



## **Quality in Gender+ Equality Policies**

European Commission Sixth Framework Programme  
Integrated Project

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## **Context Study Czech Republic**

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Vienna  
2008

Preferred citation: Röder, Ingrid (2008): *Context Study Czech Republic*, QUING Project, Vienna: Institute for Human Sciences (IWM), available at [http://www.quing.eu/files/results/cs\\_czech\\_republic.pdf](http://www.quing.eu/files/results/cs_czech_republic.pdf).

## DATA TO BE COLLECTED

### DEFICIENCIES, DEVIATIONS AND INCONSISTENCIES IN EU AND MEMBER STATE'S GENDER+ EQUALITY POLICIES

#### 1. 'Deficiencies, deviations and inconsistencies in EU and Member State's gender+ equality laws'

##### 1.1 Gender+ equality legislation:

Please summarise the key developments, with dates, in gender equality law as provided by the governmental gender equality unit, i.e. list the legislation that the gender equality unit (or equivalent governmental body) name as (gender+) equality legislation. If important legislation seems to have been omitted by the authority, please comment on this.

The Czech governmental gender equality unit, the Government Council for Equal Opportunities for Women and Men, does not provide any information about the key developments of gender equality law. The Council<sup>1</sup>: a) discusses and recommends to the Government basic policies for implementing equal opportunities for women and men, b) coordinates main directions of ministerial policies in the area of equal opportunities for women and men, c) sets a range of priorities for ministerial projects supporting the implementation of equal opportunities for women and men, d) identifies current problems in society related to equal opportunities for women and men in the public, e) evaluates the efficiency of the implementation of the principle of equality between women and men. It is not really intervening in different policy areas.

##### 1.2 EU Policy and Member State Law: Comparisons and Struggles <sup>2</sup>

###### Have there been disputes in your country over significant parts of EU Directives on gender?

Are there significant parts of EU Directives on gender equality that have not been implemented into national law? If some aspects are not transposed, what are they? Have there been disputes (1995-2007) between the EU and the country over transposition? Or within the country over this process? Or where local/national groups have gone direct to the EU? If so, what is the location of the dispute (e.g. intervention by Commission, Court of Justice; national court)? What was the outcome?

All these questions are very difficult to answer exactly, because the transposition process is so complex. EU Directives are transposed into member state legislation in very different ways using different procedures and different terminology and legal frames too. The aim is to collect all the information that is available already for your country in the table below, using secondary literature.

**Please fill in one table for each significant issue,**

**Please consider the following examples: include if relevant; omit if not; add any others that are relevant in your country. Examples:** equal pay & equal treatment; sexual harassment & discrimination; equality bodies; civil society involvement; parental leave and the organisation of working time (example provided).<sup>3</sup>

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<sup>1</sup> <http://www.vlada.cz/en/rvk/rovnoprilezitosti.html>

<sup>2</sup> Directives: [http://ec.europa.eu/employment\\_social/gender\\_equality/legislation/legalacts\\_en.html](http://ec.europa.eu/employment_social/gender_equality/legislation/legalacts_en.html). ECJ cases: [http://ec.europa.eu/employment\\_social/gender\\_equality/legislation/case\\_law\\_en.html](http://ec.europa.eu/employment_social/gender_equality/legislation/case_law_en.html); More info on transposition: [http://ec.europa.eu/employment\\_social/fundamental\\_rights/policy/aneval/legnet\\_en.htm#comp](http://ec.europa.eu/employment_social/fundamental_rights/policy/aneval/legnet_en.htm#comp).

<sup>3</sup> Other gender+ equality related directives you might want to consider include: Directive 75/117/EEC on the principle of equal pay for men and women; Directive 79/7/EEC on the principle of equal treatment for men and women in social security; Directive 86/378/EEC on principle of equal treatment for men and women in occupational social security schemes; Directive 86/613/EEC on equal treatment between self employed men and women; Directive 92/85/EEC on the safety and health at work of pregnant workers and workers; Directive 97/80/EC on the burden of proof in cases of discrimination based on sex; Directive 2000/78 on equal treatment in employment and occupation.

<b>Issue</b>	Directive 86/378/EEC on the principle of equal treatment for men and women in occupational social security schemes <sup>4</sup>
<b>Has law been passed or changed prior to the Directive</b>	No
<b>Legislation transposing Directive</b>	Missing
<b>Does the country claim to have transposed the Directive?</b>	No
<b>Significant provisions that are mentioned by experts or political actors as not being transposed</b>	Art. 12 and Art. 54
<b>Important differences between law and Directive now?</b>	-
<b>What is claimed to be better in law and since when?</b>	-
<b>Content of dispute(s) + date</b>	Concerning infringement proceedings for <i>non communication</i> , two complementary reasoned opinions have been notified to the Czech Republic, for non communication of national measures implementing Directives 86/378/EEC <sup>111</sup> and 96/97/EC <sup>5</sup>
<b>Has any other inequality been part of the transposition disputes? Which inequality axis?</b>	-
<b>Parties to the dispute</b>	Commission of the European Communities v Czech Republic
<b>Location or arena</b>	Court
<b>Outcome of the dispute</b>	Ongoing (started February 2008)
<b>Civil society engagement</b>	-
<b>Other notes</b>	

<b>Issue</b>	<b>Equality Directives</b>
<b>Has law been passed or changed prior to the Directive</b>	No

<sup>4</sup> Official Journal of the European Union. 12.4.2008. C92/17f.

