

RÉPUBLIQUE TCHÈQUE. UN IMMOBILISME SOURCE D'INÉGALITÉS

AMNESTY INTERNATIONAL COMMUNICATION POUR LA 42^E SESSION DU GROUPE DE TRAVAIL SUR L'EPU, 23 JANVIER 2023 (ANNEXES EN ANGLAIS)

RÉSUMÉ

La présente communication a été préparée pour les besoins du prochain Examen périodique universel (EPU) de la République tchèque, qui doit se tenir le 23 janvier 2023. Amnesty International y évalue la mise en œuvre des recommandations faites à la République tchèque lors de son précédent EPU, notamment concernant les droits des Roms, des enfants et des femmes.

L'organisation y examine également le cadre national des droits humains relatif aux crimes motivés par la haine et aux violences sexuelles et vérifie si le pays veille au respect des traités et des conventions internationales.

En ce qui concerne la situation des droits humains sur le terrain, Amnesty International s'inquiète particulièrement du recours excessif à la force et d'autres irrégularités commises par la police, de l'insuffisance de l'aide apportée aux personnes réfugiées et de la discrimination envers les lesbiennes, les gays et les personnes bisexuelles, transgenres ou intersexes (LGBTI).

En conclusion, Amnesty International adresse à la République tchèque une série de recommandations qui contribueraient à améliorer la situation des droits humains si elles étaient mises en œuvre.

LE PRÉCÉDENT EXAMEN ET SES SUITES

Droits des femmes

1. Le 13 août 2021, la République tchèque a adopté une loi accordant réparation aux femmes roms stérilisées de force ou sous la contrainte¹, comme elle avait accepté de le faire lors de son précédent examen².
2. Bien que la République tchèque ait appuyé six recommandations l'invitant à ratifier la Convention du Conseil de l'Europe sur la prévention et la lutte contre la violence à l'égard des femmes et la violence domestique, elle n'a pas encore pris de mesures suffisantes en ce sens. De nombreuses informations erronées ont d'ailleurs été colportées concernant la Convention et le gouvernement n'a pas réagi³.

Droits des enfants

3. Conformément aux recommandations appuyées lors de son examen précédent⁴, la République tchèque a adopté le 8 octobre 2021 une loi mettant fin au placement en institution d'enfants de moins de 3 ans dont les parents ou les proches ne peuvent pas s'occuper⁵. Cette pratique devrait cesser à l'horizon 2024.
4. La République tchèque n'a pas créé de poste de médiateur distinct pour les droits de l'enfant, alors qu'elle avait appuyé des recommandations en ce sens lors de son examen précédent⁶, et ce mandat échoit toujours au Défenseur public des droits.
5. Regrettablement, lors de son examen précédent, la République tchèque s'est contentée de prendre note des recommandations l'invitant à interdire les châtiments corporels infligés aux enfants⁷. Ces châtiments restent non seulement légaux⁸, mais l'État n'a pas pris de réelles mesures pour lutter contre le recours à cette pratique et promouvoir d'autres modèles d'éducation non violents⁹. Ces recommandations demeurent pertinentes et devraient être mises en œuvre dès que possible.

Population rom

6. Bien que la modification de la loi sur l'école adoptée en 2016 ait aboli le système d'éducation parallèle pour les élèves diagnostiqués comme souffrant de troubles mentaux légers, qui était un facteur important de discrimination contre les Roms dans le système scolaire, la discrimination et la ségrégation raciale persistent. Un rapport¹⁰ a constaté en 2017 que les Roms étaient toujours plus susceptibles d'être envoyés dans des écoles ayant déjà un pourcentage élevé d'élèves de ce type et d'être acceptés par celles-ci et que les écoles à majorité non rom avaient tendance à les refuser, prétendument pour des raisons de capacité¹¹. Les écoles à majorité rom se trouvent généralement dans des lieux isolés, ont peu de moyens et l'enseignement y est médiocre¹².

CADRE NATIONAL DE PROTECTION DES DROITS HUMAINS

7. Malgré les demandes qui lui sont faites depuis longtemps d'étendre les capacités et responsabilités du Défenseur public des droits de manière à respecter les Principes de Paris, la République tchèque n'a toujours pas d'institution nationale des droits humains¹³.
8. Le droit pénal tchèque ne considère pas explicitement l'orientation sexuelle et l'identité de genre comme des mobiles valables de crimes motivés par la haine (contrairement aux motivations raciales ou relatives à la religion, la nationalité ou l'appartenance ethnique). En réalité, les crimes motivés par la haine fondée sur l'identité de genre ou sexuelle de la victime sont jugés moins sévèrement¹⁴ que les infractions de nature raciste ou basées sur la religion. Le Défenseur public des droits a qualifié cela d'injuste et recommandé en 2019 de modifier la loi relative aux crimes motivés par la haine fondée sur le genre ou la sexualité, mais aucune modification de la sorte n'a encore été adoptée¹⁵.
9. Bien que, lors de son examen précédent, la République tchèque ait appuyé une recommandation lui préconisant de continuer à combler l'écart entre les droits dont bénéficient les couples homosexuels et ceux des couples hétérosexuels¹⁶, le droit civil n'autorise pas les couples de même sexe à se marier et ne leur accorde pas les mêmes droits lorsqu'ils contractent une union civile. Les personnes de même sexe unies civilement n'ont pas le

droit d'adopter des enfants en tant que couple, ne reçoivent pas de pension en cas de décès de leur conjoint-e et ne peuvent pas mettre en communauté leur patrimoine.

10. Les restrictions mises en place à cause de la pandémie de COVID-19 ont eu des conséquences différentes pour les couples de même sexe en union civile et les couples mariés. Seuls ces derniers pouvaient traverser les frontières s'ils se trouvaient séparés et, contrairement aux mariages, les unions civiles n'ont pas pu être célébrées pendant le confinement le plus strict.
11. Si un couple homosexuel élève un enfant, seul un-e des deux conjoint-e-s peut être considéré comme parent légitime, tandis que l'autre est considéré par la loi comme n'ayant aucun lien avec l'enfant. Cela limite de manière injustifiée la protection médicale, sociale et légale des enfants élevés par des couples de même sexe¹⁷. Environ 60 à 65 % de la population est favorable au mariage pour toutes et tous¹⁸.
12. La stérilisation est toujours obligatoire¹⁹ en cas de changement de sexe, en dépit des décisions de la Cour européenne des droits de l'homme, qui a jugé qu'une telle exigence était contraire aux droits humains²⁰, et du Comité européen des droits sociaux, qui estime qu'elle porte atteinte au droit à la santé²¹.
13. La définition juridique du viol ne repose pas sur la notion de consentement. Le Code pénal continue de fonder la définition du viol sur le fait de recourir à la force ou à la menace ou de profiter de la vulnérabilité de la victime, ce qui n'est pas conforme au droit relatif aux droits humains et aux normes en la matière. Dans certains cas, cela s'est traduit par une absence de sanction pour la personne coupable lorsque la victime était restée pétrifiée ou n'avait pas pu se défendre²².

