not take parental leave. The findings will be used to recommend a measure for the support of men's use of parental leave.

In a wider context, the research analysed the status of men and women in the Czech family, and its results show that: in child-rearing the mother often occupies the dominant position, despite it becoming increasingly normal for both parents to play an equal role in child-rearing. The mother's role is still strongly perceived by the whole population as the role of carer. Women themselves thus perceive the significance of the role and adhere to it. The man is then seen chiefly as the provider, even if a large part of the population is willing to admit that men are capable of caring for a small child. Nevertheless, the population's views on parental roles differ markedly according to age and education. The categories of married people and people living with a partner are more willing to acknowledge father's role as carer than other categories. Their opinion is either supported by experience or reflects the desire for a change.

One of the measures recommended by the research is to promote a model of fatherly behaviour – a model of shared parenthood, together with a model for the equal division of work in the home. However, because the private sphere is connected to the public sphere, a change in one sphere should bring (or accelerate) a change in the other sphere. In order to speed up the “effect of the change“, the campaign for shared parenting should therefore be “closely“ managed and should not focus only on the sphere of the family and the home, but should form part of a “wider“ campaign for equal opportunities for both sexes, i.e. for equal opportunities not only in the family but also in the labour market, as this plays a large role in helping to create barriers for women in the public sphere and for men in the private sphere. The model's propagation should be handled “sensitively“ – without distorting information, and by not pressing certain aspects or, alternatively, emphasising others.

It is also recommended that a campaign be held to influence male identity, or to form those qualities in men that relate to caring for others. Logically, the campaign should be supported by a campaign for a “new woman“. She should be willing to “hand over“ part of her role as mother to the father; she should be willing and able to support him and trust him in his new role.

We arrive at the ideal model, where a man and/or a woman use flexible forms of employment (e.g. flexible working hours, reduced working hours, work from home, including by connection to the employer’s computer network, shared employment and child-care and housework shared between the sexes).

This simple model could remove a wide range of inequalities on the labour market. For employers it would no longer be only the woman who is a problem employee (having to care for children) as men’s parental obligations would also have to be considered.

5. Consideration for women with regard to their reproductive function and physiological differences

Women’s health deserves serious and permanent attention, particularly with regard to their reproductive health. The protection of women’s biological function includes its consideration in formulating appropriate legal conditions for women and health and safety at work. Permanent attention is paid to the protection of women’s health, including pregnant women, particularly at work. The formal legal framework for women’s health care, including pregnant women, is of a high level. The state’s interest currently focuses on formulating the conditions for the implementation health protection at work.

In 2003, projects were supported to improve women’s health, improve women’s eating habits, including those of pregnant women, to support breastfeeding, to encourage good eating habits for children, to optimise physical activities (total of 21 projects) and projects to prevent cardiovascular illnesses and cancer (total of 21 projects).

6. Combating violence committed against women

In conformity with Government resolution no. 486 of 15 May 2002 to the Aggregate report on the fulfilment of the Government’s priorities and procedures for the promotion of equality for men and women in 2001, an *ad hoc* working group was set up under the management of the Commissioner for Human Rights which comprised representatives from the Ministry of Labour and Social Affairs, the Ministry of Interior, The Ministry of Education and representatives from non-governmental organizations involved in the question of domestic violence. At the working group’s meeting, which was held in April and May 2003, members decided on the strategy for a campaign within the remit of the available funds and inspired by a campaign on the same subject which had been organised by 11 non-profit organisations from various parts of the Czech Republic involved in the question of domestic violence against women (either through providing direct assistance to victims of violence or in prevention and raising awareness).

The group concluded that the campaign would focus on prevention among young people aged between 15 and 25. The fundamental appeal to this age group, in which the first partner relations

are formed, was to say a resounding NO to the first signs of domestic violence. The campaign was designed to provide young people with the basic facts concerning domestic violence and to teach them how to recognise signs at an early stage of a relationship. The campaign also attempted to show them that a relationship in which one of the partners has a tendency towards domestic violence should be ended as quickly as possible.

Given the age of the target group, the campaign also employed a less traditional element – a computer game in which young people could experience domestic violence in virtual form and learn how to react appropriately in such a situation.

