

# Czechia

## About

The concept of equality is defined in the Czech Charter of Fundamental Rights and Basic Freedoms, which is part of the 1993 Constitution. References to gender equality can be also found in the Labour Code.

The influence of the European Union (EU) on the advancement of gender equality in Czechia was fundamental during the accession process, especially in terms of harmonising legislation with the EU acquis. Since 2001, efforts to promote gender equality, including gender mainstreaming, have been formalised in the Priorities and Policies of the Government in Implementing Equality for Women and Men.

After the initial promotion of gender equality within the framework of the ministerial agenda for human rights, equal opportunities and the legislature of 2014, the government body for gender equality underwent a series of changes in 2017 and now falls within the remit of the Prime Minister. Under the guidance of the Department of Gender Equality, gender focal points (GFPs) are in place at respective ministries, with responsibility for gender mainstreaming. The Department of Gender Equality undertakes an annual evaluation of progress towards the goals and targets of the Government Strategy for Equality of Women and Men for 2014–2020, with the Strategy then used to set the Priorities and Policies of the Government in Promoting of Gender Equality.

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## Legislative and policy framework

The legal basis of the gender equality agenda is set primarily in the Constitution of the Czech Republic (namely Article 3(1) of the Charter of Fundamental Rights and Freedoms contained within the Constitution, entitling everyone to rights and liberties regardless of their sex) and international agreements (such as the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) and other UN and Council of Europe conventions) [1].

The Anti-discrimination Act of 1 December 2009 is the central piece of legislation aimed at preventing discrimination based on gender. The Government Strategy for Equality of Women and Men for 2014–2020 is a medium-term document adopted by the government of Czechia and used to set government priorities each year. Compliance with the Strategy is monitored and assessed regularly, although there is no sanction mechanism for failure to comply.

In May 2018, the Standard of the Gender Focal Point (GFP) Positions was adopted by the government to liaise on gender equality issues across different ministries and strengthen the role of GFPs in carrying out gender impact assessments of legislative and non-legislative materials. Gender expertise varies between GFPs but the Standard recommends graduates with degrees in gender studies, law and social sciences for the post. The Standard also specifies that gender training for GFPs should be officially recognised by their employers as part of continuing professional development (CPD) [2]. Implementation of the Standard will form part of the annual report on the equality of women and men 2018, to be discussed and adopted by the government of the Czech Republic in May 2019.

A gender mainstreaming approach and objectives are set by the Strategy for Equality of Women and Men for 2014–2020. Progress is evaluated annually and specific targets and indicators are set in the Priorities and Policies of the Government in Promoting of Gender Equality. The Strategy effectively provides a roadmap for most of the actions taken in gender mainstreaming and serves as the main evaluation framework.

Considerable effort is being applied to drafting the forthcoming Government Equality Strategy for 2021+. Gender evaluation of the Strategy 2014–2020 [3] concluded that the indicators complemented each of the specific goals (or targets) of the Strategy, although the Strategy remained focused on establishing the process of gender mainstreaming and gender equality promotion. Alongside the need for a medium-term document to guide gender equality and gender mainstreaming policy, Strategy 2021+ considers the eligibility conditions for EU funding in the 2021–2027 programming period.

The design and adoption of Strategy 2021+ are of utmost importance to the State, with particular attention paid to the development of precise indicators. Since the beginning of 2019, a fairly robust consultation process has been underway, through the medium of working groups. Strategy 2021+ is expected to be submitted to the government in March 2020.

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# Structures

## Government responsibilities

Czechia's gender equality agenda is within the remit of the Prime Minister. There is criticism of the location and supervision of all human rights government councils – including that of gender equality - as the Prime Minister simultaneously acts as the chair of the Government Council for Gender Equality (Rada vlády pro rovnost žen a mužů, 'the Council') [4], the permanent advisory body to the Czech government, allowing potentially extensive control over these kinds of advisory bodies. The Council was established by Government Resolution No. 1033 of October 10, 2001. The Statute of the Council states: 'by its activities, the Council assists in and promotes the achievement of equality between women and men, i.e. equal standing and balanced participation of women and men in all spheres of life and at all levels of society, including legislature, and it acts to raise general consciousness about equality between women and men and about measures to achieve equality' [5].