SITUATION EN MATIÈRE DE DROITS HUMAINS SUR LE TERRAIN

Discrimination

14. Lors de son examen précédent, la République tchèque a appuyé 12 recommandations²³ relatives aux droits des femmes, dont quatre concernant la mise en œuvre de la stratégie nationale et des plans nationaux pour l'égalité entre les femmes et les hommes²⁴. Le 8 mars 2021, le gouvernement a adopté une nouvelle stratégie pour l'égalité entre les femmes et les hommes pour la période 2021-2030. Ce document prévoit les mesures à prendre dans huit domaines : le travail, la santé, la prise de décisions, la sécurité, les institutions, la sensibilisation du grand public, la politique étrangère et la société civile. Si cette stratégie est correctement appliquée, ce serait un grand pas en faveur de l'égalité des genres, mais sa mise en œuvre dépend de la volonté politique et, jusqu'à présent, peu d'efforts ont été faits en ce sens²⁵.
15. Les personnes LGBTI sont toujours en butte aux préjugés et à la discrimination, souvent sources de violences liées au genre. D'après un rapport du Défenseur public des droits, seulement un tiers des Tchèques pensent que les personnes LGBTI sont victimes de discrimination²⁶. Pourtant deux tiers des personnes LGBTI interrogées ont déclaré que cette discrimination était réelle²⁷. Un tiers d'entre elles ont répondu en avoir été victimes au cours des cinq années précédentes, et 15 % avaient subi des violences sexuelles ou physiques, des agressions ou des menaces. Selon le rapport, ces discriminations sont très rarement dénoncées : 91 % des personnes interrogées qui en avaient fait l'expérience ont déclaré qu'elles n'avaient porté plainte devant aucune instance²⁸.
16. L'un des principaux problèmes concernant le statut et le bien-être des personnes LGBTI est le manque persistant de données statistiques décrivant la situation et l'ampleur de la discrimination, du harcèlement et des violences qu'elles subissent. De telles données pourraient être essentielles pour mettre en place des mesures pertinentes et efficaces afin d'améliorer la situation.
17. Le 19 juin 2021, Stanislav Tomáš, un Rom, a été arrêté de force par trois policiers. Un enregistrement vidéo de la scène montre un policier appuyant son genou sur la nuque de Stanislav Tomáš pendant au moins cinq minutes, maintenant la pression alors même que les menottes lui avaient été passées et qu'il ne résistait plus. Stanislav Tomáš est mort peu après dans une ambulance. Des organisations de défense des droits humains et des organisations roms ont demandé qu'une enquête exhaustive et indépendante soit menée rapidement sur les

circonstances de ce décès²⁹. L'inspection générale des forces de sécurité a conclu que le policier avait agi conformément à la loi et aux pratiques habituelles. Le bureau du Défenseur public des droits a constaté plusieurs éléments inquiétants dans les actions et procédures de la police³⁰.

Droits des personnes réfugiées ou migrantes

18. La République tchèque est venue en aide aux personnes qui fuyaient la guerre en Ukraine. Le racisme et le fait que l'État n'ait pas fourni à toutes les personnes en quête de sécurité, en particulier les Roms, la protection et le soutien dont elles avaient besoin et auxquels elles avaient droit suscitent de vives inquiétudes³¹. Des centaines de Roms fuyant le conflit en Ukraine ont été bloqués dans les gares et n'ont reçu qu'une quantité limitée de nourriture, d'eau et de produits de première nécessité³².

RECOMMANDATIONS À L'ÉTAT SOUMIS À L'EXAMEN

Amnesty International demande au gouvernement tchèque de prendre les mesures suivantes :

Cadre national de protection des droits humains

19. Ratifier et transposer dans la législation nationale la Convention du Conseil de l'Europe sur la prévention et la lutte contre la violence à l'égard des femmes et la violence domestique (Convention d'Istanbul).
20. Renforcer le mandat du Défenseur public des droits pour qu'il fasse office d'institution nationale de protection des droits humains conformément aux Principes de Paris.

Droits des enfants

21. Satisfaire les recommandations faites par le Comité des droits de l'enfant l'invitant à interdire explicitement les châtiments corporels dans la loi, quels que soient leur forme et le lieu, et promouvoir des formes d'éducation et de discipline positives, non violentes et participatives³³.

Roms

22. Mettre en œuvre l'intégralité des stratégies d'égalité, d'inclusion et de participation des Roms (Stratégie d'intégration des Roms) pour la période 2021-2030 et veiller à ce qu'elles bénéficient d'un budget suffisant.
23. Mettre réellement fin à la ségrégation dans les écoles par des contrôles et des rectifications.

Droits des femmes et égalité des genres

24. Mettre en œuvre l'intégralité de la Stratégie pour l'égalité entre les femmes et les hommes 2021-2030 et veiller à ce qu'elle bénéficie d'un budget suffisant.
25. Modifier la définition du viol dans le Code pénal de manière à ce qu'elle soit fondée sur l'absence de consentement plutôt que sur le recours à la force ou à la menace.

Droits des personnes LGBTI

26. Étendre le droit au mariage aux couples de même sexe en modifiant le Code civil afin de mettre fin à la discrimination dont sont victimes les enfants élevés par des couples homosexuels par rapport à ceux élevés par des couples hétérosexuels mariés.
27. Modifier le Code pénal et la loi contre la discrimination de manière à réduire les infractions pénales ainsi que les préjugés et la discrimination fondés sur l'orientation sexuelle et l'identité de genre. En particulier, modifier le Code

pénal de telle sorte que les victimes d'infractions motivées par la haine envers les personnes LGBTI soient autant protégées que les victimes d'autres crimes de haine, à caractère racial ou religieux, par exemple.

28. Abolir l'exigence de stérilisation conditionnant la reconnaissance juridique du genre des personnes transgenres, que la Cour européenne des droits de l'homme considère comme une violation des droits humains.

Droits des personnes réfugiées ou migrantes

29. Assurer la protection nécessaire aux personnes réfugiées et demandeuses d'asile, préserver leur dignité et faire en sorte qu'elles aient accès à une aide juridique.
30. Faciliter le regroupement familial des personnes réfugiées ou migrantes et veiller à ce qu'elles bénéficient de la sécurité sociale.

ANNEX 1

KEY AMNESTY INTERNATIONAL DOCUMENTS FOR FURTHER REFERENCE

Czech Republic: Hard won justice for women survivors of unlawful sterilization, 22 July 2021,
www.amnesty.org/en/latest/news/2021/07/czech-republic-hard-won-justice-for-women-survivors-of-unlawful-sterilization/

Czech Republic: Concerns Over Possible Unlawful Killing by the Police (Index: EUR 71/4329/2021), 23 June 2021,
www.amnesty.org/en/documents/eur71/4329/2021/en/

Amnesty International Report 2021/22, 29 March 2022, p.143-144,
<https://www.amnesty.org/en/documents/pol10/4870/2022/en/>

Amnesty International Report 2020/21, 7 April 2021, p. 137-138,
<https://www.amnesty.org/en/documents/pol10/3202/2021/en/>

Europe: Human rights in Europe – review of 2019, 16 April 2020, p. 22,
<https://www.amnesty.org/en/documents/eur01/2098/2020/en/>

Amnesty International Report 2017/18, 22 February 2018, p. 143-144,
<https://www.amnesty.org/en/documents/pol10/6700/2018/en/>

ANNEX 2

Recommendation	Position	Full list of themes	Assessment/comments on level of implementation
Theme: A12 Acceptance of international norms			
115.138 Continue the efforts to prevent and address gender-based violence, and in this context, ratify the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Belgium); Source of position: A/HRC/37/4/Add.1 - Para. 115	Supported	A12 Acceptance of international norms D29 Domestic violence E32 Right to just and favorable conditions of work F13 Violence against women S05 SDG 5 - gender equality and women's empowerment S16 SDG 16 - peace, justice and strong institutions Affected persons: - women	Not implemented
115.16 Ratify the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (the Istanbul Convention) (Andorra) (Turkey); Source of position: A/HRC/37/4/Add.1 - Para. 115	Supported	A12 Acceptance of international norms D29 Domestic violence F13 Violence against women S16 SDG 16 - peace, justice and strong institutions Affected persons: - general	Not implemented
115.17 Ratify the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence, without delay (Bosnia and Herzegovina); Source of position: A/HRC/37/4/Add.1 - Para. 115	Supported	A12 Acceptance of international norms D29 Domestic violence F13 Violence against women S16 SDG 16 - peace, justice and strong institutions Affected persons: - general	Not implemented
115.18 Accelerate the process of ratification of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (the Istanbul Convention) (Estonia); Source of position: A/HRC/37/4/Add.1 - Para. 115	Supported	A12 Acceptance of international norms D29 Domestic violence F13 Violence against women S16 SDG 16 - peace, justice and strong institutions Affected persons: - general	Not implemented
115.19 Accelerate the steps towards ratification of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (the Istanbul Convention) (Georgia); Source of position: A/HRC/37/4/Add.1 - Para. 115	Supported	A12 Acceptance of international norms D29 Domestic violence F13 Violence against women S16 SDG 16 - peace, justice and strong institutions Affected persons: - general	Not implemented
115.20 Ratify and begin implementing as soon as possible the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Spain); Source of position: A/HRC/37/4/Add.1 - Para. 115	Supported	A12 Acceptance of international norms D29 Domestic violence F13 Violence against women S16 SDG 16 - peace, justice and strong institutions Affected persons: - general - women	Not implemented
Theme: A45 National Human Rights Institution (NHRI)			
115.144 Continue its efforts to create an ombudsman for children's rights (Bosnia and Herzegovina); Source of position: A/HRC/37/4/Add.1 - Para. 115	Supported	A45 National Human Rights Institution (NHRI) F31 Children: definition; general principles; protection S16 SDG 16 - peace, justice and strong institutions Affected persons: - children	Not implemented