The media part of the campaign included:

- information brochure (folder)
- information brochures placed in transport outlets throughout the Czech Republic
- radio ad broadcast on local radio stations throughout the Czech Republic
- cinema ad (information ad and resonant slides) shown throughout the Czech Republic
- banners
- “boomerang“ cards
- game placed in CD supplements to computer game magazines
- information ad broadcast on music TV station
- website www.domacinasili.cz
- game placed on game portal websites

Non-governmental, non-profit organisations play a major role in helping victims of domestic violence.

The White Circle of Safety has a very interesting project entitled "Interdisciplinary approach to solving cases of domestic violence in Ostrava". The project is based on cooperation between government, self-administration and non-governmental organisations: the national and metropolitan police forces, the municipal departments for the socio-legal protection of children, municipal crime prevention departments, marriage advice centres, children and family crisis centre, the district authorities' misdemeanours department, the social department of teaching hospitals, GPs and charity asylum houses for mothers with children.

The project focuses on the quality of initial contact with victims of domestic violence or cases of domestic violence. Each sign will be dealt with by the relevant specialist or in conjunction with a team. Priority is given to the early identification of domestic violence, either by the victim or a third party.

In 2003, the information and advice centre for victims of domestic violence – ROSA – compiled a manual for mayors, social workers and universities on how asylum houses function for women who are victims of domestic violence. ROSA also prepared a script for medical officers and police officers on handling women who are victims of domestic violence.

Under the AdvoCats for women project, the ProFem organisation provides free legal aid for women victims of domestic violence. The project includes the Legal aid fund for women victims of

(domestic) violence, which is used to provide financial aid to women during proceedings, whether these are criminal or civil.

The ProFem organization issued the publication "Domestic violence in Czech law and from women's perspective". The publication is intended for the specialist and interested public. It offers a wider view of the subject from a criminological and gender perspective, as well as from the victim's perspective. It charts the current legal status in the Czech Republic, including the first legislative measures, presents "*de lege ferenda*" perspectives and possibilities of further legislation in comparison with the legal approaches of other countries and international documents.

Other organisations offering help to victims of domestic violence include Women in Need, Women Without Violence, South Bohemian Rose – Crisis Centre for Mothers and Children, Bridge to Life in Trutnov, the Elpis advice centre and others.

The La Strada organisation focuses on preventing trafficking with women, supporting victims of trafficking with women, influencing legislation and informing the public on this problem. In March 2003, the organisation launched the project entitled Human rights in practice – prevention of trafficking with women in the Roma community. The project is conducted in Ostrava, Teplice and Prague and its goal is to strengthen the legal awareness of Roma women and children, expand their possibilities so that they can defend their rights, to map the situation regarding human trafficking in the Roma community, improve awareness of human trafficking, prevent trafficking with women, train contact people to provide information on risks and possibilities of assistance in the Roma community, and to provide social services to potential victims of trafficking with women. The project was completed in March 2004.

7. Monitoring and assessment of activities to implement the principle of equal status for men and women

The principle of equality for men and women is monitored as a part of the supervision of adherence to human rights, which is conducted by all the ministries. The government regularly assesses fulfilment of „Government priorities and procedures for the promotion of equality for men and women“. The assessment approved by Government is available for everyone on the Ministry of Labour website as the Aggregate report on the fulfilment of “*Government priorities and procedures for the promotion of equality for men and women.*”

Part Three: Institutional Development

The attention of the Government of the Czech Republic devoted to the issues of gender equality may be seen also from the status of the Government bodies and the importance of documents, dealing with these issues. The following institutions have dealt with women's issues and equal opportunities between women and men in the Czech Republic:

- Ministry of Labour and Social Affairs – unit for equality for women and men
- Gender focal points at all Ministries
- Government Council for Equal Opportunities for Men and Women
- Permanent commission for family and equal opportunities by Chamber of Deputies
- Non-governmental, non-profit organisations
- Social partners

Ministry of Labour and Social Affairs – Unit for Equality for Women and Men

As a result of the Beijing Platform for Action (1995) from the second half of 1997 the attitude of the Government changed to a systematic approach concerning its responsibility for the position of women in the society. This approach resulted in the specific determination of the formal responsibility of the co-ordination of this policy. At the beginning of 1998 charged with this co-ordination role was the Minister of Labour and Social Affairs. At the same time all the ministries were asked to cooperate with the NGO's of women. The Minister of Labour and Social Affairs was also asked to elaborate a specific programme for the given policy spheres. As a result of the above decisions, a Unit of equality of men and women was established at the Ministry of Labour and Social Affairs on February 1, 1998.

