

Universal Periodic Review
(28th session, Oct-Nov 2017)
Contribution of UNESCO to Compilation of UN information
(to Part I. A. and to Part III - F, J, K, and P)

[Czech Republic](#)

I. Background and framework

Scope of international obligations: Human rights treaties which fall within the competence of UNESCO and international instruments adopted by UNESCO

Title	Date of ratification, accession or succession	Declarations /reservations	Recognition of specific competences of treaty bodies	Reference to the rights within UNESCO's fields of competence
Convention against Discrimination in Education 1960	State party to this Convention (ratification 26/03/1993)	Reservations to this Convention shall not be permitted		Right to education
Convention on Technical and Vocational Education 1989	Not state party to this Convention			Right to education
Convention concerning the Protection of the World Cultural and Natural Heritage 1972	26/03/1993 Notification of succession			Right to take part in cultural life
Convention for the Safeguarding of the Intangible Cultural Heritage 2003	18/02/2009 Acceptance			Right to take part in cultural life
Convention on the Protection and Promotion of the Diversity of Cultural Expressions 2005	12/08/2010 Accession	Declaration of the European Community in application of Article		Right to take part in cultural life

		27(3) (c) of the Convention indicating the competences transferred to the Community by the Member States under the Treaties, in the areas covered by the Convention.		
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Right to education

II. Promotion and protection of human rights on the ground

1. The right to education is guaranteed by the **Charter of Basic Rights and Freedoms of the Czech Republic**¹ (1992) which is part of the constitutional order². The **Education Act (Act No. 561/2004)**³ on Pre-school, Basic, Secondary, Tertiary Professional and Other Education sets the length of compulsory education. It lasts nine years starting at the beginning of the school year following the day on which the child reaches six years of age (Section 36). The Education Act also contains affirmative measures with the goal of promoting equality in educational opportunities and removing existing disadvantages for certain groups of children or reacting to their specific needs.⁴

2. In terms of reporting to UNESCO, within the framework of the latest Consultations of Member States organized by UNESCO on the Convention against Discrimination in Education, the Czech Republic submitted in 2016 a national report on measures taken for the period 2012-2016 (for the 9th Consultation of Member States). The Czech Republic also reported to UNESCO on the measures taken for the implementation of the Convention for the Sixth (1994-1999), Seventh (2000-2005) and Eighth (2006-2011) Consultation of Member States. In addition, the Czech Republic reported to UNESCO on the measures taken for the

¹http://www.usoud.cz/fileadmin/user_upload/ustavni_soud_www/prilohy/Listina_English_version.pdf

<http://www.unesco.org/education/edurights/media/docs/22892d9fa3196b0eb03dffb5baa1792670d6255a.pdf>

²<http://www.usoud.cz/en/constitution-of-the-czech-republic/>

<http://www.unesco.org/education/edurights/media/docs/0795c94fb46449c228ab2734dd3ff5bd2b70417d.pdf>

³<http://www.msmt.cz/documents-1/act-no-561-2004-collection-of-law-on-pre-school-basic-secondary-tertiary-professional-and-other-education-the-education-act-as-amended>

<http://www.unesco.org/education/edurights/media/docs/014142a805a2d3fae7c4750aec4e0d5da967e4c8.pdf>

⁴ Czech Republic Report submitted for the Seventh Consultation on the implementation of the Convention and Recommendation against Discrimination in Education (2000-2005), 2006.

implementation of the 1974 UNESCO Recommendation concerning Education for International Understanding, Co-operation and Peace and Education relating to Human Rights and Fundamental Freedoms within the framework of the Fifth Consultation of Member States.