115.145 Consider the creation of an ombudsman for children's rights in order to further advance the status of children (Ireland); Source of position: A/HRC/37/4/Add.1 - Para. 115	Supported	A45 National Human Rights Institution (NHRI) F31 Children: definition; general principles; protection S16 SDG 16 - peace, justice and strong institutions Affected persons: - children	Not implemented
115.146 Continue to promote and protect the rights of the child, also by considering the creation of a national ombudsperson for children (Italy); Source of position: A/HRC/37/4/Add.1 - Para. 115	Supported	A45 National Human Rights Institution (NHRI) F31 Children: definition; general principles; protection S16 SDG 16 - peace, justice and strong institutions Affected persons: - children	Not implemented
115.147 Establish a separate ombudsperson particularly dedicated to the rights of children (Norway); Source of position: A/HRC/37/4/Add.1 - Para. 115	Supported	A45 National Human Rights Institution (NHRI) F31 Children: definition; general principles; protection S16 SDG 16 - peace, justice and strong institutions Affected persons: - children	Not implemented
115.23 Consider establishing a human rights watchdog at the national level, with a proper mandate and adequate resources, in line with the Paris Principles (Bangladesh); Source of position: A/HRC/37/4/Add.1 - Para. 115	Supported	A45 National Human Rights Institution (NHRI) S16 SDG 16 - peace, justice and strong institutions Affected persons: - general	Not implemented
115.24 Establish an A-status national human rights institution based on the Paris Principles (Denmark); Source of position: A/HRC/37/4/Add.1 - Para. 115	Supported	A45 National Human Rights Institution (NHRI) S16 SDG 16 - peace, justice and strong institutions Affected persons: - general	Not implemented
115.25 Establish a national human rights institution in line with the Paris Principles (India); Source of position: A/HRC/37/4/Add.1 - Para. 115	Supported	A45 National Human Rights Institution (NHRI) S16 SDG 16 - peace, justice and strong institutions Affected persons: - general	Not implemented
115.26 Establish a national human rights institution in accordance with the Paris Principles (Timor-Leste); Source of position: A/HRC/37/4/Add.1 - Para. 115	Supported	A45 National Human Rights Institution (NHRI) S16 SDG 16 - peace, justice and strong institutions Affected persons: - general	Not implemented
115.27 Establish a national human rights institution in line with the Paris Principles (Philippines); Source of position: A/HRC/37/4/Add.1 - Para. 115	Supported	A45 National Human Rights Institution (NHRI) S16 SDG 16 - peace, justice and strong institutions Affected persons: - general	Not implemented
115.28 Amend the Public Defender of Rights Act to ensure that it is in line with the Paris Principles (Sierra Leone); Source of position: A/HRC/37/4/Add.1 - Para. 115	Supported	A45 National Human Rights Institution (NHRI) S16 SDG 16 - peace, justice and strong institutions Affected persons: - general	Not implemented
115.30 Expand the power of the Public Defender of Rights to enable it to comply with the principles of national human rights institutions according to the Paris Principles (Indonesia); Source of position: A/HRC/37/4/Add.1 - Para. 115	Supported	A45 National Human Rights Institution (NHRI) S16 SDG 16 - peace, justice and strong institutions Affected persons: - general	Not implemented

115.31 Strengthen the status and role of the national human rights institution (Morocco); Source of position: A/HRC/37/4/Add.1 - Para. 115	Supported	A45 National Human Rights Institution (NHRI) S16 SDG 16 - peace, justice and strong institutions Affected persons: - general	Not implemented
115.32 Strengthen the mandate of the Ombudsperson and equip it to function in full conformity with the Paris Principles (Nepal); Source of position: A/HRC/37/4/Add.1 - Para. 115	Supported	A45 National Human Rights Institution (NHRI) S16 SDG 16 - peace, justice and strong institutions Affected persons: - general	Not implemented
Theme: A54 Awareness raising and dissemination			
115.54 Take steps to prevent crimes motivated by racial or religious discrimination through education, awareness-raising and training, and ensure that any hate crimes are effectively and promptly investigated (Canada); Source of position: A/HRC/37/4/Add.1 - Para. 115	Supported	A54 Awareness raising and dissemination B52 Impunity S16 SDG 16 - peace, justice and strong institutions B32 Racial discrimination Affected persons: - general	Partially implemented
Theme: B31 Equality & non-discrimination			
115.43 Continue working on closing the gaps that still exist between the rights enjoyed by same-sex couples, compared with couples of opposite sexes (Israel); Source of position: A/HRC/37/4/Add.1 - Para. 115	Supported	B31 Equality & non-discrimination S10 SDG 10 - inequality Affected persons: - lesbian, gay, bisexual, transgender and intersex persons (LGBTI)	Not implemented
115.171 Implement the Roma Integration Strategy for 2015–2020, which was adopted during the Hungarian Presidency of the Council of the European Union (Hungary); Source of position: A/HRC/37/4/Add.1 - Para. 115	Supported	B31 Equality & non-discrimination S10 SDG 10 - inequality A46 National Plans of Action on Human Rights (or specific areas) Affected persons: - minorities/ racial, ethnic, linguistic, religious or descent-based groups	Partially implemented
115.172 Ensure effective implementation of the Roma Integration Strategy for 2015–2020 (Iceland); Source of position: A/HRC/37/4/Add.1 - Para. 115	Supported	B31 Equality & non-discrimination S10 SDG 10 - inequality A46 National Plans of Action on Human Rights (or specific areas) Affected persons: - minorities/ racial, ethnic, linguistic, religious or descent-based groups	N/A
115.176 Continue to take measures to ensure the full implementation of the Roma Integration Strategy 2015–2020 (Portugal); Source of position: A/HRC/37/4/Add.1 - Para. 115	Supported	B31 Equality & non-discrimination S10 SDG 10 - inequality A46 National Plans of Action on Human Rights (or specific areas) Affected persons: - minorities/ racial, ethnic, linguistic, religious or descent-based groups	N/A
115.179 Allocate sufficient funding and make available adequate human resources for the implementation of the Roma Integration Strategy 2015–2020 and the Inclusive Education Action Plan for 2016–2018 (Slovenia); Source of position: A/HRC/37/4/Add.1 - Para. 115	Supported	B31 Equality & non-discrimination S10 SDG 10 - inequality A46 National Plans of Action on Human Rights (or specific areas) A63 Budget and resources (for human rights implementation) Affected persons: - minorities/ racial, ethnic, linguistic, religious or descent-based groups	N/A
115.174 Intensify efforts on social inclusion and protection of the rights of vulnerable groups, in particular, provide equal access to the Roma community in employment, education, housing and social care (India); Source of position: A/HRC/37/4/Add.1 - Para. 115	Supported	B31 Equality & non-discrimination S10 SDG 10 - inequality A46 National Plans of Action on Human Rights (or specific areas) E51 Right to education - General E31 Right to work E21 Right to an adequate standard of living - general	Not implemented

