



ombudsman

Public Defender of Rights

File No: 5556/2026/VOP/PPO

Ref. No.: KVOP-45508/2026

Date: 24 August 2026

NHRI Submission to the United Nations Human Rights Committee on the List of Issues Prior to Reporting for the Fifth Periodic Examination of Czechia under the International Covenant on Civil and Political Rights

This submission may be published on the Human Rights Committee's website.

Contents

Introduction	3
Non-discrimination (Articles 2, 14 and 26 of the Covenant)	5
Hate and violence.....	7
Hate speech (Articles 20 and 26 of the Covenant)	7
Preventing and combating domestic and sexualised violence (Articles 2(3), 3, 7, 14 and 24 of the Covenant).....	8
Protection against torture, ill-treatment and restriction of personal freedom (Articles 2, 7, 9, 10, 17, 24 and 26 of the Covenant).....	10
Compensation for unlawful sterilisation (especially of Roma women).....	10
Sterilisation of persons with restricted legal capacity	11
Persistent practice of surgical castration of sexual offenders	12
Involuntary hospitalisation	12
Illegal residential social services	13
Labour exploitation of migrant workers and temporary protection holders.....	14
Protection of groups in a vulnerable position.....	16
Roma (2, 17, 25 and 26 of the Covenant)	16
LGBTIQ+ persons (Articles 2, 7, 16, 17, 23 and 26 of the Covenant)	17
Persons with disabilities (Articles 7, 16, 17, 23, 25 and 26 of the Covenant).....	19
Migrants (Articles 2(3), 14, 16, 24 and 26 of the Covenant).....	21
Gender equality (Articles 2, 3, 7, 17, 23, 24 and 26 of the Covenant)	23
Persistent stereotypes and unequal sharing of care responsibilities	23
Representation of women in decision-making positions in the political, judicial and private sectors.....	24
Access to justice (Articles 2, 14 and 26 of the Covenant)	26
Legal aid	26
Shortage of expert witnesses and poor quality of expert reports in clinical psychology and psychiatry	28
Freedom of expression (Article 19 of the Covenant)	29

Introduction

Since 1 July 2025, the [Public Defender of Rights](#) has acted as a national human rights institution (NHRI). The Defender is independent and impartial and follows the Paris Principles. The Defender is accountable to the Chamber of Deputies, which elected the Defender to the office. The Defender has one elected deputy, who can be authorised to assume some of the Defender's competences. As at the date of submission of this statement, the Defender is not accredited by the Global Alliance of National Human Rights Institutions (GANHRI).

The Public Defender of Rights:

- **monitors and promotes the implementation of fundamental rights and freedoms;**
- verifies the procedure of public authorities;
- protects persons in facilities against ill-treatment by carrying out systematic visits to the facilities;
- provides assistance to victims of discrimination (promotes the right to equal treatment);
- monitors the process of expulsion of foreign nationals from the Czech Republic;
- monitors and promotes protection of the rights of persons with disabilities; and
- provides assistance to EU citizens discriminated against on the grounds of nationality (promotes the right of free movement of EU citizens).

In this statement, the Defender provides the UN Human Rights Committee with **information for the preparation of** a list of issues prior to submitting Czechia's report. The statement is not an exhaustive overview of the state of civil and political rights. It focuses only on selected issues that the Defender and her deputy consider particularly relevant for the 5th monitoring cycle.

The **selection of topics** is based, in particular, on the Committee's previous final recommendations, on developments in legislation and practice since 2020 and on the Defender's findings from inquiries, systematic visits, research and cooperation with civil society. The statement also contains **draft issues** that the Committee could address to the Czech Republic.

Issues focusing on children's rights are not included in this submission. **The Defender of Children's Rights, Martin Beneš**, who operates completely independently of the Public Defender of Rights, addresses these issues separately in his written submission.

Professional, organisational and technical support for the Defender's activities is provided by the Office of the Public Defender of Rights and the Defender of Children's



Rights. If you have any questions regarding this statement, please contact Ms Veronika Bazalová, Head of the Strategy, Methodology and Coordination Department of the Defender's Office, email: veronika.bazalova@ochrance.cz.

Non-discrimination (Articles 2, 14 and 26 of the Covenant)

Despite the Committee's recommendation, the Czech Republic has yet to amend the Anti-Discrimination Act¹ to explicitly cover all protected characteristics under Articles 2 and 26 of the Covenant. The State's arguments on the direct applicability of the Charter of Fundamental Rights and Freedoms do not provide victims with sufficient legal certainty in the practical application of the legal rules. At the same time, the legislation lacks an explicit prohibition of intersectional and associative discrimination. The courts do not fill the gap in the legislation either, as they approach potential intersectional discrimination rather evasively.²

Judicial protection of victims is simultaneously impaired by certain procedural and financial obstacles:

- Inequality in shifting the burden of proof: Section 133a of the Code of Civil Procedure³ does not cover all characteristics and areas. Victims discriminated on the basis of their age, sexual orientation, religion or disability have a worse procedural standing than victims discriminated against on the grounds of their race, ethnic origin or sex if they defend themselves against discrimination in access to education, healthcare, housing, goods and services. The Defender has maintained since 2013 that the burden of proof should be shared in all areas and for all protected characteristics.⁴
- Restrictive award of compensation for intangible damage: With reference to Section 10 of the Anti-Discrimination Act, courts rarely award compensation in money for non-material damage and, even if they do so, they reduce it disproportionately, depriving the decisions of their compensatory and deterrent

1 Act No. 198/2009 Coll., on equal treatment and on the legal remedies for protection against discrimination and on amendment to certain laws (the Anti-Discrimination Act), as amended, available in English at: https://www.ochrance.cz/uploads-import/DISKRIMINACE/pravni_predpisy/Anti-discrimination-Act.pdf.

2 Judgement of the Constitutional Court of 20 November 2024, File No. Pl. ÚS 16/24. The Constitutional Court annulled a part of the Act that placed some female judges at a disadvantage in determining their salary after maternity or parental leave. The rule mainly affected young women who were appointed as judges around the age of 30 and went on maternity or parental leave shortly after their appointment, because this period was not counted towards the three years of active service required for an advancement to a higher pay grade. On the other hand, judges who entered the justice system later, e.g. after longer practice in the legal profession, were not usually disadvantaged by this rule. The Constitutional Court assessed the combined impact of gender and age but refrained from finding intersectional discrimination.

3 Act No. 99/1963 Coll., the Code of Civil Procedure, as amended.

4 Office of the Public Defender of Rights. 2013 Summary Report [online]. Brno: Office of the Public Defender of Rights, 2014 [retrieved on: 2026-08-12]. ISBN 978-80-87949-99-3. Available at: https://www.ochrance.cz/en/dokument/2013/Annual_2013-web-pdfA.pdf.

effect⁵. The Defender has been drawing attention to the need to change this practice since 2018.⁶

- Fee barrier in appellate proceedings: While the fee for filing an anti-discrimination action is CZK 1,000 (€ 41), the fee for an appeal remains disproportionately high (CZK 2,000 (€ 82) or 1% of the requested amount exceeding CZK 200,000 (€ 8,244)). The Defender has long been striving to ensure that the fee for filing an appeal corresponds to the fee for an anti-discrimination action.⁷

Draft issues:

- Please provide administrative or judicial decisions in which the direct applicability of the Charter of Fundamental Rights and Freedoms was successfully invoked in cases of discrimination on grounds set out in the Covenant but missing in the Anti-Discrimination Act.
- Please indicate the specific legislative steps taken by the State to amend the Anti-Discrimination Act and the Code of Civil Procedure in order to explicitly enshrine all discriminatory grounds under Articles 2 and 26 of the Covenant, intersectional and associative discrimination, extend the shared burden of proof to all areas and characteristics, remedy the practice in awarding compensation for intangible damage and remove the fee barrier in appellate proceedings.