The Department of Gender Equality (Odbor rovnosti žen a mužů při Úřadu vlády ČR) is the government gender equality body at national level. It serves as the Secretariat of the Council, as set out in the Statute of the Council [6]. The Department is an organisational unit at the Office of the Government, located in the Human Rights section. The Department of Gender Equality is divided into two different groups – the Secretariat of the Government Council for Gender Equality and the Unit for Horizontal Agendas [7]. The Department is the structure with primary responsibility for coordinating activities in the field of gender mainstreaming. The actual gender mainstreaming work is therefore carried out at various levels: within the Council and its committees and working groups, within the Department, and at the level of relevant ministries.

Effective communication between government advisory structures (the Council) and the relevant ministries is ensured via membership or guest participation of the GFPs at Council meetings, committees and working groups. The Department of Gender Equality meets regularly with GFPs outside of Council meetings.

## Independent gender equality body

The Public Defender of Rights (Veřejný ochránce práv) is the body for equal treatment, whose mandate is designated by EU Directive 2002/73/EC, the Anti-discrimination Act (198/2009 Coll.) and the Act on the Public Defender of Rights. According to the Act on the Public Defender of Rights, it 'shall contribute to promotion of the right to equal treatment of all persons irrespective of their race or ethnic origin, nationality, sex, age, disability, religion, belief or opinions, and to this end shall:

- Provide methodological assistance to victims of discrimination in lodging their proposals for commencement of proceedings concerning that discrimination;
- Undertake research;
- Publish reports and issue recommendations on discrimination-related issues;
- Provide for exchange of available information with the relevant European parties' [8].

The Defender's mandate is chiefly concerned with research, recommendations and cooperation with other stakeholders.

## Parliamentary bodies

In the parliament's Chamber of Deputies, the Permanent Commission on Family Issues, Equal Opportunities and Minorities deals with the [gender equality agenda](#). Similarly, within the Senate, the agenda is held by the [Sub-Committee on Human Rights and Equal Opportunities of the Committee on Education, Science, Culture, Human Rights and Petitions](#). Although still in existence, the Sub-Committee has been on hiatus since February 2017.

The Report on Gender Equality, prepared annually by the Department of Gender Equality, is regularly presented to the government for adoption but is not required to be presented to any of the parliamentary committees.

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## Methods and tools

Note: the methods and tools listed under this section were the focus of EIGE's 2018-2019 assessment. If certain methods and tools are not mentioned in this section, this does not necessarily mean that they are not used at all by Czechia.

The standardisation, development and evaluation of standards and methodologies are essential steps in mainstreaming gender issues in state policies. Gender budgeting is still underdeveloped but is expected to form part of Strategy 2021+, which is still in preparation. In 2015, the Methodology for Gender Impact Assessment of Materials Submitted to the Government [9], and the Gender Audit Standard [10] were developed.

## **Training and awareness raising**

The Department of Gender Equality does not carry out gender awareness-raising activities to increase general sensitivity. Rather, the Government Council for Gender Equality, its committees, and working groups hold meetings that aim to increase general sensitivity to the issue of gender equality, especially among members of these bodies. Informal gender awareness-raising is part of the support provided by the Department of Gender Equality to various ministerial officers, including the GFPs in carrying out gender impact assessment.

## **Gender statistics**

There is no legal obligation to produce gender statistics and sex-disaggregated data. However, particular institutions have certain obligations to provide data on the gender of natural persons.

The primary provider of statistical data in Czechia is the Czech Statistical Office, whose authority is delineated in Act No 89/1995 Coll. on the State Statistical Service.