		S04 SDG 4 - education S08 SDG 8 - economic growth, employment, decent work S11 SDG 11 - cities E24 Right to social security Affected persons: - minorities/ racial, ethnic, linguistic, religious or descent-based groups	
115.175 Strengthen measures to ensure that the Roma population can fully enjoy their economic, social and cultural rights in a way comparable to the rest of the population (Peru); Source of position: A/HRC/37/4/Add.1 - Para. 115	Supported	B31 Equality & non-discrimination S10 SDG 10 - inequality E1 Economic, social & cultural rights - general measures of implementation Affected persons: - minorities/ racial, ethnic, linguistic, religious or descent-based groups	Not implemented
115.166 Strengthen measures to combat discrimination against Roma and to bridge the gap between Roma and the rest of society in the field of education, employment, housing, health care and social protection (Angola); Source of position: A/HRC/37/4/Add.1 - Para. 115	Supported	B31 Equality & non-discrimination S10 SDG 10 - inequality E23 Right to adequate housing E31 Right to work E41 Right to health - General E51 Right to education - General S04 SDG 4 - education S03 SDG 3 - health E24 Right to social security Affected persons: - minorities/ racial, ethnic, linguistic, religious or descent-based groups	Not implemented
115.167 Continue practical efforts to bridge gaps between the Roma community and the rest of society, including by implementing legislation and practical measures to eliminate discrimination against Romani individuals, ensuring the police protect Roma communities threatened with violence and discrimination, and ensuring equal access to education, employment, housing, health and social care for all (Australia); Source of position: A/HRC/37/4/Add.1 - Para. 115	Supported	B31 Equality & non-discrimination S10 SDG 10 - inequality E23 Right to adequate housing E31 Right to work E41 Right to health - General E51 Right to education - General S04 SDG 4 - education S03 SDG 3 - health E24 Right to social security S08 SDG 8 - economic growth, employment, decent work Affected persons: - minorities/ racial, ethnic, linguistic, religious or descent-based groups	N/A
115.178 Adopt legal and administrative measures to ensure the full integration of Roma people into Czech society and increase efforts to combat discrimination on the grounds of Roma women's rights and Roma children's education (Turkey); Source of position: A/HRC/37/4/Add.1 - Para. 115	Supported	B31 Equality & non-discrimination S10 SDG 10 - inequality E51 Right to education - General F12 Discrimination against women Affected persons: - minorities/ racial, ethnic, linguistic, religious or descent-based groups	Not implemented
Theme: B32 Racial discrimination			
115.67 Strengthen efforts to eradicate discrimination, hatred, stigmatization on racial grounds and racially-motivated violence, the propagation of prejudice and stereotypes about refugees and asylum seekers through speeches, websites and social networks, the increase of Islamophobia, and ensure that any act of discrimination or violence motivated by the national or ethnic identity of the victim is investigated and punished (Ecuador); Source of position: A/HRC/37/4/Add.1 - Para. 115	Supported	B32 Racial discrimination B31 Equality & non-discrimination B52 Impunity D43 Freedom of opinion and expression B53 Support to victims and witnesses Affected persons: - minorities/ racial, ethnic, linguistic, religious or descent-based groups - media - refugees & asylum seekers	N/A
115.168 Protect the rights of Roma people and other minorities through legislation, law enforcement and administrative measures, eradicate racial discrimination and xenophobia, and effectively combat racially motivated violence (China); Source of position: A/HRC/37/4/Add.1 - Para. 115	Supported	B32 Racial discrimination B31 Equality & non-discrimination S10 SDG 10 - inequality S16 SDG 16 - peace, justice and strong institutions A41 Constitutional and legislative framework	Not implemented

		<p>Affected persons:</p> <ul style="list-style-type: none"> - minorities/ racial, ethnic, linguistic, religious or descent-based groups 	
<p>115.74 Take specific steps to stop the spread of discriminatory statements, prejudice and stereotypes against national minorities, refugees and asylum seekers in the mass media and on social networks (Belarus);</p> <p>Source of position: A/HRC/37/4/Add.1 - Para. 115</p>	Supported	<p>B32 Racial discrimination B31 Equality & non-discrimination S16 SDG 16 - peace, justice and strong institutions G1 Members of minorities G5 Refugees & asylum seekers</p> <p>Affected persons:</p> <ul style="list-style-type: none"> - minorities/ racial, ethnic, linguistic, religious or descent-based groups - media - refugees & asylum seekers 	N/A
<p>115.73 Establish a national mechanism to ensure reparation for victims of incitement to hatred, acts of racism and Islamophobia (Bahrain);</p> <p>Source of position: A/HRC/37/4/Add.1 - Para. 115</p>	Supported	<p>B32 Racial discrimination B52 Impunity B51 Right to an effective remedy S16 SDG 16 - peace, justice and strong institutions</p> <p>Affected persons:</p> <ul style="list-style-type: none"> - minorities/ racial, ethnic, linguistic, religious or descent-based groups 	N/A
<p>115.79 Continue fighting racial hatred and racially motivated violence against Roma by effectively and promptly investigating and addressing all crimes against them (Belgium);</p> <p>Source of position: A/HRC/37/4/Add.1 - Para. 115</p>	Supported	<p>B32 Racial discrimination B52 Impunity B53 Support to victims and witnesses S16 SDG 16 - peace, justice and strong institutions</p> <p>Affected persons:</p> <ul style="list-style-type: none"> - minorities/ racial, ethnic, linguistic, religious or descent-based groups 	Not implemented
<p>115.81 Ensure that the authorities, especially the police, protect communities and groups threatened by violence and discrimination, and that the Roma can fully enjoy their human rights without intimidation or discrimination (Switzerland);</p> <p>Source of position: A/HRC/37/4/Add.1 - Para. 115</p>	Supported	<p>B32 Racial discrimination B53 Support to victims and witnesses S10 SDG 10 - inequality B31 Equality & non-discrimination</p> <p>Affected persons:</p> <ul style="list-style-type: none"> - minorities/ racial, ethnic, linguistic, religious or descent-based groups 	Not implemented
<p>115.76 Develop strategies to stop the spread of xenophobic speech in the social and political spheres that include mechanisms to ensure legal and social assistance to victims of racism and hate crimes (Mexico);</p> <p>Source of position: A/HRC/37/4/Add.1 - Para. 115</p>	Supported	<p>B32 Racial discrimination B53 Support to victims and witnesses S16 SDG 16 - peace, justice and strong institutions A44 Structure of the national human rights machinery</p> <p>Affected persons:</p> <ul style="list-style-type: none"> - minorities/ racial, ethnic, linguistic, religious or descent-based groups - media - public officials 	Not implemented
<p>115.58 Enhance efforts to address Islamophobia, racial discrimination and intolerance including towards Roma, religious minorities and immigrants, as well as other related intolerance (Indonesia);</p> <p>Source of position: A/HRC/37/4/Add.1 - Para. 115</p>	Supported	<p>B32 Racial discrimination D42 Freedom of thought, conscience and religion G4 Migrants S10 SDG 10 - inequality S16 SDG 16 - peace, justice and strong institutions</p> <p>Affected persons:</p> <ul style="list-style-type: none"> - migrants - minorities/ racial, ethnic, linguistic, religious or descent-based groups 	Not implemented
<p>115.63 Increase efforts to combat all forms of discrimination, intolerance, racism, xenophobia and Islamophobia, including by taking further legislative measures to create policies to combat discrimination in the media and the political arena (Turkey);</p> <p>Source of position: A/HRC/37/4/Add.1 - Para. 115</p>	Supported	<p>B32 Racial discrimination D43 Freedom of opinion and expression B52 Impunity S16 SDG 16 - peace, justice and strong institutions</p> <p>Affected persons:</p> <ul style="list-style-type: none"> - general - media 	Not implemented