The Unit for Equality for Women and Men prepares proposals on National Action Plan. It further evaluates adopted measures and monitors effectiveness of provisions adopted in order to apply the principle of equal treatment of men and women and assesses the development of equal opportunities agenda. The Unit also cooperates with governmental institutions, social partners, non-governmental organizations, international organizations, foreign non-governmental organizations, research and statistical organizations.

Gender focal points

Government resolution no. 456 of 9 May 2001 required all ministries by 1 January 2002 to set up a work position (minimum 50 % time) for an employee (so-called "gender focal point") who would fully administer the agenda of equal opportunities for men and women. The gender focal points specify the NAP and apply the agenda in accordance with the conditions corresponding to each department.

Following thorough training in their first year, the authorised employees from all ministries have accustomed themselves to the job and some of them are developing independent initiatives.

The Government Council for Equal Opportunities for Women and Men is a permanent advisory body of the Government in the area of creating equal opportunities for men and women. The Council was established by government Resolution No. 1033 of 10 October 2001. Ms. Anna

Curdova, member of the Parliament was appointed chairperson by Government Resolution No. 1095 of November 6, 2002.

The Council draws up proposals aiming at the promotion and achievement of equal opportunities for men and women.

The Council shall, in particular:

- a. To discuss and recommend to the Government basic policies in implementing equal opportunities for men and women,
- b. To coordinate main directions of ministerial policies in the field of equal opportunities for men and women,
- c. To set the range of priorities for ministerial projects to promote the implementation of equal opportunities for men and women,
- d. To identify current problems of society related to equal opportunities for men and women,
- e. To evaluate the efficiency of the implementation of the principle of equality between men and women.

The Council sessions are held when necessary, but at least three times a year.

For example in 2003, the Government Council for Equal Opportunities for Men and Women submitted several recommendations to the Government:

- To require the Ministry of Finance to prepare a methodological aid (information material) on budgeting procedures with regard to equality for men and women (gender budgeting). Under Government resolution no. 896 of 10 September 2003, the Ministry of Finance was required so to do and a group was set up by the Ministry of Finance with the task of developing the aforementioned methodology by 30 June 2004,
- To require the Ministry of the Interior to prepare a material draft for an election act that would provide the legal mechanisms for the equal representation of women and men in elected representative bodies,
- To add the issues - working life, political life, violence against women, the gender question in society (general perception), roles and stereotypes for both sexes and the gender question in the Roma community to the annex to Government resolution no. 597 of 18 June 2003 – main area of state grants policy for non-governmental, non profit organisations for 2004 “supporting equal opportunities for men and women“, the paragraph on NGOs whose development will be supported by bodies of state administration,
- Recommendation for draft legislation on protection against domestic violence,
- Recommendation that the Government Agenda and Government Legislative Rules also include a requirement for all material forming the subject matter of the Government’s agenda to contain male/female classification in statistics and other data on natural persons (gender statistic).

Permanent commission for family and equal opportunities was established in July 2002. The Committee works in Chamber of Deputies of the Czech Republic and deal with family problems, equal opportunities for women and men and discussion among the Parliaments of EU.

Non-governmental, non-profit organisations are generally the first to be able to identify a problem in society and propose the means for its solution. They play a very important role in charitable and social activity and work with specific women from a wide variety of groups (victims of domestic violence or trafficking with women, mothers who are sole providers, courses for mothers during and after maternity/parental leave); they also perform important educational and cultural activities (both for the general public, particularly in media activities, and for specific target groups – e.g. journalists, politicians of all levels, state administration officials, representatives from various NGOs and private companies). Representatives of women’s NGOs also frequently appear in the media and publish articles on a wide range of themes relating to this question. By doing so they raise public awareness of equal opportunities for men and women.