5 Office of the Public Defender of Rights. Decision-making of Czech courts in discrimination disputes 2015–2019. Survey conducted by the Public Defender of Rights in 2020 [online]. Brno: Office of the Public Defender of Rights, 2020 [retrieved on: 2026-08-12]. Available at: <https://www.ochrance.cz/uploads-import/ESO/Decision-making%20of%20Czech%20courts%20in%20discrimination%20disputes%202015%E2%80%932019.pdf>.

6 Office of the Public Defender of Rights. 2018 Annual Report [online]. Brno: Office of the Public Defender of Rights, 2019 [retrieved on: 2026-08-12]. ISBN 978-80-7631-014-8. Available at: https://www.ochrance.cz/en/dokument/2018/2018-Annual_Report.pdf.

7 Office of the Public Defender of Rights. 2022 Annual Report [online]. Brno: Office of the Public Defender of Rights, 2023 [retrieved on: 2026-08-12]. ISBN 978-80-7631-087-2. Available at: https://www.ochrance.cz/en/dokument/annual_report_2022/annual_report_2022.pdf.

Hate and violence

Hate speech (Articles 20 and 26 of the Covenant)

The Defender welcomes the fact that an amendment to the Criminal Code, which came into effect in January 2026, unified and extended the scope of protected groups within aggravated (qualified) variants of criminal offences of hate crimes and specified the hate motive as an aggravating circumstance.⁸

However, serious systemic deficiencies persist in practice: since 2022, anti-Ukrainian hatred has dominated among hate motives⁹, anti-Semitic incidents have increased since 2023,¹⁰ and the number of attacks against LGBTIQ+ people and Muslims is also on the rise. Victims significantly underreport attacks¹¹ and the State does not keep sufficient records of hate-motivated infractions.¹²

Election campaigns repeatedly contain elements of incitement to hatred against migrants and minorities. Both the Constitutional Court¹³ and the Supreme Administrative Court¹⁴ have confirmed that Czech electoral law does not contain any graduated and appropriate penalties for hate speech in election campaigns. The only existing procedural tool – annulment of elections – is described by the courts themselves as extreme and mostly unusable, thus creating a systemic gap in legal protection.

A significant part of hate speech takes place online. Although the EU Digital Services Act (DSA) has created a new legal framework, the necessary changes have yet to be made to the Czech legal system and criminal justice authorities face capacity limitations in monitoring hate speech. There is a lack of available information

8 Act No. 270/2025 Coll., amending Act No. 40/2009 Coll., the Criminal Code, Act No. 141/1961 Coll., on criminal court proceedings (Code of Criminal Procedure), and other related laws.

9 [Reports of the Ministry of the Interior of the Czech Republic on Extremism and Hate in the Territory of the Czech Republic for 2020-2025](#); InIUSTITIA. [Hate violence in the Czech Republic after the Russian invasion of Ukraine](#). Prague: InIUSTITIA, 2026.

10 Federation of Jewish Communities in the Czech Republic. [Výroční zpráva o antisemitismu v České republice v roce 2024 \(2024 Annual Report on Anti-Semitism in the Czech Republic\)](#), Prague: Federation of Jewish Communities in the Czech Republic, 2024.

11 See e.g. InIUSTITIA. [Předsudečné násilí z důvodu sexuální orientace a genderové identity \(Hate Violence on Grounds of Sexual Orientation and Gender Identity\)](#). Quarterly report of the Rise Up project for the period from 1 January 2023 to 31 March 2023. Prague: InIUSTITIA, 2023.

12 Ministry of the Interior of the Czech Republic. [2025-2026 Action Plan to Combat Extremism and Hate](#). Prague: Ministry of the Interior of the Czech Republic, 2025.

13 Resolution of the Constitutional Court of 27 November 2018, File No. II. ÚS 3602/18, available at <https://nalus.usoud.cz>.

14 Resolution of the electoral chamber of the Supreme Administrative Court of 31 October 2025, File. No. Vol 28/2025-36, www.nssoud.cz.

regarding regional disparities in the training of authorities. The implementation of the strategic recommendations of the Government Commissioner for Human Rights (2025)¹⁵ has yet to be evaluated.

Draft issue:

- Please provide information on the specific results of implementing the Government Commissioner's 2025 strategic recommendations in the activities of criminal justice authorities; on planned legislative measures to introduce graduated and appropriate remedies and penalties for hate speech in election campaigns; on the status of national implementation of the Digital Services Act (DSA); and on systemic measures to reduce underreporting, maintain statistics on hate-motivated infractions and protect vulnerable groups.

Preventing and combating domestic and sexualised violence (Articles 2(3), 3, 7, 14 and 24 of the Covenant)

Despite repeated recommendations of the Human Rights Committee, serious structural and capacity shortcomings in preventing and combating gender-based, domestic and sexualised violence persist. At the international level, there was a negative shift when the Senate declined to ratify the Istanbul Convention in January 2024, and the Government formally withdrew its consent to its adoption in June 2026.¹⁶

The Defender welcomes the adoption of a legislative act redefining the criminal offence of rape (based on the absence of consent), granting victims the status of particularly vulnerable victims and introducing mandatory three-year training plans for judges.¹⁷ In practice, however, an overly formalist approach persists: there are no mechanisms for monitoring the training of judges and criminal justice authorities and there is a tendency to trivialise serious incidents or impose unduly lenient sentences.

15 Government Commissioner for Human Rights. [Strategic recommendations for addressing the problem of hate violence and hate speech in a comprehensive manner](#). Prague: Office of the Government of the Czech Republic, 2025.

16 Government of the Czech Republic. [Resolution of the Government of the Czech Republic of 15 June 2026, No. 377, repealing and amending selected Government resolutions](#). ODok [online]. Prague: Office of the Government of the Czech Republic, 2026 [retrieved on: 2026-08-12].

17 Act No. 269/2025 Coll., amending Act No. 6/2002 Coll., on courts, judges, lay judges and State administration of the judiciary and on amendment to some other laws (Courts and Judges Act), as amended, and other related laws.

The ECtHR also drew attention to the criminal justice authorities' failure to conduct a prompt and thorough investigation of sexual abuse.¹⁸

Critical under-resourcing of specialised services remains a major obstacle to the effective protection of victims' rights. NGOs providing assistance to victims face unstable and insufficient funding, there is only one complex crisis assistance centre for victims of sexualised violence¹⁹ in the whole country and according to governmental documents, residential facilities ("emergency flats" and specialised shelters) lack up to 3,000 beds (approximately 90% of the recommended capacity according to Council of Europe's standards).²⁰

Draft issues:

- Please provide comprehensive statistical data on reporting, legal classification of criminal offences, the rate of dismissed cases and sentences imposed in cases of domestic and sexualised violence.
- Please submit information on the specific measures taken by the State to ensure thorough and prompt investigation (following the judgements of the) and to introduce functional mechanisms for monitoring the compulsory training of judges and public prosecutors in order to prevent secondary victimisation.
- Indicate specific budgetary and systemic measures that have been taken by the State to ensure stable financing of organisations providing assistance to victims, to expand the network of comprehensive crisis assistance centres and to eliminate the critical deficiency in residential capacity for victims of violence.