<sup>5</sup> 24th Annual report from the commission on monitoring the application of community law (2006). Situation in the different sectors (2007).  
[http://ec.europa.eu/community\\_law/infringements/infringements\\_annual\\_report\\_24\\_en.htm](http://ec.europa.eu/community_law/infringements/infringements_annual_report_24_en.htm)

<b>Legislation transposing Directive</b>	Missing
<b>Does the country claim to have transposed the Directive?</b>	Yes (President vetoed the Anti-Discrimination Bill stating that this was covered already by existing legislation). No (Parliament is trying to finally pass the Anti-Discrimination Bill after nearly three years of political struggle)
<b>Significant provisions that are mentioned by experts or political actors as not being transposed</b>	Comprehensive anti-discrimination law concerning not only, but also, employment and an institution responsible for it.
<b>Important differences between law and Directive now?</b>	-
<b>What is claimed to be better in law and since when?</b>	-
<b>Content of dispute(s) + date</b>	The process of introducing the Anti-Discrimination Bill started at the end of 2005. The only reason given was that the EU requires it; therefore it encountered a lot of opposition on every level of the political process
<b>Has any other inequality been part of the transposition disputes? Which inequality axis?</b>	-
<b>Parties to the dispute</b>	Both houses of the parliament, MPs, President
<b>Location or arena</b>	
<b>Outcome of the dispute</b>	Veto of the Anti-Discrimination Bill
<b>Civil society engagement</b>	Yes; they tried to contribute to the bill and make it stronger (e.g. the NGO Poradna); they lobbied for the passing of the bill
<b>Other notes</b>	Out of the ten directives addressing equal treatment, the Czech Republic is in breach of 9 <sup>6</sup> .

<b>Issue</b>	<b>Sexual Harassment &amp; Discrimination</b>
<b>Has law been passed or changed prior to the Directive</b>	No
<b>Legislation transposing Directive</b>	1 January 2001 Labour Code; 2004
<b>Does the country claim to have transposed the Directive?</b>	-

<sup>6</sup> Havelkova, Barbara (2007). "The Life and death of the anti-discrimination bill; the transposition roller-coaster in the Czech Republic". Presentation at the Jean Monnet Seminar: *Advanced Issues of European Law*. Dubrovnik. p. 5.

<b>Significant provisions that are mentioned by experts or political actors as not being transposed</b>	“For the time being it could be argued that the legislative situation in the area of discrimination, including equal opportunities for men and women, has deteriorated as there is currently no detailed legislation in place on this subject”. <sup>7</sup>
<b>Important differences between law and Directive now?</b>	New Labour Code in effect since January 2007. It refers to the Anti-Discrimination Bill, which has not yet been passed.
<b>What is claimed to be better in law and since when?</b>	-
<b>Content of dispute(s) + date</b>	Every discussion in the parliament. It was stated that it is not needed.
<b>Has any other inequality been part of the transposition disputes? Which inequality axis?</b>	-
<b>Parties to the dispute</b>	MPs
<b>Location or arena</b>	Parliament
<b>Outcome of the dispute</b>	It has been passed
<b>Civil society engagement</b>	Lobbied for its introduction
<b>Other notes</b>	

**1.3 Do any aspects of domestic gender equality law surpass (are better, more extensive, or more developed than) or earlier than EU law?**

	EU			Czech Republic		
	Provision	Year	Notes	Provision	Year	Notes
<b>Maternity</b>	14 weeks	1996	Pay must not be less than wage during sickness leave.	28 (or in special cases) 37 weeks	Since the 1970s	

<sup>7</sup> Koldinská, Kristina (2007). “Czech Republic” in: *Bulletin Legal Issues in gender equality No 1/2007*. p. 18. [http://ec.europa.eu/employment\\_social/gender\\_equality/legislation/bulletin\\_en.html](http://ec.europa.eu/employment_social/gender_equality/legislation/bulletin_en.html)

<b>Paternity</b>	Optional	1995			2001	There is no obligatory paternity leave in the Czech Republic. However, in terms of legislation, men have had equal right of access to parental leave since 2001. <sup>8</sup>
<b>Parental<sup>9</sup></b>	3 months	1996	Unpaid	3 years	1991/ 2000 <sup>10</sup>	Introduction of parental leave. Unpaid, but parental benefits can be paid. The mother may go on parental leave once her maternity leave has ended; the father may go on parental leave after the child is born.
<b>Duty on all public bodies to promote GE</b>	No	2004	Mainstreaming required by 2006	All ministries are obliged to use gender mainstreaming as a legitimate tool for implementation of the policy of equal opportunities for men and women	Since 1999	
<b>Equalities body (employment)</b>	Yes	2002		No		
<b>Equalities body (goods &amp; services)</b>	Yes	2004		No		
<b>Equalities body for promotion</b>	Yes	2006		No		
<b>Gender pay audits</b>	Not specified			No		
<b>Gender Equality plan (employment)</b>	Yes	2002/2006		Yes Priorities and Procedures of the Government in Promoting the Equality of Men and Women	Since 1998	Deals not only with employment