115.60 Continue efforts to combat all forms of racial discrimination making it possible for all persons to enjoy economic and social rights (Tunisia); Source of position: A/HRC/37/4/Add.1 - Para. 115	Supported	- public officials B32 Racial discrimination E1 Economic, social & cultural rights - general measures of implementation B31 Equality & non-discrimination S10 SDG 10 - inequality Affected persons: - general - minorities/ racial, ethnic, linguistic, religious or descent-based groups	Not implemented
115.56 Take further measures to tackle hate crimes and racial discrimination, including by promoting an understanding of cultural diversity in society, assisting minority youth to access the labour market and adopting adequate social housing policies (Thailand); Source of position: A/HRC/37/4/Add.1 - Para. 115	Supported	B32 Racial discrimination E23 Right to adequate housing E31 Right to work S10 SDG 10 - inequality S16 SDG 16 - peace, justice and strong institutions Affected persons: - general	Not implemented
115.61 Continue to take measures to combat racism, violence and hatred and to fully respect the human rights of migrants and refugees (Portugal); Source of position: A/HRC/37/4/Add.1 - Para. 115	Supported	B32 Racial discrimination G4 Migrants G5 Refugees & asylum seekers S16 SDG 16 - peace, justice and strong institutions S10 SDG 10 - inequality Affected persons: - migrants - refugees & asylum seekers	Not implemented
115.59 Ensure effective follow-up to the activities included in the campaign against racism and hate crimes, which officially ended in May 2017, possibly through the development of a new campaign on the same topic (Israel); Source of position: A/HRC/37/4/Add.1 - Para. 115	Supported	B32 Racial discrimination S16 SDG 16 - peace, justice and strong institutions Affected persons: - minorities/ racial, ethnic, linguistic, religious or descent-based groups	Not implemented
115.77 Continue implementing and strengthening, if necessary, measures against all expressions of prejudice and discrimination such as hate speech, extremist movements and violent extremism, paying particular attention to expressions of racism, xenophobia and other hate speech against a particular religion or ethnicity (Nicaragua); Source of position: A/HRC/37/4/Add.1 - Para. 115	Supported	B32 Racial discrimination S16 SDG 16 - peace, justice and strong institutions B31 Equality & non-discrimination Affected persons: - minorities/ racial, ethnic, linguistic, religious or descent-based groups	N/A
115.69 Take additional measures to prevent all manifestations of hate speech and criminalize incitement to violence and discrimination (Greece); Source of position: A/HRC/37/4/Add.1 - Para. 115	Supported	B32 Racial discrimination S16 SDG 16 - peace, justice and strong institutions D43 Freedom of opinion and expression B52 Impunity Affected persons: - general	N/A
115.70 Ensure that government officials take a firm and consistent stance condemning anti-Muslim and anti-migrant hate speech (United States of America); Source of position: A/HRC/37/4/Add.1 - Para. 115	Supported	B32 Racial discrimination S16 SDG 16 - peace, justice and strong institutions D43 Freedom of opinion and expression B52 Impunity Affected persons: - minorities/ racial, ethnic, linguistic, religious or descent-based groups - public officials	Not implemented
115.71 Condemn categorically and unambiguously all forms of hate speech, investigate specific cases, prosecute, as appropriate, those responsible and ensure that victims of hate crimes receive the necessary support, whether legal or psychological (Spain); Source of position: A/HRC/37/4/Add.1 - Para. 115	Supported	B32 Racial discrimination S16 SDG 16 - peace, justice and strong institutions D43 Freedom of opinion and expression B52 Impunity Affected persons: - minorities/ racial, ethnic, linguistic, religious or descent-based groups	Not implemented

Theme: B51 Right to an effective remedy

<p>115.177 Resolve the question of the commemoration of the memory of the Roma who died during the Second World War in the Nazi camp in the village of Lety (Russian Federation); Source of position: A/HRC/37/4/Add.1 - Para. 115</p>	<p>Supported</p>	<p>B51 Right to an effective remedy B12 Crimes against humanity B13 Genocide S16 SDG 16 - peace, justice and strong institutions Affected persons: - minorities/ racial, ethnic, linguistic, religious or descent-based groups</p>	<p>Implemented</p>
<p>Theme: B6 Business & Human Rights</p>			
<p>115.39 Intensify its efforts to oversee Czech companies operating abroad with regard to any negative impact of their activities on the enjoyment of human rights, particularly in conflict areas which includes situations of foreign occupation, where there are heightened risks of human rights abuses (State of Palestine); Source of position: A/HRC/37/4/Add.1 - Para. 115</p>	<p>Supported</p>	<p>B6 Business & Human Rights Affected persons: - general</p>	<p>Not implemented</p>
<p>Theme: D25 Prohibition of torture and cruel, inhuman or degrading treatment</p>			
<p>115.82 Put an end to surgical castration of detained perpetrators of sexual crimes, which is equivalent to degrading treatment under international law (Bolivarian Republic of Venezuela); Source of position: A/HRC/37/4/Add.1 - Para. 115</p>	<p>Supported</p>	<p>D25 Prohibition of torture and cruel, inhuman or degrading treatment B52 Impunity S16 SDG 16 - peace, justice and strong institutions Affected persons: - persons deprived of their liberty</p>	<p>Not implemented</p>
<p>Theme: D29 Domestic violence</p>			
<p>115.137 Increase legislative and practical efforts to reduce violence against women and domestic violence (Australia); Source of position: A/HRC/37/4/Add.1 - Para. 115</p>	<p>Supported</p>	<p>D29 Domestic violence A41 Constitutional and legislative framework F13 Violence against women S05 SDG 5 - gender equality and women's empowerment Affected persons: - women</p>	<p>Not implemented</p>
<p>115.139 Take measures to effectively prevent and prosecute acts of domestic and sexual violence and assist victims of such violence (Thailand); Source of position: A/HRC/37/4/Add.1 - Para. 115</p>	<p>Supported</p>	<p>D29 Domestic violence A41 Constitutional and legislative framework F13 Violence against women S05 SDG 5 - gender equality and women's empowerment B51 Right to an effective remedy B52 Impunity Affected persons: - general</p>	<p>Partially implemented</p>
<p>Theme: E51 Right to education - General</p>			
<p>115.111 Fully implement changes to the education law to comply with European court decisions and European Union infringement proceedings to ensure that Roma children enjoy equal access to education (United States of America); Source of position: A/HRC/37/4/Add.1 - Para. 115</p>	<p>Supported</p>	<p>E51 Right to education - General A41 Constitutional and legislative framework B31 Equality & non-discrimination S10 SDG 10 - inequality S04 SDG 4 - education Affected persons: - children - minorities/ racial, ethnic, linguistic, religious or descent-based groups</p>	<p>Not implemented</p>
<p>115.115 Ensure that schools and counselling centres receive anti-discrimination training as well as adequate funding and guidance on objective standards and fair processes to support students with special needs (Canada); Source of position: A/HRC/37/4/Add.1 - Para. 115</p>	<p>Supported</p>	<p>E51 Right to education - General B31 Equality & non-discrimination S10 SDG 10 - inequality S04 SDG 4 - education A63 Budget and resources (for human rights implementation) F4 Persons with disabilities Affected persons:</p>	<p>N/A</p>

		- children - persons with disabilities	
115.112 Continue working for inclusive education, facilitating the enrolment of children with disabilities and children of Roma ethnicity in regular educational centres (Spain); Source of position: A/HRC/37/4/Add.1 - Para. 115	Supported	E51 Right to education - General F4 Persons with disabilities S10 SDG 10 - inequality B31 Equality & non-discrimination S04 SDG 4 - education Affected persons: - children - persons with disabilities	N/A
115.113 Monitor the implementation and impact of reforms to end the segregation of Roma children in the education system, and ensure that discriminatory attitudes and treatment of children by teachers and other staff are properly addressed (Austria); Source of position: A/HRC/37/4/Add.1 - Para. 115	Supported	E51 Right to education - General S10 SDG 10 - inequality B31 Equality & non-discrimination S04 SDG 4 - education Affected persons: - children - minorities/ racial, ethnic, linguistic, religious or descent-based groups	N/A
115.114 Monitor the impact of reforms aimed at the inclusion of Romani pupils in mainstream schools, with regard to the continued segregation of Roma children from mainstream education (Belgium); Source of position: A/HRC/37/4/Add.1 - Para. 115	Supported	E51 Right to education - General S10 SDG 10 - inequality B31 Equality & non-discrimination S04 SDG 4 - education Affected persons: - children - minorities/ racial, ethnic, linguistic, religious or descent-based groups	N/A
115.118 Take concrete and practical measures to combat discrimination in schooling and continue the process of reintegration of the Roma into the school system (Switzerland); Source of position: A/HRC/37/4/Add.1 - Para. 115	Supported	E51 Right to education - General S10 SDG 10 - inequality B31 Equality & non-discrimination S04 SDG 4 - education Affected persons: - children - minorities/ racial, ethnic, linguistic, religious or descent-based groups	N/A
115.119 Take all necessary measures to tackle prejudicial attitudes and ensure the integration of Roma children in the Czech educational system, including early childhood education and care, as provided for in the amended Schools Act (Finland); Source of position: A/HRC/37/4/Add.1 - Para. 115	Supported	E51 Right to education - General S10 SDG 10 - inequality B31 Equality & non-discrimination S04 SDG 4 - education Affected persons: - children - minorities/ racial, ethnic, linguistic, religious or descent-based groups	N/A
115.120 Ensure inclusive quality education, including teacher training on pupils with special needs as well as mentoring and career guidance in order to decrease the amount of Roma students opting out early from the educational system (Finland); Source of position: A/HRC/37/4/Add.1 - Para. 115	Supported	E51 Right to education - General S10 SDG 10 - inequality B31 Equality & non-discrimination S04 SDG 4 - education Affected persons: - children - minorities/ racial, ethnic, linguistic, religious or descent-based groups - persons with disabilities	N/A
115.123 Continue to focus on and dedicate programmes to inclusive education for all, also with regard to ending segregation of Roma children (Norway); Source of position: A/HRC/37/4/Add.1 - Para. 115	Supported	E51 Right to education - General S10 SDG 10 - inequality B31 Equality & non-discrimination S04 SDG 4 - education Affected persons: - children - minorities/ racial, ethnic, linguistic, religious or descent-based groups	N/A
115.124 Put an end to discriminatory practices against Roma children, in particular the infringement of their right to education, segregation and forced placement in schools of children with developmental delays (Russian Federation); Source of position: A/HRC/37/4/Add.1 - Para. 115	Supported	E51 Right to education - General S10 SDG 10 - inequality B31 Equality & non-discrimination S04 SDG 4 - education Affected persons: - children - minorities/ racial, ethnic, linguistic, religious or descent-based groups	Not implemented