Freedom of opinion and expression

➤ Constitutional and Legislative Framework:

3. Article 17 of the Constitution⁵ guarantees freedom of expression and the right to information. The same article requires that state and territorial authorities deliver in an “appropriate manner information about their activities”. This may be limited in the case of measures for “protecting the rights and freedoms of others, the security of the State, public security, public health, or morals,” according to the same article.
4. Defamation is considered a criminal offence under Article 184 of the Criminal Code⁶ and could result in a prison sentence of up to two years, or the prohibition of activity for anyone who commits the act of defamation in press, film, radio, television, a publically accessible computer network or in another similar manner.
5. In 2006, a freedom of information law⁷, which regulates the right to freely access information and the fundamental conditions under which such information is provided, was adopted. The law states that “the duty to provide information apply to state authorities and territorial self-governance authorities and public institutions managing on public means”.

➤ Implementation of legislation:

6. The Council for Radio and Television Broadcasting⁸ (RRTV) is the main regulatory body, with administrative authority over radio and television broadcasting and in the area of audio-visual media services. It was constituted by Law 103/1992⁹ and it consists of 13 members who are appointed and removed by the Prime Minister based on proposals made by the Chamber of Deputies. The Council’s main duties consist of supervising the plurality of the program offers and of supervising the independence of those domains, grants and changes. The body can also withdraw licenses for broadcasting operations, impose sanctions, and monitor content of radio and television broadcasting.

➤ Media Self-Regulation:

⁵ <https://www.constituteproject.org/search?lang=en&q=freedom%20of%20expression>

⁶ <http://www.ejtn.eu/PageFiles/6533/Criminal%20Code%20of%20the%20Czech%20Republic.pdf>

⁷ [http://www.palermo.edu/cele/pdf/LeyesdeAccesoalaInformacion/RepublicaChecaAccesstoInformationLaw\(1999\).pdf](http://www.palermo.edu/cele/pdf/LeyesdeAccesoalaInformacion/RepublicaChecaAccesstoInformationLaw(1999).pdf)

⁸ <http://www.rrtv.cz/en>

⁹ <http://www.rrtv.cz/en/static/documents/act-231-2001/Act-on-RTV-broadcasting-reflecting-AVMSD.pdf>

7. The Syndicate of Journalists of the Czech Republic on 18 June 1998 adopted its own Journalists' Code of Ethics¹⁰, which is binding on its members.
8. In 1990, Media publishers created the Czech Publishers Association. It conducts research into readership and circulation data.
9. In 1992, Commercial radio broadcasters founded the Association of Private Broadcasters¹¹. There is also the Association for Internet Advertisement¹² (SPIR), which provides regular data on web viewership trends.

➤ Safety of journalists:

10. Since 2008, UNESCO recorded no killing of journalists in the Czech Republic¹³.

III. RECOMMENDATIONS

11. Below are the recommendations made within the framework of the 2nd cycle of the Working Group (14th session) on the Universal Periodic Review (December 2012)¹⁴:

94.55. Take steps to prevent acts of racially motivated violence and discrimination, including through education and awareness campaigns, ensuring effective interventions by law enforcement and ensuring the successful prosecution of those that commit such crimes (Canada);

94.73. Stop and redress the violation of Roma children's rights to education and freedom from discrimination in policy, law and practice to ensure that anti-discrimination policies can be effectively implemented in practice (Iran (Islamic Republic of));

94.92. Further educate and train the appropriate professional groups to raise awareness among the vulnerable groups and establish cooperation with additional institutions and organizations, namely as regards worker exploitation

94.95. Confirm the commitment by the Ministry of Education to implement the National Action Plan for Inclusive Education (Palestine);

94.96. Take measures to ensure the effective implementation of the National Action Plan for Inclusive Education (NAPIE) by ensuring that adequate funding is made available and that concrete targets are set to ensure that all children, including Roma, are provided with equal access and equal opportunity to education (Canada);

¹⁰ http://ethicnet.uta.fi/czech_republic/journalists_code_of_ethics

¹¹ <https://www.apsv.cz/>

¹² <http://www.spir.cz/en>

¹³ <http://www.unesco.org/new/en/communication-and-information/freedom-of-expression/press-freedom/unesco-condemns-killing-of-journalists/>