18 Judgement of the European Court of Human Rights of 20 June 2024, Z. v. the Czech Republic, No. 37782/21, and judgement of the European Court of Human Rights of 12 December 2024, Y v. the Czech Republic, No. 10145/22.

19 The [PORT Centre](#) operated by proFem organisation in Prague.

20 Ministry of Labour and Social Affairs. [Analysis of Availability of Specialised Social Services for Persons at Risk of Domestic and Gender-Based Violence in the Czech Republic](#) [online]. Prague: Ministry of Labour and Social Affairs, 2021 [retrieved on: 2026-08-12]; Office of the Government of the Czech Republic [2023–2026 Action Plan for the Prevention of Domestic and Gender-Based Violence](#) [online]. Prague: Office of the Government of the Czech Republic, 2023 [retrieved on: 2026-08-12].

Protection against torture, ill-treatment and restriction of personal freedom (Articles 2, 7, 9, 10, 17, 24 and 26 of the Covenant)

Compensation for unlawful sterilisation (especially of Roma women)

Although the Czech Republic adopted a legislative act on compensation for persons unlawfully sterilised from the period from 1966 to 2012²¹ and extended the deadline for submitting compensation claims to 4 January 2027, the process of addressing them at the Ministry of Health suffers from serious deficiencies.

As of 1 July 2026, the Ministry had received over 2,500 compensation claims; this number significantly exceeded the original estimates. Due to insufficient staffing capacity, the Ministry routinely exceeds the statutory 60-day deadline by several months or years.

Moreover, the Ministry of Health proceeds in an official, formalistic (sometimes even obstructive) manner and refuses to respect the conclusions of administrative courts' case law²². The Ministry rejects compensation claims from the claimants (especially Roma women) whose medical records have been shredded or destroyed by natural elements (e.g. floods) and refuses to accept witness testimonies of close persons or findings of the Public Defender of Rights as relevant indications of a plausible claim. Even the Defender failed to make any significant progress through his extensive inquiry, which he informed the Government about in 2024.²³

21 Act No. 297/2021 Coll., on compensation for unlawful sterilisation.

22 Judgment of the Supreme Administrative Court of 4 July 2024, Ref. No. 9 As 61/2023-65; No. 4623/2024 Coll. SAC. The headnote reads: *"In a situation where the medical records of a claimant requesting a one-off pecuniary amount, pursuant to Act No. 297/2021 Coll., on the provision of a one-off pecuniary amount to unlawfully sterilised persons, do not exist or are clearly untrustworthy, the administrative authorities must assess whether the claimant has made a defensible assertion, at least at first sight, that she underwent an unlawful sterilisation during the decisive period. An assertion will be considered defensible if evidence revealed in the proceedings, as a whole, does not allow for any rational explanation of the situation or behaviour of the individual parties other than that the claimant was probably unlawfully sterilised, as she asserts. In such a case, the administrative authorities must consider the preconditions for granting the one-off pecuniary amount to be met, unless they themselves can prove that the facts asserted by the claimant could not have occurred."*

23 [The Defender's notifications to the Government of the Czech Republic](#) of systemic deficiencies, unlawful administrative practice, inactivity and failure to respect administrative courts' case law by the Ministry of Health and the Minister of Health in compensation for unlawful sterilisation of 17 September 2024, File No. 9/2024/SZD/MKZ.

Draft issues:

- Please indicate the specific measures taken by the State to strengthen the staffing of the Ministry and to comply with the statutory deadlines in compensation proceedings.
- Specify and document how the Ministry respects the requirements following from case law of administrative courts in assessing alternative evidence with regard to claims by victims whose records have been shredded or destroyed.
- Submit detailed anonymous statistics on the number of claimants with shredded or destroyed records whose claims were granted and the number whose claims were denied.

Sterilisation of persons with restricted legal capacity

The Czech legislation²⁴ continues to allow for the performance of an irreversible sterilisation procedure on persons whose legal capacity is restricted to the point that they are unable to assess the provision of healthcare services or their consequences. Such a procedure is permissible for medical reasons²⁵ and requires written consent of the guardian, opinion of an expert committee and court approval. However, the legislation requires only the opinion of the person concerned, not their free and informed consent.²⁶

The State performs no systematic evaluation of the courts' decision-making practice in these cases and there is no publicly available summary data on how often the courts grant the consent, how they weigh the opinion of the person concerned or how they review the proportionality of the interference with physical integrity and reproductive autonomy. The absence of such data makes it impossible to assess the effectiveness of procedural safeguards.

24 Section 13 of Act No. 373/2021 Coll., on specific healthcare services.

25 Pursuant to Section 12 of the Specific Healthcare Services Act, health reasons mean such diseases or defects where there is a high probability of serious danger to health or life as a result of pregnancy or childbirth or to the healthy development of the foetus, or to the health or life of the future child.

26 In 2015, the UN Committee on the Rights of Persons with Disabilities expressed its concern that the Czech legislation allowed for the replacement of consent to sterilisation provided by a person with restricted legal capacity with the consent of their guardian and recommended that the Czech Republic amend this legislation ([here](#), paragraphs 36–37). In a subsequent review in 2019, the State requested information on measures taken to eliminate this practice ([here](#), issue 15). In its reply, the Czech Republic stated that sterilisation could not be performed in the Czech Republic without informed consent, but failed to explicitly address the special regime under the Specific Healthcare Services Act ([here](#), paragraph 131).

Draft issues:

- Please provide anonymised summary data on the number of sterilisation consent proceedings for persons with restricted legal capacity for the 2020-2025 period (including age, sex, reasons for sterilisation, attitude of the person concerned towards the procedure, and any possible discrepancies between his or her opinion and opinions of other actors).
- Provide information on whether the State carries out a systematic evaluation of judicial practice and whether it plans to revise the legislation to prevent sterilisations without free and informed consent of the person concerned.

Persistent practice of surgical castration of sexual offenders

Despite the recommendation of the Human Rights Committee and repeated requests of the European Committee for the Prevention of Torture (most recently during the visit in 2024), the Czech Republic has not yet ended the practice of surgical castration of sexual offenders.

Efforts to make pharmacological alternatives (drugs from the group of gonadoliberin analogues)²⁷ available have not been successful due to lengthy negotiations between governmental authorities and professional associations. In April 2025, the Ministry of Health confirmed to the Defender that the Sexological Society of JEP CMA had not yet supplied the underlying documents necessary for the registration of these drugs to treat sexual deviations (especially the documents on the patients' characteristics, number and recommended procedures for treatment). The State has thus not created the conditions for replacing invasive surgical procedures.

Draft issue:

- Please clarify the specific steps and their timetable for the complete abolition of surgical castrations and provide information on the status of approval and availability of pharmacological alternatives for the treatment of sexual deviations.

Involuntary hospitalisation

The legislation on involuntary hospitalisation does not provide a comprehensive framework of procedural guarantees for persons deprived of personal freedom on the grounds of mental condition. The rules are fragmented among several legal regulations²⁸, which raises doubts in practice as to the scope of patients' rights, the

27 Ministry of Health. [Recommended procedure in the performance of castration in relation to paraphilic sexual offences](#). Online, Journal 5/2012, p. 3.