115.125 Eradicate persistent discrimination against and segregation of Roma children who are forced to attend schools for children with mental disabilities (Bolivarian Republic of Venezuela); Source of position: A/HRC/37/4/Add.1 - Para. 115	Supported	E51 Right to education - General S10 SDG 10 - inequality B31 Equality & non-discrimination S04 SDG 4 - education Affected persons: - children - minorities/ racial, ethnic, linguistic, religious or descent-based groups	Not implemented
115.117 Ensure full implementation of the Schools Act by submitting a report to the Public Defender of Rights evaluating its impact on ending discrimination and segregation of pupils with mild mental disabilities, including children belonging to the Roma minority (Denmark); Source of position: A/HRC/37/4/Add.1 - Para. 115	Supported	E51 Right to education - General S10 SDG 10 - inequality B31 Equality & non-discrimination S04 SDG 4 - education A45 National Human Rights Institution (NHRI) Affected persons: - persons with disabilities	N/A
115.121 Ensure the effective implementation of the Inclusive Education Action Plan for 2016–2018 and monitor the impact of reforms aiming at the inclusion of Romani pupils in mainstream schools (Iceland); Source of position: A/HRC/37/4/Add.1 - Para. 115	Supported	E51 Right to education - General S10 SDG 10 - inequality B31 Equality & non-discrimination S04 SDG 4 - education A46 National Plans of Action on Human Rights (or specific areas) Affected persons: - children - minorities/ racial, ethnic, linguistic, religious or descent-based groups	N/A
115.116 Adopt concrete measures to prevent the segregation of Roma children and carry out educational campaigns to change the negative stereotypes against them and their families, within the framework of the national inclusive education policies (Chile); Source of position: A/HRC/37/4/Add.1 - Para. 115	Supported	E51 Right to education - General S10 SDG 10 - inequality B31 Equality & non-discrimination S04 SDG 4 - education A54 Awareness raising and dissemination Affected persons: - children - minorities/ racial, ethnic, linguistic, religious or descent-based groups	Not implemented
115.122 End all forms of segregation in the education system and develop an awareness-raising campaign for educational staff and parents to curb negative societal perceptions about inclusive education (Ireland); Source of position: A/HRC/37/4/Add.1 - Para. 115	Supported	E51 Right to education - General S10 SDG 10 - inequality B31 Equality & non-discrimination S04 SDG 4 - education A54 Awareness raising and dissemination Affected persons: - children	Not implemented
Theme: F13 Violence against women			
115.107 Abolish the practice of sterilization of persons with disabilities without their free and informed consent (Timor-Leste); Source of position: A/HRC/37/4/Add.1 - Para. 115	Supported	F13 Violence against women B51 Right to an effective remedy B53 Support to victims and witnesses S16 SDG 16 - peace, justice and strong institutions S05 SDG 5 - gender equality and women's empowerment Affected persons: - persons with disabilities	N/A
115.108 Make progress in establishing complaints and prevention mechanisms for the forced sterilization of women, particularly Roma women and women with disabilities, which include reparation measures for the victims (Mexico); Source of position: A/HRC/37/4/Add.1 - Para. 115	Supported	F13 Violence against women B51 Right to an effective remedy B53 Support to victims and witnesses S16 SDG 16 - peace, justice and strong institutions S05 SDG 5 - gender equality and women's empowerment Affected persons: - women - minorities/ racial, ethnic, linguistic, religious or descent-based groups - persons with disabilities	Implemented
115.104 Take effective measures to implement the recommendations of the Committee on the Rights of	Supported	F13 Violence against women B51 Right to an effective remedy	N/A

Persons with Disabilities, including with regard to the practice of sterilization of persons with disabilities without their free and informed consent (Azerbaijan); Source of position: A/HRC/37/4/Add.1 - Para. 115		B53 Support to victims and witnesses S16 SDG 16 - peace, justice and strong institutions S05 SDG 5 - gender equality and women's empowerment A23 Follow-up to treaty bodies Affected persons: - persons with disabilities	
115.106 Consider reviewing the three-year time limit for bringing compensation claims in cases of coercive or non-consensual sterilizations with a view to extending it (Greece); Source of position: A/HRC/37/4/Add.1 - Para. 115	Supported	F13 Violence against women B51 Right to an effective remedy B53 Support to victims and witnesses S16 SDG 16 - peace, justice and strong institutions S05 SDG 5 - gender equality and women's empowerment D51 Administration of justice & fair trial Affected persons: - general - women - minorities/ racial, ethnic, linguistic, religious or descent-based groups - persons with disabilities	N/A
115.140 Continue its efforts in combating sexual abuse, including by ensuring that perpetrators are brought to justice (Timor-Leste); Source of position: A/HRC/37/4/Add.1 - Para. 115	Supported	F13 Violence against women D29 Domestic violence A41 Constitutional and legislative framework S05 SDG 5 - gender equality and women's empowerment B51 Right to an effective remedy B52 Impunity Affected persons: - women - children	Not implemented

Theme: F31 Children: definition; general principles; protection

115.150 Consider the further harmonization of the prohibition of corporal punishment of children with international standards (Croatia); Source of position: A/HRC/37/4/Add.1 - Para. 115	Supported	F31 Children: definition; general principles; protection F32 Children: family environment and alternative care D25 Prohibition of torture and cruel, inhuman or degrading treatment S16 SDG 16 - peace, justice and strong institutions Affected persons: - children	Not implemented
115.151 Strengthen national measures to address abuses towards children and end corporal punishment (Indonesia); Source of position: A/HRC/37/4/Add.1 - Para. 115	Supported	F31 Children: definition; general principles; protection F32 Children: family environment and alternative care D25 Prohibition of torture and cruel, inhuman or degrading treatment S16 SDG 16 - peace, justice and strong institutions Affected persons: - children	Not implemented
115.152 Undertake practical steps to put an end to corporal punishment of children in all settings (Montenegro); Source of position: A/HRC/37/4/Add.1 - Para. 115	Supported	F31 Children: definition; general principles; protection F32 Children: family environment and alternative care D25 Prohibition of torture and cruel, inhuman or degrading treatment S16 SDG 16 - peace, justice and strong institutions Affected persons: - children	Not implemented
115.154 Take further legislative and policy measures to discontinue the institutionalization of children under 3	Supported	F31 Children: definition; general principles; protection	implemented