<sup>8</sup> <http://www.eurofound.europa.eu/ewco/2006/05/CZ06050191.htm>

<sup>9</sup> <http://www.czech.cz/en/work-study/employment/rights-and-duties-of-employees-and-employers/the-labor-code/specific-working-conditions/maternity-leave-and-parental-leave/>

<sup>10</sup> Information on this is supplemented by Koldinska, Kristina (2007). "Gender equality: before and after the enlargement of EU: the case of the Czech Republic" in: *European Law Journal* Vol. 13, No.2. pp. 238-252.

<b>Requires NGO dialogue to be encouraged</b>	Yes/no	2002	Dialogue	(Yes)	1992	The Government Council for Non-State Non-Profit Organisations is a permanent advisory and co-ordination body with a capacity to take initiative in areas covered by NGOs. <sup>11</sup>
<b>Positive action measures</b>	Yes/no	1975	Allowed, not required	No		
<b>Public bodies to promote racial equality</b>				Yes	1968	Government Council for National Minorities since 1968  Government Council for Roma Community Affairs since 1997 Minister without portfolio (since 2007) works on Human Rights, Minorities and Equal Opportunities
<b>If there are no sanctions for violating the law, please state this</b>						

#### 1.4 Equality law on intersecting inequalities<sup>1213</sup>

The constitution states in the Charter of the Fundamental Rights and Freedoms (No. 2/1993 Coll., Art.3, Para.1) the following: "Everyone is guaranteed the enjoyment of her fundamental rights and basic freedoms without regard to gender, race, colour of skin, language, faith and religion, political or other conviction, national or social origin, membership in a national or ethnic minority, property, birth, or other status"<sup>14</sup>. However, the claimant cannot directly evoke the constitution; furthermore, this guarantee is linked to the fundamental civic and political rights and not to the economic and social rights.<sup>15</sup>

*Is discrimination on the grounds of ethnicity/race' illegal*  
YES.

*When was this law introduced?*

1993; No. 2/1993 Coll., Charter of Fundamental Rights and Freedoms, Art.3 Para.1

Further laws dealing specifically with employment came later:

2003; Law no. 361/2003 Coll., on Service by Members of the Security Services Sec. 77, Para. 2

2004; Law No. 435/2004 Coll., on Employment Sec. 4., Para. 2

<sup>11</sup> National Plan on Social Inclusion (2004). p. 61.

<sup>12</sup> The answers to these questions are mainly based on the *Report on Measures to combat discrimination in the Czech Republic* (2007) by Pavla Bouckova. It covers the state of affairs until 7 January 2007. An up-dated version of this report will be available in autumn 2008.

<sup>13</sup> The area of anti-discrimination in the Czech Republic is, since January 2007, not properly covered; a new Labour Code was introduced which refers to the comprehensive Anti-Discrimination Law which was in process of being passed. On 16 May 2008, the president Vaclav Klaus vetoed the bill after the two chambers of parliament had approved it. On 3 June 2008, the Parliament started the hearing to over-rule the veto.

<sup>14</sup> English translation of the Czech Charter of Fundamental Rights and Basic Freedoms:  
[www.nssoud.cz/en/docs/charter.pdf](http://www.nssoud.cz/en/docs/charter.pdf)

<sup>15</sup> Kirszbaum, Thomas (2007). *La lutte contre la discrimination et la promotion de l'égalité: comment mesurer les avancées réalisées? Rapport pays: La République tchèque*. BPI. p. 4.

*Is this restricted to employment related issues?*

Applies to all fundamental rights and freedoms guaranteed by the Charter.

*Does it include the sale and supply of services?*

Applies to all fundamental rights and freedoms guaranteed by the Charter.

*What disputes if any took place during its introduction?*

NO AVAILABLE DATA.

- *Is discrimination on the grounds of religion illegal*  
YES.
  - *When was this law introduced?*  
1993; No. 2/1993 Coll., Charter of Fundamental Rights and Freedoms, Art.3 Para.1.  
Further laws dealing specifically with employment came later.  
2003; Law no. 361/2003 Coll., on Service by Members of the Security Services Sec.  
77, Para. 2  
2004; Law No. 435/2004 Coll., on Employment Sec. 4., Para. 2
  - *Is this restricted to employment related issues?*  
Applies to all fundamental rights and freedoms guaranteed by the Charter.
  - *Does it include the sale and supply of services?*  
Applies to all fundamental rights and freedoms guaranteed by the Charter.
  - *What disputes if any took place present during its introduction?*  
NO AVAILABLE DATA.
  