¹⁴ <http://www.ohchr.org/EN/HRBodies/UPR/Pages/CZSession14.aspx>

- 94.97.** Undertake appropriate measures in the education sphere to further focus on the effective integration and development of disadvantaged children (Sri Lanka);
- 94.98.** Take appropriate steps to ensure inclusive education in Czech schools. (Norway);
- 94.99.** Redouble its efforts in the comprehensive implementation of the National Plan of Action for Inclusive Education (Indonesia);
- 94.100.** Fully implement the 2010 National Action Plan for Inclusive Education by mainstreaming Romani students whenever possible (United States of America);
- 94.101.** That the Ministry of Education fully implement the National Plan of Action for Inclusive Education for Roma children in school (Belgium);
- 94.102.** Fully implement the National Plan of Action for Inclusive Education and eliminate practices that lead to the continued segregation of Roma children at school, redouble efforts to remedy all shortcomings faced by Roma children in the field of education (Kyrgyzstan);
- 94.103.** Implement effectively the National Action Plan for Inclusive Education, including by making available adequate human and financial resources, and strengthen it by developing a concrete timeline with clear targets to put an end to the segregation of Roma children within the mainstream system (Denmark);
- 94.104.** Ensure prompt and effective implementation of the NAPIE and other strategies and action plans relevant to the full realization of the rights of Roma children by, inter alia, making available the necessary human and other resources and setting clear, measurable and ambitious targets for transfers of children to ordinary education and for overall de-segregation of the school system (Finland);
- 94.105.** Seek to ensure full participation of the Roma themselves in these efforts (Finland);
- 94.106.** Promote the integration of Roma children in the educational system under the same conditions as the other children (Spain);
- 94.107.** As part of its efforts to achieve inclusive education for Roma, take measures necessary to include students and teachers from the specialised education system into the regular system (Mexico);
- 94.108.** Increase efforts for the efficient implementation of the right to education of members of the Roma minority, as recommended by the Committee on the Rights of the Child and Council of Europe's Commissioner for Human Rights (Slovenia);
- 94.109.** Reinforce its programmes to include Roma girls in the mainstream education (Bangladesh);
- 94.110.** Continue with measures to remove discrimination and segregation of Romani pupils, including by ensuring effective implementation of its National Action Plan for Inclusive Education (Australia);
- 94.111.** Effectively eliminate segregation of Roma within the education system, inter alia, by fully and swiftly implementing the National Action Plan for Inclusive Education aiming at addressing issues identified by the European Court for Human Rights (Austria);
- 94.112.** Revise criteria for enrolment into special schools thus avoiding the enrolment of Roma children in special schools without due recommendation of education and psychology professionals (Brazil);
- 94.113.** Fund and implement a single plan and timeline with clear annual targets aimed at eliminating school segregation for Roma children and ensuring inclusive education (United Kingdom of Great Britain and Northern Ireland);

94.114. Ensure effective access of children with disabilities to compulsory education, including through the legal amendments to prohibit the denial of access to education for those children because of limited material and other resources (Uzbekistan);

94.115. Continue its efforts to provide minority and migrant boys and girls the best possible access to the general education that benefits all citizens of the country (Paraguay);

94.127. Continue promoting and protecting the rights of minorities by fully integrating minorities in all socio-economic aspects in addition to education, medical service and employment (Thailand);