years of age (Bulgaria); Source of position: A/HRC/37/4/Add.1 - Para. 115		F32 Children: family environment and alternative care D25 Prohibition of torture and cruel, inhuman or degrading treatment S16 SDG 16 - peace, justice and strong institutions Affected persons: - children	
115.155 Continue with efforts to abolish the practice of placement of children under 3 years of age in institutionalized organized care and further strengthen the system of family foster care as the main alternative to institutionalization (Croatia); Source of position: A/HRC/37/4/Add.1 - Para. 115	Supported	F31 Children: definition; general principles; protection F32 Children: family environment and alternative care D25 Prohibition of torture and cruel, inhuman or degrading treatment S16 SDG 16 - peace, justice and strong institutions Affected persons: - children	implemented
115.156 Continue finding alternative family care for vulnerable children so as to avoid placing them in institutional care (Namibia); Source of position: A/HRC/37/4/Add.1 - Para. 115	Supported	F31 Children: definition; general principles; protection F32 Children: family environment and alternative care D25 Prohibition of torture and cruel, inhuman or degrading treatment S16 SDG 16 - peace, justice and strong institutions Affected persons: - children	implemented
115.157 End institutionalization of children under the age of 3 (Republic of Moldova); Source of position: A/HRC/37/4/Add.1 - Para. 115	Supported	F31 Children: definition; general principles; protection F32 Children: family environment and alternative care D25 Prohibition of torture and cruel, inhuman or degrading treatment S16 SDG 16 - peace, justice and strong institutions Affected persons: - children	implemented
115.158 Strengthen its child protection system by enhancing its efforts to end or limit the institutionalization of children under 3 years of age (Austria); Source of position: A/HRC/37/4/Add.1 - Para. 115	Supported	F31 Children: definition; general principles; protection F32 Children: family environment and alternative care D25 Prohibition of torture and cruel, inhuman or degrading treatment S16 SDG 16 - peace, justice and strong institutions Affected persons: - children	implemented
115.159 Take additional social and legal protection measures for vulnerable children who are victims of sexual abuse and for their families (Angola); Source of position: A/HRC/37/4/Add.1 - Para. 115	Supported	F31 Children: definition; general principles; protection S16 SDG 16 - peace, justice and strong institutions Affected persons: - children	N/A
115.148 Continue to effectively and fully implement the National Strategy to Protect Children's Rights for the term 2012–2018 (Maldives); Source of position: A/HRC/37/4/Add.1 - Para. 115	Supported	F31 Children: definition; general principles; protection S16 SDG 16 - peace, justice and strong institutions A46 National Plans of Action on Human Rights (or specific areas) Affected persons: - children	Partially implemented
Theme: G4 Migrants			
115.184 Undertake legislative amendments to ensure migrant women and girls have equal access to nationals to public health-care services (Sierra Leone);	Supported	G4 Migrants E41 Right to health - General E42 Access to health-care (general)	Not implemented

Source of position: A/HRC/37/4/Add.1 - Para. 115		S03 SDG 3 - health S10 SDG 10 - inequality Affected persons: - women - girls - migrants	
115.182 Take the necessary measures to promote and protect the human rights of migrants in the country (Republic of Korea); Source of position: A/HRC/37/4/Add.1 - Para. 115	Supported	G4 Migrants G5 Refugees & asylum seekers B31 Equality & non-discrimination S10 SDG 10 - inequality Affected persons: - migrants	Not implemented
115.183 Continue to tackle the prejudice, stigmatization and discrimination suffered by some asylum seekers, migrants and refugees (Serbia); Source of position: A/HRC/37/4/Add.1 - Para. 115	Supported	G4 Migrants G5 Refugees & asylum seekers B31 Equality & non-discrimination S10 SDG 10 - inequality Affected persons: - migrants - refugees & asylum seekers	Not implemented
115.181 Ensure that the rights of migrants and refugees, especially children, are guaranteed (Peru); Source of position: A/HRC/37/4/Add.1 - Para. 115	Supported	G4 Migrants G5 Refugees & asylum seekers B31 Equality & non-discrimination S10 SDG 10 - inequality F31 Children: definition; general principles; protection Affected persons: - children - migrants - refugees & asylum seekers	Not implemented

Theme: G5 Refugees & asylum seekers

115.187 Provide necessary protection to asylum seekers, preserve their dignity and guarantee their access to legal aid and facilitate family reunification for migrants and provide them with social security and review asylum procedures to ensure their compliance with the non-refoulement principle (Egypt); Source of position: A/HRC/37/4/Add.1 - Para. 115	Supported	G5 Refugees & asylum seekers D25 Prohibition of torture and cruel, inhuman or degrading treatment D21 Right to life D51 Administration of justice & fair trial D8 Rights related to marriage & family E24 Right to social security Affected persons: - refugees & asylum seekers	Partially implemented
115.198 Find a solution to improve the treatment of refugees in transit zones at airports and in migrant camps (Honduras); Source of position: A/HRC/37/4/Add.1 - Para. 115	Supported	G5 Refugees & asylum seekers D26 Conditions of detention S16 SDG 16 - peace, justice and strong institutions Affected persons: - migrants - refugees & asylum seekers	Not implemented
115.199 Ensure that the conditions of all immigration detention and reception centres are in conformity with international standards (Islamic Republic of Iran); Source of position: A/HRC/37/4/Add.1 - Para. 115	Supported	G5 Refugees & asylum seekers D26 Conditions of detention S16 SDG 16 - peace, justice and strong institutions Affected persons: - migrants - refugees & asylum seekers	Not implemented
115.200 Ensure that the living conditions in all detention or reception centres for migrants are in accordance with international standards and put an end to the practice of issuing expulsion orders before registering applications for asylum (Côte d'Ivoire); Source of position: A/HRC/37/4/Add.1 - Para. 115	Supported	G5 Refugees & asylum seekers D26 Conditions of detention S16 SDG 16 - peace, justice and strong institutions Affected persons: - migrants - refugees & asylum seekers	Not implemented
115.185 Ensure that the national practice on providing asylum is in line with international standards on the protection of migrants, refugees, asylum seekers and stateless persons (Belarus); Source of position: A/HRC/37/4/Add.1 - Para. 115	Supported	G5 Refugees & asylum seekers G4 Migrants D25 Prohibition of torture and cruel, inhuman or degrading treatment D21 Right to life S16 SDG 16 - peace, justice and strong	Partially implemented

		institutions G7 Stateless persons Affected persons: - migrants - refugees & asylum seekers - non-citizens - stateless persons	
115.188 Strengthen the institutional capacities to provide support for asylum seekers and migrants in full respect of their human rights (Mexico); Source of position: A/HRC/37/4/Add.1 - Para. 115	Supported	G5 Refugees & asylum seekers G4 Migrants S16 SDG 16 - peace, justice and strong institutions A44 Structure of the national human rights machinery Affected persons: - migrants - refugees & asylum seekers	Partially implemented
115.189 Create effective legal mechanisms that would make it possible to reduce the time that people spend in temporary camps for refugees (Russian Federation); Source of position: A/HRC/37/4/Add.1 - Para. 115	Supported	G5 Refugees & asylum seekers G4 Migrants S16 SDG 16 - peace, justice and strong institutions A44 Structure of the national human rights machinery D26 Conditions of detention D33 Arbitrary arrest and detention Affected persons: - refugees & asylum seekers	Partially implemented
Theme: F13 Violence against women			
115.101 Revise its position to provide compensation to Roma women who were victims of forced sterilization to properly recognize and provide just restitution for their suffering (United States of America); Source of position: A/HRC/37/4/Add.1 - Para. 115	Noted	F13 Violence against women B51 Right to an effective remedy B53 Support to victims and witnesses S16 SDG 16 - peace, justice and strong institutions S05 SDG 5 - gender equality and women's empowerment Affected persons: - women - minorities/ racial, ethnic, linguistic, religious or descent-based groups	implemented
115.102 Take urgent measures to expedite judicial investigations and the punishment of the perpetrators of forced sterilizations carried out on Roma women, in the context of their efforts to combat stereotypes and prejudices against women (Argentina); Source of position: A/HRC/37/4/Add.1 - Para. 115	Noted	F13 Violence against women B51 Right to an effective remedy B53 Support to victims and witnesses S16 SDG 16 - peace, justice and strong institutions S05 SDG 5 - gender equality and women's empowerment Affected persons: - women - minorities/ racial, ethnic, linguistic, religious or descent-based groups	Partially implemented
115.103 Improve the situation of the Roma population, particularly as concerns compensation to women subjected to forced sterilization prior to 2004 (France); Source of position: A/HRC/37/4/Add.1 - Para. 115	Noted	F13 Violence against women B51 Right to an effective remedy B53 Support to victims and witnesses S16 SDG 16 - peace, justice and strong institutions S05 SDG 5 - gender equality and women's empowerment Affected persons: - women - vulnerable persons/groups	implemented
115.105 Establish an effective mechanism of comprehensive reparation and compensation for victims of forced or non-consensual sterilization, and adequately bring the perpetrators of such practices to court (Ecuador); Source of position: A/HRC/37/4/Add.1 - Para. 115	Noted	F13 Violence against women B51 Right to an effective remedy B53 Support to victims and witnesses S16 SDG 16 - peace, justice and strong institutions S05 SDG 5 - gender equality and women's empowerment	implemented

		Affected persons: - general - women - minorities/ racial, ethnic, linguistic, religious or descent-based groups - persons with disabilities	
115.109 Give access to justice and adequate compensation to women victims of forced sterilization, independently of the date of the sterilization, ethnic origin, nationality or age (Bolivarian Republic of Venezuela); Source of position: A/HRC/37/4/Add.1 - Para. 115	Noted	F13 Violence against women B51 Right to an effective remedy B53 Support to victims and witnesses S16 SDG 16 - peace, justice and strong institutions S05 SDG 5 - gender equality and women's empowerment Affected persons: - women	implemented

¹ Zákon o poskytnutí jednorázové peněžní částky osobám sterilizovaným v rozporu s právem a o změně některých souvisejících zákonů, <https://www.zakonyprolidi.cz/cs/2021-297>.