28 In particular, Act No. 89/2012 Coll., the Civil Code, Act No. 372/2011 Coll., on healthcare services and the conditions for their provision, and Act No. 292/2013 Coll., on special court proceedings.

relationship between the decision to take patients into care and the provision of involuntary treatment, and the obligations of healthcare service providers. Moreover, the current legislation does not sufficiently expand on the use of less restrictive alternatives to involuntary hospitalisation.

These deficiencies are reflected in the National Action Plan for Mental Health for 2026–2030²⁹, which envisages the preparation of a new comprehensive regulation of involuntary hospitalisation aimed at strengthening substantive and procedural guarantees, providing alternatives and clarifying informed consent to treatment, and strengthening support for patients during detention proceedings.

Draft issues:

- Report on the state of preparation of new legislation on involuntary hospitalisations within the National Action Plan for Mental Health for 2026–2030. In particular, please specify how the proposed legislation will strengthen the procedural guarantees for involuntarily hospitalised persons, regulate the use of less restrictive alternatives to hospitalisation and clarify the rules for providing involuntary treatment.
- Please state what specific measures (methodological, organisational or other) the State is currently taking to ensure that involuntary hospitalisation is used exclusively as a measure of last resort and that the procedural rights of involuntarily hospitalised persons are effectively guaranteed (e.g. provision of comprehensible information, legal support, participation in detention proceedings, judicial review of the legality of hospitalisation and assessment of less restrictive alternatives before deprivation of personal freedom).

Illegal residential social services

The Czech Republic is facing demographic ageing of the population. The number of people aged 80 years and over is growing most rapidly, especially those over 85 years of age, who are increasingly affected by multiple chronic diseases, dementia and loss of self-reliance, leading to a significant increase in the need for long-term social care.³⁰

The State has yet to adopt a clearly defined and binding strategy that would set out specific steps to ensure an adequate network of community and residential social services. The unsatisfied demand is manifested by an increase in the number of illegal

29 Office of the Government of the Czech Republic. [National Action Plan for Mental Health for 2026–2030](#) [online]. 1st ed. Prague: Office of the Government of the Czech Republic, 2026 [retrieved on: 2026-08-13]. ISBN 978-80-7440-371-2.

30 DELOITTE ADVISORY s.r.o. [Studie dlouhodobé sociální péče v ČR \(Study of long-term social care\)](#) [online]. Prague: Deloitte Advisory s.r.o., 2026 [retrieved on: 2026-08-14].

facilities that provide services similar to retirement homes without authorisation and State control (it is estimated that there are several dozen such facilities).

The Defender's findings from visits to 10 illegal facilities in 2024–2026 revealed ill-treatment and direct danger to the health and lives of clients. The facilities provide unprofessional lay care, abuse sedatives, neglect healthcare, nutrition and hygiene, and unlawfully interfere with personal freedom, privacy and human dignity of the elderly.³¹

Draft issue:

- Please provide information on the specific steps and timeframe for establishing a binding plan for establishing an accessible social services network and state what legislative, inspection and sanction measures have been adopted by the State to prevent illegal provision of residential care and to protect persons in these facilities from ill-treatment.

Labour exploitation of migrant workers and temporary protection holders

Despite the Committee's recommendations, the problem of labour exploitation of migrant workers, undeclared work and disguised arrangement of employment persists in the Czech Republic.

These three key factors hinder the solution:

- Absence of responsibility in supply chains: The legislation does not define solidary responsibility for working conditions within multi-level subcontracting chains.
- Victims' fear and distress: Victims face concerns about losing their residence status. Ukrainian temporary protection holders are a particularly vulnerable group; although they have free access to the labour market, employers pressure them through housing arrangements, so reporting exploitation means that they might risk losing their housing and income.
- Insufficient labour inspection capacity: The State Labour Inspection Office faces long-term understaffing due to low remuneration, which prevents consistent handling of complaints.

Draft issue:

- Please specify the measures taken by the State to address the labour exploitation of migrant workers, in particular: (a) implementation of working conditions

31 Office of the Public Defender of Rights and the Defender of Children's Rights. [More illegal homes can endanger the dignity and safety of the elderly. Do not entrust your loved ones to them, warns the Deputy Defender](#). Public Defender of Rights [online]. Brno: 23 June 2026 [retrieved on: 2026-08-14].



accountability mechanisms in subcontracting chains; (b) implementation of residential and housing protection for victims of exploitation (including temporary protection holders); and (c) increased staffing and remuneration of labour inspection bodies to ensure effective handling of complaints.

Protection of groups in a vulnerable position

Roma (2, 17, 25 and 26 of the Covenant)

The situation of Roma in the area of housing represents a long-term structural problem.³² In 2024, the European Committee on Social Rights concluded that the Czech Republic had failed to provide Roma families with sufficient access to social housing and effective protection against territorial segregation and inadequate housing conditions.³³

Although the Social Exclusion Index shows an increase in social exclusion in a number of municipalities³⁴, as of 1 April 2026, the Government abolished the independent Department for Social Inclusion (the Agency for Social Inclusion), limited the number of staff and subordinated its agenda to the Department of Housing Development and Cohesion. The loss of the Agency's independent position raises concerns about the continuity of fieldwork.

The new Housing Support Act³⁵, which shifted part of housing issues from municipalities to overburdened labour offices and made the provision of housing by municipalities and private landlords voluntary, does not guarantee a systemic solution, either.

32 Muhič Dizdarevich, Selma. Romanonet. Výzkumná zpráva z kvalitativního šetření dopadů anticiganismu na romskou komunitu v České republice (*Survey report on the qualitative survey of the impact of antigypsyism on the Roma community in the Czech Republic*), Prague: FHS UK, 2025, available at: [Anticiganismus jako daň z existence v české společnosti \(Antigypsyism as the price of being Roma in Czech society\)](#); Výzkumná zpráva z kvalitativního šetření dopadů anticiganismu na romskou komunitu v České republice (*Research report on a qualitative inquiry into the impact of antigypsyism on the Roma community in the Czech Republic*); European Union Agency for Fundamental Rights (FRA). Rights of Roma and Travellers in 13 European countries - Perspectives from the Roma Survey 2024, Vienna, 2025, available at: [Rights of Roma and Travellers in 13 European countries – Perspectives from the Roma Survey 2024](#).

33 The European Committee for Social Rights unanimously ruled that the Czech Republic had violated Article 16 of the European Social Charter in conjunction with the prohibition of discrimination set out in the preamble. Decision of the European Committee on Social Rights of 2 July 2024, *FEANTSA v. Czech Republic*, collective complaint No. 191/2020, available at: [Decision on the merits: European Federation of National Organisations working with the Homeless \(FEANTSA\) v. Czech Republic, Complaint No. 191/2020](#).

34 According to the Social Exclusion Index, the number of vulnerable municipalities increased by 10% on a year-by-year basis in 2023, and the number of municipalities in the most vulnerable category increased from 539 to 578 in 2024. Available at: [Ministry for Regional Development – Social Exclusion Index 2024](#); There is an [increase in municipalities with a high level of burden and the situation in the area](#) has improved. According to the State of the Roma Minority Report, 39% of Roma live in social exclusion. Available at: [Zpráva-o-stavu-romske-mensiny-2023-2024_fin.pdf](#).