Social partners

Social partners play an essential role in promoting equality for men and women in the labour market. The Czech-Moravian Confederation of Trade Unions, for example, has for many years addressed the question of equal opportunities at all levels of union work and related education, the systematic promotion of equal opportunities in collective bargaining and close cooperation with regional trade union councils. The Confederation’s Committee for Equality works closely with the Industry and Transport Association of the Czech Republic (employment organisation), particularly on the project “Conditions for harmonising professional and family life – partnership in the family“, which forms part of the EQUAL program (the Industry and Transport Association is not a partner in the program).

Three “round tables“ formed the key part of the project for both social partners. The first, organised by the Industry Association Institute of the Czech Republic, was held in March 2003 on the theme “*New EU trends and institutional structure – aspects for employers.*“ The second was organised in April 2003 by the Czech-Moravian Confederation of Trade Unions under the title “*Social partners and aspects of collective bargaining*“. The third, again organised by the Industry Association Institute, this time in May 2003, focused on presenting the results of a questionnaire survey.

Social partners have also been trained under the twinning project Improvement of the Public Institutional Mechanism for Applying, Enforcing and Monitoring Equal Treatment for Men and Women.

Training focused on the possibilities and methods of creating company employer plans to promote equality for men and women. Representatives of the Swedish company ALSTOM presented an example of such a plan. In its equality plan the company focuses chiefly on:

- the work environment (suitable for men and women),
- the potential for personal and work development (balanced representation of both sexes in all employee categories, the same proportion of women in managerial positions as the proportion of women to the total number of employees, individual plans to raise qualifications of men and women)

- the harmonisation of gainful employment and parenthood (allowing men and women to harmonise parenthood with work, all employees with small children, including managerial employees, will be entitled to part-time work)
- wages (no differences in wages or wage increases according to the individual's gender)
- sexual harassment (no employee will be subjected to sexual harassment).

Part Four: Main challenges and actions to address them

The chief obstacle to promoting the principle of equal treatment is the low level of general public awareness and sensitivity regarding the matter, which is commonly not perceived as a real problem or priority in society. Although recent years have seen a shift, particularly in creating the basic formal legal framework, the problem remains that legally-stipulated rights are not enforced in everyday practice.

The tasks resulting from the Government resolution No. 453 of 12 May 2004:

- As part of its media policy, and with regard to the wide-ranging character of the policy of equal opportunities for men and women, to emphasise this principle and provide information on measures for its implementation in the material competence of each ministry. To integrate concrete measures in media policy in ministries' priorities and procedures for the promotion of equality for men and women.
- Through specific measures to actively support the selection of suitable candidates for positions in government bodies and for managerial positions, both in ministries and administrative bodies and institutions under their control. To adopt concrete measures by which to achieve a balanced representation of men and women in managerial positions and work collectives.
- To promote the principle of equality for men and women at the meetings of the Council for economic and social agreement, particularly in questions of remuneration and working conditions.
- To ensure that, within their competence, individual ministries and administrative authorities cooperate with non-governmental organisations involved in equal opportunities for men and women and continue to seek out and expand such cooperation.
- To use the possibility of participating in activities and programs of international organisations whose aim or one of the declared principles is equality for men and women.
- To launch or continue training activities in the field of human rights with regard to equal opportunities for men and women and to methods designed to achieve gender equality. To ensure that all planning employees and employees with decision-making powers attend such training.
- In the drafting of legal regulations to ensure the inclusion of a provision to eliminate any discrimination in the representation of men and women in their participation in decision-making social activities (positive actions).
- To subordinate planning, decision-making and evaluation procedures in all stages of their preparation and implementation to equality of opportunity for men and women (gender mainstreaming).
- To continue the public debate over the question of equal opportunities for men and women with the aim of informing the Czech public of the state policy on equal opportunities for men and women and its goals.
- As a part of the grants policy to support projects promoting equality for men and women.
- To review on an ongoing basis the legal regulations' conformity with the principle of equal status for men and women in society, or with the relevant requirements of European Community law. Subsequently to cancel, amend or supplement those regulations that are at

variance with this principle. In the drafting of new regulations to consistently ensure the promotion of the aforementioned principle.