- *Is discrimination on the grounds of sexual orientation illegal*<sup>16</sup>  
YES.
  - *When was this law introduced?*  
2003; Law no. 361/2003 Coll., on Service by Members of the Security Services Sec.  
77, Para. 2  
2004; Law No. 435/2004 Coll., on Employment Sec. 4., Para. 2
  - *Is this restricted to employment related issues?*  
YES.
  - *Does it include the sale and supply of services?*  
NO.
  - *What disputes if any took place during introduction of these laws?*  
NO AVAILABLE DATA.
  
- *Is discrimination on the grounds of disability illegal*<sup>17</sup>  
YES, on the grounds of "state of health".
  - *When was this law introduced?*  
2002; Law No. 218/2002 Coll., on service by state administration officials and on  
remuneration of these officials and other employees, Sec. 80, para 2.  
The School Law No. 561/2004 Coll., Sec. 2, para 1 a).  
The School Law No. 561/2004 Coll., Sec. 2, para 1 a)  
2004, Law No. 435/2004 Coll., on Employment Sec. 4., Para. 2
  - *Is this restricted to employment related issues?*  
YES.
  - *Does it include the sale and supply of services?*  
NO.
  - *What disputes if any took place during introduction of these laws?*  
NO AVAILABLE DATA.
  
- *Is discrimination on the grounds of age illegal*<sup>18</sup>  
YES.

<sup>16</sup> This is not covered explicitly by the constitution but included in "other status" (p. 4). See: Kirszbaum, Thomas (2007). *La lutte contre la discrimination et la promotion de l'égalité: comment mesurer les avancées réalisées? Rapport pays: La République tchèque*. BPI.

<sup>17</sup> This is not covered explicitly by the constitution but included in "other status" (p. 4). See: Kirszbaum, Thomas (2007). *La lutte contre la discrimination et la promotion de l'égalité: comment mesurer les avancées réalisées? Rapport pays: La République tchèque*. BPI.

- *When was this law introduced?*  
1999; Law no. 221/1999 Coll., on Service by Members of the Armed Forces Sec. 2., Para 3;  
2002; Law No. 218/2002 Coll., on service by state administration officials and on remuneration of these officials and other employees, Sec. 80, para 2.  
2004; Law No. 435/2004 Coll., on Employment Sec. 4., Para. 2
  - *Is this restricted to employment related issues?*  
YES.
  - *Does it include the sale and supply of services?*  
NO.
  - *What disputes if any took place during introduction of these laws?*  
NO AVAILABLE DATA.
- *Is discrimination on the grounds of marital status illegal?*  
YES.
    - *When was this law introduced?*  
1999; Law no. 221/1999 Coll., on Service by Members of the Armed Forces Sec. 2., Para 3;  
2002; Law No. 218/2002 Coll., on service by state administration officials and on remuneration of these officials and other employees, Sec. 80, para 2.  
2004; Law No. 435/2004 Coll., on Employment Sec. 4., Para. 2.
    - *Is this restricted to employment related issues?*  
YES.
    - *Does it include the sale and supply of services?*  
NO.
    - *What disputes if any took place during introduction of these laws?*  
NO AVAILABLE DATA.
- Are there further legal issues, especially disputed legal issues, concerning the intersection of equalities with gender that are relevant?  
YES.  
The area of anti-discrimination in the Czech Republic is, since January 2007, not properly covered; a new Labour Code was introduced which refers to the comprehensive Anti-Discrimination Law which was in the process of being passed. On 16 May 2008 the president Vaclav Klaus vetoed the bill after the two chambers of parliament had approved it stating that it is “poor, counter-productive and unnecessary”<sup>19</sup>. The European Union has called on the Czech Republic to pass legislation ensuring equal access to education, work, and health care, but the president believes that the legislation proposed was already covered sufficiently under Czech law. In a letter sent to the speaker of the lower house the president contends that EU directives are “only binding with regards to results”, but that the methods of achieving goals “depended on individual member states”. The aim of the anti-discrimination law, backed by the EU, is to ensure the same opportunities for all irrespective of age, race, nationality, sex, or religious belief. On 3 June 2008 the Parliament started the hearing to over-rule the veto. The process of passing a comprehensive Anti-Discrimination Bill has been going on since the end of 2005.

## 2. Plans and programmes

Two types of national gender equality plans are considered here. The first set of questions concerns plans specific to the country. (Please include not only if they are called ‘national gender equality plans’ or but also if they are just a sub-section of a larger national development plan.) The second set of questions refers to the National Reform Programmes for employment and National Reports (National Action Plans) on Strategies for social inclusion and social protection that the EU requires annually from each Member State.

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<sup>18</sup> This is not covered explicitly by the constitution but included in “other status” (p. 4). Discrimination because of age is one of the most often on the labour market in the Czech Republic (p. 7). See: Kirszbaum, Thomas (2007). *La lutte contre la discrimination et la promotion de l'égalité: comment mesurer les avancées réalisées? Rapport pays: La République tchèque*. BPI.