35 Act No. 175/2025 Coll., on the provision of certain housing support measures (the Housing Support Act).

Roma representation in elected and decision-making positions remains minimal.³⁶ Although the Roma Integration Strategy for 2021–2030 continues to emphasise active Roma participation in 2024, there is a lack of regularly published progress data. Moreover, policy evaluation is complicated by the absence of a comprehensive ethnic data collection system: a common intersectoral methodology for ethnic data collection has not yet been finalised and published.³⁷

Draft issue:

- Please explain the reasons and impacts of the reorganisation and staff reduction of the Agency for Social Inclusion from 1 April 2026, provide information on the financial and staffing arrangements for the new housing support system and indicate when the Government will finalise and apply in practice a common intersectoral methodology to collect ethnic data for evaluating Roma political and civic participation.

LGBTIQ+ persons (Articles 2, 7, 16, 17, 23 and 26 of the Covenant)

Recognition of same-sex marriages abroad

Czech law defines marriage as a union between a man and a woman.³⁸ If persons of the same sex have validly entered into marriage abroad, national practice does not allow the marriage to be registered as such, but instead recognises it as a partnership – a Czech legal concept regulating a permanent union of two people of the same sex.

This practice leads to persons being considered spouses in one country, but partners in Czechia, which impairs legal certainty and may limit the scope of rights associated with marital status (including rights to jointly raised children). Although the Court of Justice of the EU (in the *Trojan*³⁹ case) emphasises the obligation to recognise a personal status acquired in another EU Member State without the need to convert it into a lower status, the Ministry of the Interior did not take into account the conclusions of the CJEU in its methodology addressed to registry offices. There is also a lack of official statistics on the number of registrations where marriage was recognised merely as a partnership and decisions where same-sex marriage was rejected.

36 This state of affairs is also acknowledged by the latest Government Report on the Status of the Roma Minority for 2023–2024, available at: [Strategy-for-Roma-Equality--Inclusion-and-Participation-Strategy-for-Roma-Integration_2021-2030.pdf](#).

37 Minutes of the meeting of the Government Council for Roma Minority Affairs on 8 December 2025, available at: [Record-RVZRM-8-12-2025.pdf](#).

38 Section 655 (1) of the Civil Code.

39 Judgment of the Court (Grand Chamber) of 25 November 2025 in Case C-713/23, *Jakub Cupriak-Trojan and Mateusz Trojan v Wojewoda Mazowiecki*. Available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:62023CJ0713>.

Draft issue:

- Please provide information on the number of foreign same-sex marriages recorded in the registers from 2025 onwards (broken down to partnership registrations and, if applicable, marriage registrations) and explain what measures the Government is taking to align the registry practice with the obligations of EU law relating to the protection of marital status of same-sex couples.

Legislation on the recognition of identity of trans people

As of 1 July 2025, the Czech Constitutional Court abolished the statutory requirement of surgery related to an impaired reproductive function for administrative gender reassignment.⁴⁰ It also gave the legislature time to adopt comprehensive legislation on the recognition of gender identity in accordance with international human rights standards.

Despite the Defender's⁴¹ request, the relevant law has yet to be adopted. At the present time, the procedure in administrative gender reassignment merely follows methodological instructions issued by the ministries.⁴² Their contents can thus be changed without a proper legislative process, broader public debate or adequate control, and they do not provide trans people with a sufficient degree of legal certainty and predictability. This state of affairs led to the creation of a senatorial initiative that was not supported by an expert analysis and did not include any assessment of compliance with human rights.⁴³

40 Judgement of the Constitutional Court of the Czech Republic of 24 April 2024, File No. Pl. ÚS 52/23. Available at:

https://www.usoud.cz/fileadmin/user_upload/Tiskova_mluvci/Publikovane_nalezky/2024/Pl-52-23_AN_s_disenty.pdf.

41 Comments of the Public Defender of Rights on the draft Government Legislative Work Plan for 2025 of 21 October 2024, File No. 41747/2024/S. Available at:
41<https://eso.ochrance.cz/Nalezene/Edit/13278>.

42 See the Methodological Guideline for Healthcare Service Providers on the procedure in issuing certificates for administrative gender reassignment of trans persons. In: Journal of the Ministry of Health of the Czech Republic, 9/2025, pp. 63-72. Available at: <https://mzd.gov.cz/wp-content/uploads/2025/06/Vestnik-MZD-09-2025.pdf>. See also Information of the General Administration Department of the Ministry of the Interior of the Czech Republic No. 5/2025 of 24 June 2025 on gender reassignment with effect from 1 July 2025. Available at: <https://mv.gov.cz/soubor/informace-ovs-matrika-c-5-2025.aspx>.

43 Proposal for a Senate draft legislative act, discussed by the Senate of the Parliament of the Czech Republic on 17 June 2026 and rejected by the Senate's resolution. The press is available at: <https://www.senat.cz/xqw/webdav/psssenat/original/120129/100884>.

Draft issue:

- Please provide information about the state of preparation and the timetable for the adoption of a legal regulation of the legal recognition of trans people's identity, and indicate what legal safeguards the State provides to ensure legal certainty and protection of their private lives until the new law enters into effect.

Persons with disabilities (Articles 7, 16, 17, 23, 25 and 26 of the Covenant)

Excessive restrictions of legal capacity

Courts in the Czech Republic restrict the legal capacity of persons with psychosocial or intellectual disabilities significantly more often than they use the available alternatives. Although the Civil Code provides for less restrictive measures (declaration in anticipation of incapacity, agreements on assistance in decision-making, representation by a household member, and guardianship without restriction of legal capacity), these alternative measures accounted for only 19% of all court decisions between 2014 and 2022. Of these alternatives, courts most often opt for guardianship without restriction of legal capacity, while assistance in decision-making is used only minimally and, in practice, remains less accessible to persons without family support and to those living outside regional capitals.⁴⁴

The Defender welcomes the fact that the State has included systemic changes concerning assistance in decision-making in the National Plan on Promoting Equal Opportunities for Persons with Disabilities for 2026–2030.⁴⁵ However, the document still does not include a task to designate a specific ministry responsible for coordinating, developing and monitoring the entire system of assistance in decision-making and guardianship.

Draft issues:

- Please specify the legislative, methodological and organisational measures that the State will take to ensure that courts give priority to assistance in decision-making and other support measures over restrictions of legal capacity.
- Indicate the timeframe within which the Government will designate a specific ministry responsible for coordinating, developing and monitoring the system of assistance in decision-making.

⁴⁴ For details, see the survey report of the Public Defender of Rights: How Czechia Fulfills Its Obligations under the Convention on the Rights of Persons with Disabilities. Human Rights Indicators-Based Analysis. Public Defender of Rights, 2025, pp. 58–59. Available at ochrance.cz.

⁴⁵ See Government of the Czech Republic. The Government approved the new National Plan on Promoting Equal Opportunities for Persons with Disabilities for 2026–2030. Online. Published on 27 April 2026. Available at vlada.gov.cz. [retrieved on: 30 July 2026].

Needs of persons with intellectual disabilities and challenging behaviour

Persons with intellectual disabilities and autism spectrum disorder who display challenging behaviour⁴⁶ constitute a particularly vulnerable group. Many of them have communication impairments and are unable to effectively report ill-treatment or defend themselves against it. Where individualised support and sufficient qualified staff are unavailable, they face an increased risk of ill-treatment, the use of restrictive measures, overmedication, prolonged hospitalisation, or placement in large residential institutions.