- In order to increase women's competitiveness on the labour market to continue to support the offer of training qualifications and staff retraining programs enabling women to find suitable employment, including self-employment. To provide state support for the retraining of citizens, particularly women, who have been economically inactive for reasons of child care. To devote special attention to the specific status of women living in rural areas.
- To focus the supervision of labour-law regulations on compliance with the prohibition on sex discrimination, including compliance with the principle of equal wages for equal work and for work of the same value, and on compliance with the requirement for greater protection of women at work.
- To encourage the individual abilities and interests of both girls and women, boys and men, in preparing for a profession in disciplines that are not considered typical for reasons of gender.
- Through school curricula, teaching and other materials to continue to erase stereotypical, discriminatory perceptions of women's and men's roles in the family, in employment and in society; also to promote the principle of equality for men and women in activities relating to the National Program for the Development of Education in the Czech Republic – the so-called "White Book".
- To support women's access to employment that uses information and communications technology; in particular to increase women's participation in relevant education and training.
- To perform an analysis of teaching systems, text books and teaching aids for elementary schools with regard to who they create and reproduce gender-based stereotypes and prejudices, including the training of future pedagogues and pedagogic employees and further training of pedagogues.
- To continue to implement training programs in the field of equal opportunities for men and women for pedagogues and pedagogic employees, with the aim of providing them with effective procedures for gender-sensitive teaching.
- To continue to train career advisors at employment offices in the matter of equal opportunities for men and women, and to ensure that they apply this in their advisory activities.
- To organise training for education advisors in schools in the matter of equal opportunities for men and women so that they can apply this in their advisory activity.
- To support the creation of an offer of educational qualification and staff retraining programs enabling people, specifically women living in rural areas, to find suitable employment, including self-employment and business.
- To ensure that personal care of children and dependent family members is considered when stipulating the conditions and size of entitlements to social benefits, social insurance, unemployment benefit etc.; also to ensure that such consideration is consistently directed at citizens engaged in care, regardless of their sex.
- Through future legislation on labour relations to enable the creation of variable work regimes that would allow employees caring for children and family members to harmonise work and family obligations.
- Within their legal competence to support specific measures for the establishment and operation of facilities for the care of children and dependent family members; in particular if these supplement or replace care provided by employed citizens.

- To support specific measures to develop the possibility of residence in shelters (i. e. victims of domestic violence) for citizens caring for children in difficult life situations.
- To support specific measures for the creation of apartments by municipalities for persons with special needs, including people at risk, in particular person with children in difficult social situations and victims of domestic violence.
- To continue the methodological management of social workers from authorities involved in the socio-legal protection of children with regard to equal opportunities for both parents in caring for children and with the aim of equalising the unequal status in men in relation to children.
- To help raise women's awareness of possible types of health care during pregnancy, birth and the post-natal period, of their advantages and disadvantages and to support these women's choice of the means, place and provider of health care.
- Using state funds to develop a National Health Program and support projects for health focusing on improving women's reproductive health and the prevention of cardiovascular illnesses and cancer.
- To continue in a public information campaign on the unacceptability of domestic violence and all forms of violence committed against women, and to enable non-governmental organisation to attend the working group set up to fulfil this measure.
- To focus social work on assisting victims of violent crime, on families where children's healthy development and education is at risk. As part of such assistance to support the expansion of the network of asylums for women who have been victims of domestic violence. To support the creation of asylums with confidential addresses and to support women's non-governmental organisations involved in these activities.
- To adopt legislative and other measures to combat domestic violence and provide better protection for its victims; ensuring the inclusion of legislative measures in the recodification of the criminal code.
- To assess the effectiveness of measures to implement the principle of equality and on request to submit them to the Government and to non-governmental organisations that are involved in the status of women and equality for men and women.
- As a part of its grant policy to support research into social phenomena that result in discrimination against women, or threaten their dignity, health or life.