² Conseil des droits de l'homme des Nations unies, Rapport du Groupe de travail sur l'Examen périodique universel, République tchèque, 27 décembre 2017, doc. ONU A/HRC/37/4, et son additif, 1^{er} mars 2018, doc. ONU A/HRC/37/4/Add.1, recommandations 115.108 (Mexique) et 115.106 (Grèce).

³ A/HRC/37/4 et A/HRC/37/4/Add.1, recommandations 115.16-20 (Andorre, Turquie, Bosnie-Herzégovine, Estonie, Géorgie, Espagne) et 115.138 (Belgique).

⁴ A/HRC/37/4 et A/HRC/37/4/Add.1, recommandations 115.154-159 (Bulgarie, Croatie, Namibie, République de Moldova, Autriche, Angola).

⁵ Zákon, kterým se mění zákon č. 359/1999 Sb., o sociálně-právní ochraně dětí, ve znění pozdějších předpisů, a další související zákony <https://www.zakonyprolidi.cz/cs/2021-363#cast13>.

⁶ A/HRC/37/4 et A/HRC/37/4/Add.1, recommandations 115.144-147 (Bosnie-Herzégovine, Irlande, Italie, Norvège).

⁷ A/HRC/37/4 et A/HRC/37/4/Add.1, recommandations 115.149 et 115.153 (Autriche, République bolivarienne du Venezuela).

⁸ *Liga otevřených mužů a Nielsen Admosphere* (2018), https://ilom.cz/wp-content/uploads/2018/10/2018_10_LOM_Fyzicke_tresty.pdf.

⁹ "Pohlavek dítěti může vymezit hranice, nechci ho rodičům zakazovat, říká Jurečka", <https://zpravy.aktualne.cz/domaci/rozhovor-marian-jurecka/r-652e97c27eb911ecb5bd0cc47ab5f122/>.

¹⁰ "Doporučení veřejné ochránčyně práv ke společnému vzdělávání romských a neromských dětí" (2017), https://www.ochrance.cz/uploads-import/ESO/86-2017-DIS-VB_Doporuceni_desegregace.pdf.

¹¹ A/HRC/37/4 et A/HRC/37/4/Add.1, recommandations 115.110 (Royaume-Uni de Grande-Bretagne et d'Irlande du Nord), 115.167 (Australie) et 115.178 (Turquie).

¹² "Doporučení veřejné ochránčyně práv ke společnému vzdělávání romských a neromských dětí" (2017), https://www.ochrance.cz/uploads-import/ESO/86-2017-DIS-VB_Doporuceni_desegregace.pdf.

¹³ A/HRC/37/4 et A/HRC/37/4/Add.1, recommandations 115.23-30 (Bangladesh, Danemark, Inde, Timor-Leste, Philippines, Sierra Leone, Ukraine, Indonésie).

¹⁴ Défenseur public des droits, *Být LGBT+ v Česku* (2019), <https://www.ochrance.cz/uploads-import/DISKRIMINACE/Vyzkum/Vyzkum-LGBT.pdf>; et

iDNES.cz, "Co vše je nenávisným projevem? Kategorie se mohou rozšířit o věk či orientaci", https://www.idnes.cz/zpravy/domaci/hatespeech-trestny-cin-z-nenavisti-gender-sexualita-vek-evropska-komise.A220518_105227_domaci_knn.

¹⁵ Défenseur public des droits, op. cit. note 14.

¹⁶ A/HRC/37/4 et A/HRC/37/4/Add.1, recommandation 115.43 (Israël).

¹⁷ Jsme fér, "Rozdíl mezi manželstvím a registrací", www.jsmefer.cz/rozdily.

¹⁸ Radio Prague International, "LGBTI rights: Two thirds of Czechs now support same-sex marriage, poll shows", 24 janvier 2020, <https://english.radio.cz/lgbti-rights-two-thirds-czechs-now-support-same-sex-marriage-poll-shows-8109796>.

¹⁹ Code civil 89/2012 Sb § 29, <https://www.zakonyprolidi.cz/cs/2012-89?text=zm%C4%9Bna%20pohlav%C3%AD>.

²⁰ Cour européenne des droits de l'homme, *Affaire A.P., Garçon et Nicot c. France* (Requêtes n° 79885/12, 52471/13 et 52596/13), 6 avril 2017, <https://hudoc.echr.coe.int/fre#%7B%22itemid%22:%5B%22001-172556%22%5D>.

²¹ En 2018, le Comité européen des droits sociaux a déclaré que la République tchèque violait le droit à la santé garanti par la Charte sociale européenne en imposant la stérilisation comme préalable à toute reconnaissance juridique du genre des personnes transgenres. TGEU, "Czech Court maintains mandatory sterilisation for LGR", 6 avril 2022, <https://tgeu.org/czech-court-maintains-mandatory-sterilisation-for-lgr/>.

²² *Jen ano je ano, Vernonika Ježková* (2017), http://www.profem.cz/shared/clanky/550/A5-JenAnoJeAno_WEB.pdf.

²³ A/HRC/37/4 et A/HRC/37/4/Add.1, recommandations 115.127-135 (Chine, Géorgie, Islande, Chili, Namibie, Tunisie, Algérie, Égypte, Uruguay) et 115.141-143 (Bosnie-Herzégovine, Pays-Bas, Nicaragua).

²⁴ A/HRC/37/4 et A/HRC/37/4/Add.1, recommandations 115.129-131 (Islande, Chili, Namibie) et 115.141 (Bosnie-Herzégovine).

²⁵ Ministère de l'Industrie et du Commerce, *Strategie rovnosti žen a mužů na léta 2021-2030*, www.mpo.cz/cz/rozcestnik/rovnost-zen-a-muzu/strategie-rovnosti-zen-a-muzu-na-leta-2021-2030-260284/.

²⁶ Défenseur public des droits, op. cit. note 14.

²⁷ *Ibid.*

²⁸ *Ibid.*

²⁹ Amnesty International, *République tchèque. Préoccupations relatives à un cas présumé d'homicide illégal commis par la police* (EUR 71/4329/2021), <https://www.amnesty.org/fr/documents/eur71/4329/2021/fr/>.

³⁰ Romea.cz, "Case of Stanislav Tomáš discussed during plenary session of European Parliament", <http://www.romea.cz/en/news/world/case-of-stanislav-tomas-discussed-during-plenary-session-of-the-european-parliament>.

³¹ The Guardian, "They won't accept us': Roma refugees forced to camp at Prague train station", 25 mai 2022, <https://www.theguardian.com/global-development/2022/may/25/they-wont-accept-us-roma-refugees-forced-to-camp-at-prague-train-station> ; Romea.cz, "Romani refugees segregated in Czech center and discriminated against", 11 avril 2022, <http://www.romea.cz/en/news/czech/romani-refugees-segregated-in-a-czech-center-and-discriminated-against-regional-governor-accuses-them-of-theft-police-say> ; Romea.cz,

"Czech and Romani activists aid hundreds of Romani refugees with travelling to less racist countries", 20 avril 2022, <http://www.romea.cz/en/news/czech/czech-and-romani-activists-aid-hundreds-of-romani-refugee-ukrainians-with-traveling-on-to-countries-that-are-less>.

³² EU Observer, "Roma refugees from Ukraine face Czech xenophobia", 17 mai 2022, <https://euobserver.com/world/154968>.

³³ Comité des droits de l'enfant, Observations finales concernant le rapport de la République tchèque valant cinquième et sixième rapports périodiques, 22 octobre 2021, doc. ONU CRC/C/CZE/CO/5-6.