The Defender's findings repeatedly confirm that insufficient support for this group increases the risk of ill-treatment⁴⁷; follow-up inquiries have identified specific cases of physical abuse and unlawful restrictions on personal liberty (resulting, in one case, in a criminal complaint concerning a facility for children and young adults).⁴⁸ In response to a tragic incident in residential services⁴⁹, the Government approved the Systemic Measures to Support Persons with Intellectual Disabilities and Challenging Behaviour for 2024–2030⁵⁰ and the related Action Plan for 2025–2027.⁵¹ Information on the implementation of the measures is not available.

Draft issue:

- Please provide information on progress to date and the outputs achieved in implementing the measures under the Action Plan for the Implementation of the Systemic Measures to Support Persons with Intellectual Disabilities and Challenging Behaviour for 2025–2027, in particular in the areas of developing community-based services, positive behaviour support, minimising the use of restrictive measures and staff training.

46 Challenging behaviour may include self-harm, physical aggression towards others, damage to property, absconding, vocalisations and other forms of conduct that are often mistakenly viewed solely as problematic behaviour. In fact, such behaviour often serves as a means of communicating unmet needs, pain, stress, sensory or other overload, or an inadequately adapted environment.

47 See, for example, the reports on visits to Domov pod lípou ([here](#) and [here](#)) or Zámeček Střelice ([here](#)).

48 Press release of the Public Defender of Rights of 12 December 2022, *The situation at Domov pod lípou in Lipník will improve, the Governor of the Central Bohemian Region promised the Ombudsman*, available [here](#).

49 https://www.respekt.cz/tydenik/2022/47/kdo-zabil-dorotu-s?srltid=AfmBOoorOD1m4ln_M0pAtwjBMTzlec6EgA3os-5dB5gITTpJtw480KAQ

50 [Systemic Measures to Support Persons with Intellectual Disabilities and Challenging Behaviour for 2024–2030 | Government of the Czech Republic](#)

51 [Action Plan for the Implementation of the Systemic Measures to Support Persons with Intellectual Disabilities and Challenging Behaviour for 2025–2027 | Government of the Czech Republic](#)

Voting rights and accessibility of elections (Articles 25 and 26 of the Covenant)

Although the new Administration of Elections Act (effective from January 2026) guarantees active suffrage (the right to vote) to all citizens irrespective of any restriction on legal capacity⁵², the State has not eliminated the continuing discrimination affecting passive suffrage (the right to stand for election). Persons whose legal capacity has been restricted continue to be legally barred from standing for election, which is justified in case law on the basis of their alleged inability to bear the political and substantive legal responsibility associated with holding public office.⁵³

The electoral process is also affected by a range of physical, technical and information barriers. Blind and partially sighted voters are unable to vote secretly and independently because ballot papers lack tactile features and QR codes and because of poor paper contrast and small print. Persons with intellectual disabilities face administrative difficulties when marking preferential votes for candidates, misinformation from guardians and incorrect interpretation of judgments by electoral commissions, resulting in their unlawful removal from electoral registers. Moreover, electoral materials are not available in an Easy-to-Read format, and there is no public portal providing information on the accessibility of polling stations.

Draft issues:

- Please provide information on steps to remove legislative barriers preventing persons whose legal capacity has been restricted from standing for election (passive suffrage).
- Specify the measures taken to ensure secret and independent voting for persons with visual impairments, and explain how the State will ensure that electoral information is accessible in Easy-to-Read format, prevent the unlawful removal of voters from electoral registers, and launch a portal providing information on the accessibility of polling stations.

Migrants (Articles 2(3), 14, 16, 24 and 26 of the Covenant)

The Ministry of the Interior fails to comply with settled case law of the Supreme Administrative Court. The Court has held that Ukrainian nationals who have been granted temporary protection have the right to move to another Member State and apply there for temporary protection anew.⁵⁴ However, the Ministry declares such

52 Section 3(5) of Act No. 88/2024 Coll., on the administration of elections.

53 Judgment of the Constitutional Court of 25 February 2026, File No. I. ÚS 1935/24, paragraph 75. Available at usoud.cz.

54 The Defender reached the same conclusion in the inquiry reports of 22 February 2023, File No. 14372/2022/VOP/VVO, and 19 February 2024, File No. 6868/2023/VOP/VVO; eso.ochrance.cz.

applications inadmissible under Lex Ukraine.⁵⁵ It grants temporary protection only to individuals who undergo costly court proceedings. In other cases, it continues to disregard the relevant case law, thereby weakening judicial oversight of the executive branch.

There has been a slight improvement in the protection of stateless persons. The Residence of Foreign Nationals Act now requires that applicants be issued with an identity document and provides for lawful stay for the duration of the proceedings (previously, stateless persons were left in a legal vacuum). However, the newly recognised status is only linked to sufferance visa, which does not provide the individual with full social rights or facilitate naturalisation. Moreover, the legal framework still does not guarantee an automatic acquisition of citizenship for children born in Czechia.

Delays in proceedings concerning the granting of citizenship and residence permits before the Ministry of the Interior also remain a systemic issue: the average duration of proceedings exceeds 18 months, despite the statutory time limit of six months.

Draft issue:

- Please explain why the Ministry of the Interior does not comply with case law of the Supreme Administrative Court concerning temporary protection; provide information on steps to strengthen the legal status of stateless persons and to introduce an automatic acquisition of citizenship for children at risk; and indicate what measures the State has taken to eliminate systemic delays in proceedings concerning the granting of citizenship and residence permits.

⁵⁵ Under Section 5(1) of Act No. 65/2022 Coll., on certain measures in connection with the armed conflict in the territory of Ukraine caused by the invasion of the armed forces of the Russian Federation ("Lex Ukraine"), an application for temporary protection is inadmissible if "(d) it is lodged by a foreign national who has been granted temporary or international protection in another Member State of the European Union".

Gender equality (Articles 2, 3, 7, 17, 23, 24 and 26 of the Covenant)

Persistent stereotypes and unequal sharing of care responsibilities

Persistent gender stereotypes within families and the unequal sharing of care for children and dependent family members, which continues to fall predominantly on women, remain a major barrier to women's greater participation in public life and career progression.⁵⁶ The situation is compounded by a lack of flexible working arrangements, insufficient capacity in childcare facilities for young children, day centres and outreach social services.⁵⁷

The legal framework contains systemic gaps in follow-up support. The statutory guarantee of a place for a child in a preschool facility applies only from the age of three (introduced in 2026)⁵⁸, while the Labour Code guarantees a parent the right to their original job only if they return to work before the child reaches the age of two.⁵⁹ The Czech Republic has yet to introduce a minimum two-month non-transferable period of parental leave for the other parent, with an adequate payment or allowance in accordance with EU law⁶⁰, which hinders greater involvement of fathers in care.

Draft issue:

- Provide information on specific measures to ensure the availability of childcare from the age of two and of outreach social services for family members requiring care, and explain the steps required to introduce a non-transferable period of parental leave encouraging fathers' involvement in care.

56 Women living in the Czech Republic provide childcare exclusively or predominantly in 65–70% of cases, and perform household work exclusively or predominantly in 72–79% of cases. For further details, see PALONCYOVÁ, Jana *et al.* [Zpráva o rodině 2023 \(Family Report 2023\)](#) [online]. Prague: Research Institute for Labour and Social Affairs, 2023 [retrieved on: 2026-08-12].