<sup>19</sup> <http://www.radio.cz/en/news/104140#1>.

## **2.1 National gender equality plans**

2.1.1 *Is there a national gender equality plan? Or a gender equality component of a national development plan.*

YES.

- *If yes please name and describe very briefly the range of issues that it covers (in particular, how far beyond employment does it go?).*

There is a national gender equality plan called »Priorities and Procedures of the Government in Promoting the Equality of Men and Women«. It covers 40 measures which are updated yearly. The National Action Plan for the Promotion of Gender Equality in the Czech Republic focuses on the following seven areas:

1. promote the principle of gender equality as part of Government policy,
2. to ensure the legal prerequisites for gender equality and raise legal awareness,
3. to ensure equal opportunities for women and men in their access to economic activities,
4. to level out the social status of women and men caring for children and needy family members,
5. to take into account women's reproductive function and physiological differences,
6. to combat violence perpetrated against women,
7. to monitor and assess efficiency in applying the principle of the equal status of women and men.<sup>20</sup>

- *Is the focus restricted to non-discrimination?*

NO.

- *Is there reference to gender mainstreaming?*

YES.

- *Are there named policy instruments and/ institutions, if so what?*

YES.

This is not a very organised plan and it is not done in a systematic way. Individual ministries and institutions are named and what they plan to do/have done is stated, but you do not get a good understanding of who is doing what and what is actually being done. Measures range from trainings to publications to awareness-raising.

- *Are there indicators and statistics to evaluate the policies?*

NO.

- *Is there reference to EU targets (European Employment Strategy targets: Lisbon (2000) female employment rate of 60% by 2010; Barcelona (2002) provision of childcare by 2010 to at least 90% of children between 3 years old and the mandatory school age and at least 33% of children under 3 years of age)? (Add age here)*

NO.

2.1.2 *Is gender equality integrated with other equalities in a national plan?*

*If yes please name and describe very briefly the range of issues that it covers, in particular, how far beyond employment does it go? Is it framed by equality or by diversity or both or a similar goal (e.g. equal opportunities)? If so, please specify.*

NO.

2.1.3 *Is there a gender equality (or similar) plan in the area of gender based violence*

*If yes please name the plan.*

NO, not in the area of domestic violence.

However, there have been several attempts by NGOs to create a plan on domestic violence or even gender-based violence. On the state level, domestic violence is not seen as a gender-based problem.

Since January 2008 there exists a Committee for prevention of domestic violence, under the supervision of the Governmental Council for equal opportunities for men and women. The Committee tries to develop a plan, which would have to be approved by the Governmental Council and passed on to the government. The NGOs ProFem and Koordonna, League of Open Men with the involvement of the police service want to draft an action plan until autumn 2008. They also want to introduce the concept that domestic violence is a gender-based problem. Because of the

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<sup>20</sup> Summary of the "Priorities and Procedures of the Government in Promoting the Equality of Men and Women" (2005). [http://www.mpsv.cz/files/clanky/4742/Priority\\_2005.pdf](http://www.mpsv.cz/files/clanky/4742/Priority_2005.pdf)

conservative government, there are very slim chances that the plan will be approved.

*If yes please name the plan.*

YES, in the area of trafficking:

National Strategy for the Fight Against Human Trafficking for Sexual Exploitation in the Czech Republic (for the period 2005-2007)<sup>21</sup>.

*Does it cover:*

- o *Domestic violence and violence in partnerships:*  
NO.
- o *Sexual assault/violence and rape:*  
NO
- o *Sexual harassment and stalking:*  
NO
- o *Trafficking and prostitution:*  
YES.
- o *Forced marriage, honour crimes and FGM:*  
NO

*Does the plan include:*

- o *named policy instruments and/or institutions, if so what;*  
YES.  
Institutions: Ministries, Police, NGOs  
Policy instruments: Legislation, research, training etc.
- o *indicators and statistics to evaluate the policies, if so which?*  
NO.

## **2.2 EU required National Reform Programme (National Action Plan) for Employment**

*Does the EU required National Reform Programme for employment (in which one of the ten guidelines concerns gender mainstreaming) include a significant set of actions concerning gender equality?*<sup>22</sup>  
NO<sup>23</sup>.

*Did the EU appointed National Expert (part of the EU Network of Experts on Gender and Employment and Social Inclusion) made (have) critical or positive comments on the gender equality dimension of the member state's programme? If so, what are these?*

YES.