94.131. Provide effective guarantee for the rights of Roma in the fields of education, employment and housing (China);

Review and specific recommendations

12. During the reporting period, The Czech Republic took significant measures to implement the right to education. It should be commended for the amendment to the Education Act (amendment no. 178/2016) which was approved in 2016 and which introduces the compulsory year of pre-primary education before the commencement of the compulsory school attendance¹⁵, in line with SDG 4.
13. Besides, after being approved by the Government in July 2014, the new Strategy for Education Policy of the Czech Republic until 2020 came into effect. The strategy formulates three key priorities: 1) to achieve a significant decrease in the education system's inequality over the following years; 2) to support teachers as the key prerequisite of high-quality education, which is related to the completion and implementation of the career system and enhancing the quality of future teachers' training at higher education institutions; 3) to introduce effective and accountable governance of the education system.
14. The Long-term Plan for Education and the Development of the Education System of the Czech Republic (2015–2020) asserts the strategic aims and criteria of the national education policy (based on the 2020 Strategy) and shapes the form of regional Long-term Plans¹⁶. In relation to fulfilling the goals of the Europe 2020 Strategy, corresponding national goals of the Czech Republic were set.
15. Regarding the minorities, in December 2014 the Action Plan of Measures for the Education of Roma Children, Pupils and Students 2015–2017 was approved. In February 2015, the Government adopted the Strategy for Roma Integration until 2020, which establishes a framework for measures that will reverse the negative trends in the situation of a large part of the Roma population in the Czech Republic by 2020¹⁷. The Czech Republic should continue its efforts to improve the inclusion of Roma students in the educational system through the implementation the Action Plan the Strategy should also be highlighted.

¹⁵[https://webgate.ec.europa.eu/fpfis/mwikis/eurydice/index.php/Czech-Republic:National Reforms in School Education#Amendment to the Education Act approved .282016.29](https://webgate.ec.europa.eu/fpfis/mwikis/eurydice/index.php/Czech-Republic:National_Reforms_in_School_Education#Amendment_to_the_Education_Act_approved_.282016.29)

¹⁶ [https://webgate.ec.europa.eu/fpfis/mwikis/eurydice/index.php/Czech-Republic:Ongoing Reforms and Policy Developments](https://webgate.ec.europa.eu/fpfis/mwikis/eurydice/index.php/Czech-Republic:Ongoing_Reforms_and_Policy_Developments)

¹⁷ https://www.vlada.cz/assets/evropske-zalezitosti/aktualne/CZ-NRP-2015_second-updated-version- in-English .pdf

16. Regarding disadvantaged groups, in August 2015, the government also adopted the Inclusive Education Action Plan 2016-2018¹⁸.
17. Concerning higher education, the priorities of the Updated Strategic Plan for Higher Education Institutions for 2017 are based on the amendment to the Higher Education Act. Updates follow the structure of the Strategic Plan for the Scholarly, Scientific, Research, Development, Innovation, Artistic and Other Creative Activities of Higher Education Institutions for the period 2016–2020 and complements its individual priority objectives by planned measures¹⁹. In the period from 1 February 2012 till 31 October 2015 an individual national project for the area of tertiary education, research and innovation Individual National Project Metodika – Effective Evaluation and Financing System for Research, Development and Innovation took place²⁰.
18. Regarding financing, the Ministry of Education, Youth and Sports has pledged to support the capacity development of nursery and basic schools via a **special fund set up in 2016**.
19. Finally, the **Long-Term Plan for Education 2015-2020** and the **Action Plan for Inclusive Education 2016-2018** envisage support for teachers with respect to inclusive education and lay down standards for teachers in this area.²¹

Specific Recommendations:

1. As a State Party to the Convention against discrimination in education, the Czech Republic is encouraged to fully implement the relevant provisions that promote equal access to a quality education without discrimination or exclusion, and fully implement the right to education as defined by it and by the Covenant on Economic, social and cultural rights. In doing so, the Czech Republic could be encouraged to enact legislation to ensure a comprehensive, coherent framework that guarantees that the structure, conduct and syllabus of its education sector are in compliance with human rights, to ensure quality education.
2. The Czech Republic could also be encouraged to reduce the school dropout rate and absenteeism of Roma girls and educate teachers on countering persistent negative gender stereotypes and to continue its efforts in providing improved accessibility of schools and

¹⁸ European Social Policy Network (ESPN), Flash Report 2016/27: “Czech Republic takes new measures to improve the inclusion of Roma children in mainstream education” and further information can be found at: https://www.vlada.cz/assets/evropske-zalezitosti/aktualne/CZ-NRP-2015_second-updated-version- in-English .pdf