57 [Third-party observations of the Public Defender of Rights and the Deputy Public Defender of Rights and Defender of Children's Rights in International Association Autism-Europe v. the Czech Republic](#), Complaint No. 245/2025, 31 October 2025, File Nos. 76/2025/OZP/MBA and 20/2025/SZD/MBA.

58 Section 13b of Act No. 247/2014 Coll., on the provision of childcare services in a children's group.

59 Section 47(1)(c) of Act No. 262/2006 Coll., the Labour Code.

60 Directive (EU) 2019/1158 of the European Parliament and of the Council of 20 June 2019 on work-life balance for parents and carers. The transposition deadline expired on 2 August 2022.

Representation of women in decision-making positions in the political, judicial and private sectors

There has been no improvement in the representation of women in political life in the Czech Republic. Czechia consistently ranks poorly in international comparisons⁶¹, and the proportion of women in the Parliament has long stagnated at around 20%. The Government Strategy for Gender Equality 2021–2030⁶² contains only non-legislative soft measures in this area (awareness-raising and the sharing of good practices) and does not envisage the adoption of temporary special measures (e.g. statutory gender quotas for candidate lists), even though research shows that the public supports greater representation of women,⁶³ and voters more frequently cast preferential votes for female candidates.⁶⁴ Moreover, none of the Czech parliamentary political parties applies voluntary internal positive measures such as quotas, “zipper” candidate lists or reserved leadership positions.

The Czech judiciary still exhibits a marked imbalance in the representation of women and men in decision-making positions. Although women have long accounted for more than 60% of all judges, their representation progressively declines at higher levels of the judicial hierarchy and remains low at the highest courts. This situation has remained unchanged for a long time. The main identified barriers to equal career progression for women judges are the unequal distribution of caring responsibilities within families and non-transparent or inconsistent conditions governing selection procedures for higher judicial office and court leadership positions.⁶⁵

Low representation of women in decision-making positions also affects the private sector, where women remain significantly underrepresented on corporate

61 The Czech Republic consistently ranks near the bottom in the domain of power in EIGE’s Gender Equality Index, see <https://eige.europa.eu/gender-equality-index/2025/CZ/power>. In the World Economic Forum’s Global Gender Gap rankings, the Czech Republic ranked 102nd in 2025 and 104th in 2024, owing largely to the low proportion of women in decision-making. See https://reports.weforum.org/docs/WEF_GGGR_2025.pdf.

62 Office of the Government of the Czech Republic. [Gender Equality Strategy for 2021–2030](#) [online]. Prague: Office of the Government of the Czech Republic, 2021 [retrieved on: 2026-08-12].

63 VOHLÍDALOVÁ, Marta. [Výzkumná zpráva z dotazníkového šetření „Ženy a muži v rovnováze“ \(Report from the Questionnaire Survey “Women and Men in Balance”\)](#) [online]. Prague: Institute of Sociology of the Czech Academy of Sciences, 2015 [retrieved on: 2026-08-12].

64 In the 2025 elections to the Chamber of Deputies, voters made unusually extensive use of preferential votes for female candidates, contributing to the election of a record number of women MPs (33.5%). Since 2021, there has been a civic initiative “Circle a Woman” encouraging voters to use this strategy. See, for example, <https://english.radio.cz/new-initiative-calls-voters-circle-female-candidates-8730314>.

65 Urbáníková, M., Kosař, D., Havelková, B. *Umění pokorně čekat: vertikální genderová segregace v českém soudnictví pohledem soudkyň (The Art of Waiting Humbly: Vertical Gender Segregation in the Czech Judiciary from the Perspective of Women Judges)*. In: Šimáčková, K., Havelková, B., Špondr Večl, P. (eds.) *Mužské právo II (Men’s Law II)*. Prague: Wolters Kluwer ČR, 2025.

management and supervisory bodies.⁶⁶ The Czech Republic has yet to transpose the EU Directive on improving the gender balance among directors of listed companies and related measures⁶⁷, even though the transposition deadline expired on 28 December 2024. Moreover, the State has yet to introduce binding targets or effective temporary special measures to increase the representation of women on the boards of companies in which the State has an ownership interest.

Draft issues:

- Please indicate what specific steps the State has taken to adopt legislative or voluntary temporary special measures to increase the representation of women in political and public life, and how it evaluates the effectiveness of the existing non-legislative measures contained in the Gender Equality Strategy for 2021–2030.
- Provide disaggregated data on the representation of women and men at the various levels of the court system and in court leadership positions, and provide information on specific measures adopted to ensure transparent, objective and gender-balanced procedures for the selection and promotion of judges to higher courts.
- Indicate what measures the State is taking to increase the representation of women in the management of companies, particularly those in which the State holds an ownership interest.

⁶⁶ In 2021, according to EIGE data, women accounted for only 23% of members of the supervisory and management boards of listed companies in the Czech Republic. In the same year, women occupied only 16% of management positions in companies in which the State had an ownership interest. For further details, see <https://www.tojrovnost.cz/cs/gender-a-cesko-zeny-ve-vedeni-obchodnich-spolecnosti/>.

⁶⁷ Directive (EU) 2022/2381 of the European Parliament and of the Council of 23 November 2022 on improving the gender balance among directors of listed companies and related measures.

Access to justice (Articles 2, 14 and 26 of the Covenant)

Legal aid

The Czech Republic has yet to establish a comprehensive system of access to legal aid, including assistance for persons without sufficient means or otherwise disadvantaged. The legal framework remains fragmented across various procedural laws⁶⁸ and the Legal Profession Act.⁶⁹ The State has transferred responsibility to the Czech Bar Association without monitoring the actual availability of legal services. Assistance prior to the initiation of proceedings remains limited and poorly remunerated⁷⁰, restricting access to genuine legal support in drafting submissions or conducting negotiations. The criteria applied by both the courts and the Bar Association when deciding whether to appoint legal counsel are vague. Information on the decision-making practice is not publicly available. The State does not systematically monitor the scope or quality of the assistance provided, and is unable to state how many persons have been granted or denied legal aid or on what grounds. The *pro bono* culture is weak, and gaps in the State system are filled by underfunded non-governmental organisations and citizens' advice centres dependent on short-term and unstable funding.

In the area of support for victims of crime, the State substantially reduced the funding available under grant programmes for non-governmental organisations providing comprehensive assistance to CZK 7.9 million for 2025–2026 (whereas the Victims of Crime Act envisaged funding of up to CZK 50 million⁷¹). This caused a crisis in service provision and left specialised services unavailable outside regional capitals.⁷² The Government Council for Human Rights also drew attention to the persistent underfunding in 2025.⁷³ While an in-year increase brought the amount to CZK 14 million last year (the amount needed to at least maintain the existing level of services for victims), according to our information, no increase is planned for this year. The services most often lacking are those for children, including so-called Children's Advocacy Centres, elderly persons, victims of bias-motivated violence and other groups in vulnerable situations. Many victims gain access to legal aid (and other forms of assistance, namely psychological and social support) only belatedly or not at all, and

68 Act No. 99/1963 Coll., the Code of Civil Procedure; Act No. 141/1961 Coll., the Code of Criminal Procedure; Act No. 150/2002 Coll., the Code of Administrative Justice.

69 Act No. 85/1996 Coll., on the legal profession.

70 These are brief legal consultations under Section 18a of the Legal Profession Act, lasting no more than 30 minutes, with a total maximum duration of 120 minutes per applicant and year.