The expert made the following critical comments<sup>24</sup>:

- The employment chapter is brief and lacks any reference to gender mainstreaming. The guidelines are not followed and the report focuses on labour market flexibility, inclusion and education, with gender only introduced in relation to inclusion, but here reconciliation issues are identified as entirely an issue for women.
- There are national employment goals for 2008 of 66.4% overall, 57.6% for women and 47.5% for older workers: last year the only targets set were those of the Lisbon process. The policies discussed in relation to low regional and professional mobility are not explored from a gender perspective.
- There are policies for integrating the unemployed but there is no gender dimension. Reconciliation is presented as an issue for women and women's employment. Some reference is made to discrimination against women in the section on inclusion.
- The assumption that care for elderly parents and other relatives is up to women is not questioned. The family, not the state or the municipality, is held responsible for the services. The very high impact of parenthood on women's employment can be attributed to long leaves, employment discrimination and traditional attitudes towards caring roles in the Czech Republic. Lack of part-time jobs is also a factor. The NRP mentions some possible reforms – more flexible leave arrangements allowing for spacing of leave until the child reaches school

<sup>21</sup> [http://www.mvcr.cz/dokument/2005/strategie\\_angl.doc](http://www.mvcr.cz/dokument/2005/strategie_angl.doc).

<sup>22</sup> Member state reports 2006: [http://ec.europa.eu/growthandjobs/key/nrp2006\\_en.htm](http://ec.europa.eu/growthandjobs/key/nrp2006_en.htm)

<sup>23</sup> [http://ec.europa.eu/growthandjobs/pdf/european-dimension-200712-annual-progress-report/200712-annual-progress-report-CZ\\_en.pdf](http://ec.europa.eu/growthandjobs/pdf/european-dimension-200712-annual-progress-report/200712-annual-progress-report-CZ_en.pdf)

<sup>24</sup> EGGIE 2005 report:  
[http://ec.europa.eu/employment\\_social/gender\\_equality/docs/2006/final\\_nrp\\_synthesis\\_2005\\_en.pdf](http://ec.europa.eu/employment_social/gender_equality/docs/2006/final_nrp_synthesis_2005_en.pdf)

age, more effective enforcement of the ban on discrimination on grounds of motherhood and policies to promote the provision of childcare, but all are seen as measures for women and not for parents of both sexes.

- Limited integration of gender issues. Selective targeting of mothers with children (as one among several identified groups of 'people with different disabilities'). Policy measures to reduce the tax wedge do not consider the possible impact on women workers, nor is there discussion of the joint taxation for married partners.
- Policies to support and improve labour market access for the disadvantaged are said to be poor, including those for unskilled women, the Roma and the disabled.
- In spite of significant gender segregation of Czech nationals and migrants, the analysis in the NRP is entirely gender blind.
- Although flexibility is an identified policy priority, the gender mainstreaming approach is absent altogether.
- The new guideline structure and the disappearance of the gender guideline have unquestionably negative consequences for the NRP of the Czech Republic with regard to the application of gender mainstreaming and the promotion of gender equality. The NRP does not refer to documents or projects that are already part of the political process – including the government document "Priorities and Procedures of the Government for Promoting the Equality of Men and Women", which is annually re-confirmed by the government and an evaluation is made of the degree to which individual state institutions and institutions of gender mainstreaming adhere to it. This document is not mentioned at all, even though one of its main priorities is gender equality in employment, reconciliation of work and family life, etc. Similarly, gender budgeting is not mentioned anywhere in the NRP.
- The policy approach of gender equality is entirely absent from the NRP of the Czech Republic. Recommendations for achieving gender equality appear only in connection with the issue of inclusion in the labour market but without specified measures, programmes, or policies. The main obstacle to gender equality is seen in the high impact of parenthood on employment, associated with low childcare provision for 0-3 year olds but the NRP only focuses on encouraging employers to engage in providing childcare. The role of the state in meeting the Barcelona childcare targets is entirely neglected.
- The Czech Republic's employment strategy, as reported in the NRP, completely neglects the gender mainstreaming/gender equality perspective. Policies, documents and institutions in support of gender equality in the Czech Republic are not projected into employment policy. This strategy has a negative impact on gender equality, as demonstrated in the example of the issue of childcare services for pre-school children being included under the issue of women's employment. Gender equality institutions and experts on gender mainstreaming have not been included in formulating employment policy.

*Did the EU Commission's response to the National Reform Programme for employment include recommendations on gender equality? If so, what were these?*

YES.

However, there were only very few references and these referred to the gender pay gap:

Although unemployment amongst disadvantaged groups decreased, the Czech Republic has to move forward significantly to support the better integration of disadvantaged groups into the labour market, reconciling work and family life, and in terms of reducing the high gender pay gap.

To help address a high gender pay gap, the new flexible duration of maternity leave contains financial incentives to encourage women to return rapidly to the labour market. In order to better reconcile work and family life this measure needs to be complemented by an increase in childcare facilities.

### **2.3 EU required National Reports (National Action Plans) on Strategies for Social Protection and Social Inclusion**

*Does the EU required National Report on Strategies for Social Inclusion include a significant set of actions concerning gender equality, including gender-based violence? If so, what are these?<sup>25</sup>*

NO.

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<sup>25</sup> Member state reports: [http://ec.europa.eu/employment\\_social/social\\_inclusion/naps\\_en.htm](http://ec.europa.eu/employment_social/social_inclusion/naps_en.htm)

Did the EU Expert Group on Gender, Social Inclusion and Employment have critical or positive comments on the gender equality dimension of the report (including gender-based violence)? If so, what are these?<sup>26</sup>

NO, not in the summary report.