According to Section 8 of the Act, in statistical surveys of natural persons, the birth certificate number may be collected. Section 12 of the Act goes on to say that in population statistics and the population and housing census information, government bodies and providers of health services are obliged to provide a birth certificate number. While there is no legal obligation to produce sex-disaggregated data, therefore, data must be gathered that are readily available for sex-disaggregation.

In 2015, a Gender Statistics Concept was published by the Czech Statistical Office and the Office of the Government of Czechia. The Concept aims to review the adequacy of the official statistical system and its coverage of gender issues and to formulate further tasks in the production of gender statistics. Although it serves as a guideline for sex-disaggregated data collection, analysis and gender statistics production, it is not legally binding [11]. Despite the absence of legal standing, the dissemination of sex-disaggregated data and gender statistics has improved in recent years. Dissemination of data is made possible by the high degree of cooperation between the responsible unit of the Czech Statistical Office and the Department of Gender Equality.

The unit responsible for promoting the production of sex-disaggregated data within the Czech Statistical Office is the Unit for Labour Forces, Migration and Equal Opportunities, within the Labour Market and Equal Opportunities Statistics Department.

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## Good practices

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## References

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Statute of the Government Council for Gender Equality: Government Resolution No. 544 of July 8, 2015 ([Statut Rady vlády pro rovnost žen a mužů](#), 2015).

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## Endnotes

[1] For an exhaustive account of gender equality legislation in Czechia, see Government Strategy for Equality of Women and Men for 2014 – 2020 ([Vládní strategie pro rovnost žen a mužů v České republice na léta 2014 – 2020](#)) (2014).

[2] Office of the Government of the Czech Republic – Department of Human Rights and Minorities (2016). Gender Audit Standards: 2nd version ([Standard genderového auditu : 2. Verze](#)). Praha: Úřad vlády České republiky - Odbor lidských práv a ochrany menšin.

[3] The evaluation of the Strategy is not public and to date has only been introduced in the working meetings on the design and planning of the Government Strategy for Gender Equality 2021+.

[4] The Government Council for Gender Equality is not included in Section 2 of the questionnaire.

[5] Government of Czechia (2015). Statute of the Government Council for Gender Equality: Government Resolution No. 544 of July 8, 2015 ([Statut Rady vlády pro rovnost žen a mužů](#)).

[6] Government of Czechia (2015). The statute of the Government Council for Gender Equality: Government Resolution No. 544 of July 8, 2015 ([Statut Rady vlády pro rovnost žen a mužů](#)).

[7] See the '[Organisation Scheme of the Office of the Government](#)'.

[8] Act on the Public Defender of Rights ([Zákon o veřejném ochránci práv](#), č. 349/1999 Sb. ze dne 8. prosince 1999).

[9] Špondrová, P., Hejzlarová, E., Walek, C. and Čmolíková Cozlová, K. (2015). Methodology for Gender Impact Assessment of Materials Submitted to the Government: Guidelines ([Metodika hodnocení dopadů na rovnost žen a mužů pro materiály předkládané vládě ČR: příručka](#)). Office of the Government of the Czech Republic – Department of Human Rights and Minorities. Praha: Úřad vlády České republiky - Odbor lidských práv a ochrany menšin.

[10] Office of the Government of Czechia – Department of Human Rights and Minorities (2016). Gender Audit Standards: 2nd version ([Standard genderového auditu : 2. Verze](#)). Praha: Úřad vlády České republiky - Odbor lidských práv a ochrany menšin.

[11] Řezanka, M. and Návarová, J. (2015). The Gender Statistics Concept ([Český statistický úřad](#) - Oddělení pracovních sil, migrace a rovných příležitostí 'Koncepte genderové statistiky' & Úřad vlády ČR - Oddělení rovnosti žen a mužů). Czech Statistical Office. For more details on the Concept, see the Review Cards (the appendix to the Literature Review).

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