71 Explanatory memorandum to Act No. 45/2013 Coll., on Victims of Crime.

72 Association of Organisations Providing Assistance to Victims of Crime. [Failure of State Support Endangers Victims of Crime](#). Centre LOCIKA [online]. Prague, 5 September 2024 [retrieved on: 2026-08-13].

73 [Resolution](#) of the Government Council for Human Rights of 1 December 2025.

give up on enforcing their rights. For 2027 and subsequent years, funding should be at least partially stabilised in view of the legislative amendments adopted.⁷⁴ State financial assistance is difficult to access because the amounts are low and the proceedings complex and lengthy, and it is not effectively linked to the right to compensation from the perpetrator.⁷⁵ Criminal courts routinely refer victims to civil proceedings rather than ruling on their claims for compensation themselves.

For foreign nationals in detention and applicants for international protection, the free legal aid system is administered by the Ministry of the Interior, which also decides on the matters in respect of which the assistance is provided. The Defender doubts whether the Ministry is sufficiently independent in its role as the system's administrator. Free legal aid does not cover representation before regional courts or the Supreme Administrative Court. There has also been a gap in funding for this kind of assistance in the past.⁷⁶

Draft issues:

- Please indicate how the State monitors and evaluates the quality and actual availability of free legal aid and whether it is considering the introduction of comprehensive legislation on (free) legal aid.
- Indicate how the State will ensure appropriate funding for the provision of legal aid to victims of crime. Indicate what measures the State will adopt to ensure that criminal courts primarily determine victims' claims for compensation for damage directly in criminal proceedings rather than referring victims, including minors and other persons in vulnerable situations, to civil proceedings.
- Indicate what measures the State is taking to ensure stable legal aid funding for applicants for international protection and foreign nationals in detention and to ensure that the body administering the legal aid system is institutionally independent of the body deciding on the matters in respect of which the assistance is provided.

74 The new funding system is established by Act No. 269/2025 Coll., which strengthens systemic funding for victim support.

75 The Defender examined shortcomings in financial assistance for victims in a systemic inquiry. For further details, see the Report of the Public Defender of Rights [Provision of Financial Assistance to Victims of Crime](#) dated 23 October 2023, File No. 4418/2021/VOP/MHU.

76 Report on an inquiry by the Deputy Public Defender of Rights [Access of Foreign Nationals Deprived of Their Liberty to Free Legal Aid](#) dated 16 July 2025, File No. 1417/2023/VOP/HL-JST.

Shortage of expert witnesses and poor quality of expert reports in clinical psychology and psychiatry

Expert reports in clinical psychology and psychiatry constitute key evidence in guardianship proceedings, legal capacity proceedings, involuntary hospitalisation cases and criminal proceedings.

Czechia faces a critical shortage of expert witnesses in these fields⁷⁷, a high average age among existing experts and little incentive for new professionals to enter the field, resulting in long waiting times and delays in court proceedings.

Expert work is concentrated among a small number of overburdened experts who prepare dozens or hundreds of reports each year;⁷⁸ as a result, the reports are often incomplete and not amenable to review. Nevertheless, ordinary courts often rely on them uncritically. The Ministry of Justice's supervision following the transfer of responsibility under the new Experts Act⁷⁹ is failing because of insufficient staffing; the Ministry conducts no systematic inspections and takes no measures to improve the quality of expert work.

Draft issue:

- Please provide data on the average time needed to prepare expert reports in psychiatry and clinical psychology. and information on specific measures adopted to address the critical shortage of expert witnesses, strengthen the Ministry of Justice's supervision of the quality of expert reports and prevent courts from accepting them uncritically.

77 SVOBODA, Tomáš and Michaela RAMBOUSKOVÁ. [“A problem left unresolved for years.” The Czech Republic lacks expert witnesses](#). Seznam Zprávy [online]. 21 January 2024 [retrieved on: 2026-08-13].

78 For example, according to the register of experts, interpreters and translators, MUDr. Leblová, an expert witness in psychiatry, prepared 355 expert reports in 2024, 447 reports in 2025 and already 194 reports in 2026, with a further 180 in progress.

79 Act No. 254/2019 Coll., on experts, expert offices and expert institutes.

Freedom of expression (Article 19 of the Covenant)

There have been repeated cases of specific media outlets being selectively denied access to Government and ministerial press conferences. In January and July 2026, a journalist from Deník N was denied access to a briefing by the Minister of Foreign Affairs.⁸⁰

Findings by international journalists' organisations and the Syndicate of Journalists of the Czech Republic demonstrate the existence of unofficial "blacklists" and decision-making in the absence of clear, transparent and non-discriminatory accreditation rules.⁸¹ This practice is accompanied by numerous verbal attacks by political figures against investigative journalists.⁸²

Serious concerns also arise from the steps taken by the Police, whose shortcomings in protecting journalists at public events were highlighted by the ECtHR⁸³, as well as from the revocation of the accreditation of exiled journalist Farida Kurbangaleeva and her removal from a press conference at Prague Castle.⁸⁴

Draft issue:

- Please provide information on the rules and procedures governing the accreditation of journalists for Government and ministerial press conferences with a view to ensuring transparency and equal treatment, and indicate what specific measures the State has adopted in response to the judgment of the

-
- 80 Syndicate of Journalists of the Czech Republic. [Syndicate of Journalists of the Czech Republic strongly objects to the actions of the Ministry of Foreign Affairs of the Czech Republic](#) [online]. Prague: Syndicate of Journalists of the Czech Republic, 2026 [retrieved on: 2026-08-12]; ČT24. [Editors-in-chief urge Macinka's ministry to allow all media outlets to attend briefings](#) [online]. Prague: Czech Television, 2026 [retrieved on: 2026-08-12].
- 81 Media Freedom Rapid Response (MFRR). [Czech Republic: MFRR concerned over sidelining of critical media outlets during government press conferences](#) [online]. Leipzig: European Centre for Press and Media Freedom, 2021 [retrieved on: 2026-08-12]; Centre for Media Pluralism and Media Freedom (CMPF). [Media Pluralism Monitor: The Czech Republic 2026](#) [online]. Fiesole: European University Institute, 2026 [retrieved on: 2026-08-12].
- 82 Reporters Without Borders (RSF). [Czechia: 13 cases in 6 months: political attacks on journalists have become hallmarks of Andrej Babis](#) [online]. Paris: RSF, 2021 [retrieved on: 2026-08-12]. Syndicate of Journalists of the Czech Republic. [Stupňující se útoky na novináře jsou nepřijatelné, policie musí zasáhnout \(Escalating attacks on journalists are unacceptable; the police must act\)](#) [online]. Prague: Syndicate of Journalists of the Czech Republic [retrieved on: 2026-08-12].
- 83 Judgment of the European Court of Human Rights of 28 May 2026, Tožičková v. the Czech Republic, application no. 21512/23.
- 84 Coalition For Women in Journalism. [Czechia: Police Removes Exiled Russian Journalist Farida Kurbangaleeva Off Premise After Revoking Accreditation For Zelensky's Press Conference](#) [online]. 6 July 2023 [retrieved on: 2026-08-12].



ECtHR in the case of Tožičková v. the Czech Republic to ensure that journalists are protected by the Police.

Eva Kostolanská
Public Defender of Rights
(*signed electronically*)