- o Did the EU Commission's response to the National Report on Strategies for Social Protection and Social Inclusion include recommendations on gender equality (including gender based violence)? If so, what were these?<sup>27</sup>

NO, not in the summary report.

## 2.4 EU funding

- o Does the EU provide funding in your country that has / has had a significant gender impact?<sup>28</sup> Structural funds to consider include the European Social Fund<sup>29</sup> and the European Regional Development Funds<sup>30</sup>. If yes, how much and over what period of time?

YES.

The Czech Republic has received funding during the pre-accession process, which also supported gender equality since about 1994.<sup>31</sup> It was and is one of the main sources of funding for NGOs to implement gender projects since the state only scarcely and not continuously provides funding in this area. The Czech Republic took part in the Framework Programme on Gender Equality; also all the other funds were supposed to consider gender and also equal opportunities<sup>32</sup>. Furthermore, projects were funded by the DAPHNE-programme.

European Social Fund:

In the period between 2007-2013 about € 26.7 billion from EU funds to improve the living standard of its population can be used. The money from EU funds that can be utilized by the Czech Republic in the period between 2007-2013 equals 74 % of the CR budget for 2007.<sup>33</sup> One part of it is the Operational Programme Human Resources and Employment (OP HRE) which includes as one of its themes "Social integration and equal opportunities". For this priority € 398.6 million i.e. 22.0% of the OP HRE is earmarked from EU funds.<sup>34</sup>

EQUAL<sup>35</sup>

The Czech Republic has been taking part in the first round of the EQUAL-programme, from 2004-2006 with one<sup>36</sup> project in the area of "Reconciling family and professional life"<sup>37</sup>. In the current round four projects in the area of "Reducing gender gaps and supporting job desegregation"<sup>38</sup> and three in the area of "Reconciling family and professional life, as well as the re-integration of men and women who have left the labour market, by developing more flexible and effective forms of work organisation and support services"<sup>39</sup> are being funded.

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<sup>26</sup> EGGSIE Synthesis report (2006) [http://ec.europa.eu/employment\\_social/publications/2006/ke7606201\\_en.pdf](http://ec.europa.eu/employment_social/publications/2006/ke7606201_en.pdf)

<sup>27</sup> EC report: [http://ec.europa.eu/employment\\_social/social\\_inclusion/jrep\\_en.htm](http://ec.europa.eu/employment_social/social_inclusion/jrep_en.htm)

<sup>28</sup> The following link may serve as a useful starting point (see drop-down menus along the top of the page and links on the left hand side): [http://ec.europa.eu/regional\\_policy/policy/history/index\\_en.htm](http://ec.europa.eu/regional_policy/policy/history/index_en.htm)

<sup>29</sup> [http://ec.europa.eu/regional\\_policy/funds/fse/index\\_en.htm](http://ec.europa.eu/regional_policy/funds/fse/index_en.htm)

<sup>30</sup> [http://ec.europa.eu/regional\\_policy/funds/feder/index\\_en.htm](http://ec.europa.eu/regional_policy/funds/feder/index_en.htm)

<sup>31</sup> For a more detailed report on gender equality projects funded by the EU during the pre-accession process see: Röder, Ingrid (2007). *Gender Equality, Pre-accession Assistance and Europeanisation: Two Post-Socialist Countries on their Way to the European Union*. Berlin: Logos.

<sup>32</sup> <http://www.strukturalni-fondy.cz/horizontalni-priority>

<sup>33</sup> <http://www.strukturalni-fondy.cz/index.php?lchan=1&lred=1>

<sup>34</sup> <http://www.strukturalni-fondy.cz/oplzz>

<sup>35</sup> <http://www.equalcr.cz/clanek.php?lg=2&id=367>

<sup>36</sup> One out of 20 funded projects.

<sup>37</sup> Community Initiative Programme: <http://www.equalcr.cz/clanek.php?lg=2&id=367>

<sup>38</sup> <http://www.equalcr.cz/clanek.php?lg=2&id=784>

<sup>39</sup> <http://www.equalcr.cz/clanek.php?lg=2&id=783>

- o If yes, comment upon the extent to which gender was mainstreamed in associated plans and programmes (e.g. the National Development Plans for 2000-2006)?  
Gender was not mainstreamed to any large extent.<sup>40</sup>

### 3. Governmental Machinery For Equality

*Provide a summary of the history of governmental machinery for equality provided in the issue history D11, up-dated if appropriate. In particular, consider if there have been any developments in the relationship between the gender machinery and other equalities machinery (e.g. proposed mergers). (Approx. 250 words)*

The Unit for Equality between Men and Women was established in 1998 in the Department for Integration into the European Union, at the Ministry of Labour and Social Affairs. The Unit is responsible for the coordination of the government's policies of gender equality and for the harmonisation of the Czech legislation with EU law; it also serves as Secretariat for the Governmental Council for Equal Opportunities<sup>41</sup>. It has been moved under the supervision of the government in 2007 and is headed by the Minister for Human Rights and Minorities. This can be seen as a merger of gender equality with other equalities (the issues of race/ethnic minorities and sexual minorities); however, the different equalities are dealt with separately.