¹⁹ https://webgate.ec.europa.eu/fpfis/mwikis/eurydice/index.php/Czech-Republic:National_Reforms_in_Higher_Education#Updated_Strategic_Plan_for_Higher_Education_Institutions .E2.80.93_2_017

²⁰ https://webgate.ec.europa.eu/fpfis/mwikis/eurydice/index.php/Czech-Republic:National_Reforms_in_Higher_Education#Project_IPN_Metodika .E2.80.93_Effective_Evaluation_and_Financing_System_for_Research.2C_Development_and_Innovation

²¹ http://ec.europa.eu/europe2020/pdf/csr2016/cr2016_czech_en.pdf

inclusivity at all levels of education for all children with disabilities, including by allocating resources for the provision of reasonable accommodation as well making legal amendments to prohibit the denial of access to education for those children because of limited material and other resources.

3. The Czech Republic should be strongly encouraged to pursuing the submission of state reports for the periodic consultations of UNESCO's education related standard-setting instruments.
4. The Czech Republic should be encouraged to share with UNESCO relevant information to update the country profile of the Global Database on the right to education.²²

Freedom of opinion and expression

20. The Czech Republic is recommended to decriminalize defamation and place it within a civil code that is in accordance with international standards²³.

Cultural Rights

21. As a State Party to the Convention concerning the Protection of the World Cultural and Natural Heritage (1972)²⁴, the Convention for the Safeguarding of the Intangible Cultural Heritage (2003)²⁵, and the Convention on the Protection and Promotion of the Diversity of Cultural Expressions (2005)²⁶, the Czech Republic is encouraged to fully implement the relevant provisions that promote access to and participation in cultural heritage and creative expressions and, as such, are conducive to implementing the right to take part in cultural life as defined in article 27 of the Universal Declaration of Human Rights and article 15 of the International Covenant on Economic, Social and Cultural Rights. In doing so, the Czech Republic is encouraged to give due consideration to the participation of communities, practitioners, cultural actors and NGOs from the civil society as well as vulnerable groups, and to ensure that equal opportunities are given to women and girls to address gender disparities.

Freedom of scientific research and

²² <http://www.unesco.org/new/en/education/themes/leading-the-international-agenda/right-to-education/database/>

²³ See for example, General Comments No 34. of the International Covenant on Civil and Political Rights (ICCPR), 2006 Recommendation of the 87th Session Human Rights Committee, the recommendations of the UN Special Rapporteurs on the Right to Freedom of Opinion and Expression, and Resolution 1577 (2007) of the Parliamentary Assembly of the Council of Europe.

²⁴ Periodic Report available at: <http://whc.unesco.org/document/136521>

²⁵ Periodic Report available at: <http://www.unesco.org/culture/ich/en/state/czechia-CZ?info=periodic-reporting>

²⁶ Periodic Report available at: <http://en.unesco.org/creativity/monitoring-report/quadrennial-reports/available-reports/periodic-report-czech-republic>

the right to benefit from scientific progress and its applications

22. In the framework of the Second Consultation on the implementation of the Recommendation on the Status of Scientific Researchers (1974) covering the period from 2013 to 2016, launched by UNESCO in December 2016 (<http://on.unesco.org/2hL0xGz>), the **Czech Republic** is encouraged to report to UNESCO on any legislative or other steps undertaken by it to ensure the application of this international standard-setting instrument. The **Czech Republic** is invited to complete the online questionnaire, which has been prepared by UNESCO to guide and assist Member States with their reporting (<http://unesdoc.unesco.org/images/0024/002468/246830E.pdf>). When replying to the 2013-2016 monitoring questionnaire, the **Czech Republic** is kindly invited to pay particular attention to the legal provisions and regulatory frameworks which ensure that scientific researchers have the responsibility and the right to work in the spirit of the principles enshrined in the 1974 Recommendation.