The Governmental Council for Equal Opportunities<sup>42</sup> includes:

- > The Committee for equal chances in family and working life<sup>43</sup>
- > The Committee for prevention of domestic violence<sup>44</sup>.

For other equalities:

The Government Council for Roma Community Affairs<sup>45</sup> (1997). It includes the Agency for Social Inclusion in socially excluded Roma Localities since 2008.<sup>46</sup>

Government Council for Human Rights<sup>47</sup> (1998). It has several relevant sub-committees:

- > Committee for civic and political rights<sup>48</sup>
- > Committee for economic, social and cultural rights<sup>49</sup>
- > Committee for the rights of children<sup>50</sup>
- > Committee for equal opportunities for men and women<sup>51</sup>
- > Committee for the rights of foreigners<sup>52</sup>
- > Working group on questions for sexual minorities<sup>53</sup> (2007)

Government Council for National Minorities<sup>54</sup> (1968)

Government Board for People with Disabilities<sup>55</sup> (1991)

Government Commissioner for Human Rights<sup>56</sup> (1998)

Government Council for Seniors and for the Ageing of Population<sup>57</sup> (2006). This is in the responsibility of the Ministry of Labour and Social Affairs.

<sup>40</sup> [http://ec.europa.eu/employment\\_social/publications/2006/ke7606201\\_en.pdf](http://ec.europa.eu/employment_social/publications/2006/ke7606201_en.pdf)

<sup>41</sup> According to the government declaration, NGOs are always invited to participate in the Governmental Councils, but in varying numbers. It is in the power of the minister to decide how many Councils there are and how many NGOs he/she is inviting.

<sup>42</sup> <http://www.vlada.cz/cs/rvk/rovnoprilezitosti.html>

<sup>43</sup> <http://www.vlada.cz/scripts/detail.php?id=31583>

<sup>44</sup> <http://www.vlada.cz/scripts/detail.php?id=30381>

<sup>45</sup> <http://www.vlada.cz/cs/rvk/rzrk/rzrk.html>

<sup>46</sup> <http://www.vlada.cz/scripts/detail.php?pgid=1494>

<sup>47</sup> <http://www.vlada.cz/cs/rvk/rlp/uvod.html>

<sup>48</sup> [http://www.vlada.cz/cs/rvk/rlp/vybory/obcanska\\_a\\_politicka/default.html](http://www.vlada.cz/cs/rvk/rlp/vybory/obcanska_a_politicka/default.html)

<sup>49</sup> <http://www.vlada.cz/cs/rvk/rlp/vybory/hksp/default.html>

<sup>50</sup> <http://www.vlada.cz/cs/rvk/rlp/vybory/dite/default.html>

<sup>51</sup> <http://www.vlada.cz/cs/rvk/rlp/vybory/zeny/default.html>

<sup>52</sup> <http://www.vlada.cz/cs/rvk/rlp/vybory/cizinci/default.html>

<sup>53</sup> <http://www.vlada.cz/scripts/detail.php?id=24225>

<sup>54</sup> <http://www.vlada.cz/cs/rvk/rnm/default2.html>

<sup>55</sup> <http://www.vlada.cz/cs/rvk/vvzpo/uvod.html>

<sup>56</sup> <http://www.vlada.cz/cs/rvk/zmocnenci/default.html>

<sup>57</sup> <http://www.mpsv.cz/cs/2897>

Do any or all of these forms of gender machinery exist in the country, and if so what are they called (fill in their name in original language and translated to English)?

- o Governmental (civil servants and ministers in central government)

YES.

> Minister without portfolio who works on human rights and minorities since 2007 (Ministryně vlády České republiky pro lidská práva a národnostní menšiny)<sup>58</sup>.

> Governmental Council for Equal Opportunities for Women and Men (Rada vlády ČR pro rovné příležitosti žen a mužů). The Council is an advisory body concerning equal opportunities issues; it can only develop recommendations, not decisions.

> The Government Council for Human Rights includes the Committee for Equal Opportunities for Women and Men (Výbor pro rovné příležitosti žen a mužů).

- o *Enforcement and/or monitoring agency (e.g. equality authority, ombudsperson):*

YES.

- Ombudsman<sup>59</sup>/Public Defender of Rights (Veřejný ochránce práv), but as yet without any specific rights in the area of gender equality. This will change when the Anti-Discrimination Law has been passed.

- o *Special legal apparatus (e.g. special courts, mediation or arbitration bodies for employment or domestic violence)?*

YES.

According to the Act on Labour Inspection, the established labour inspectorates have to monitor compliance with employee rights provided under labour legislation. These rights include the right to protection against all forms of discrimination. The new legislation has reduced the powers of the labour offices, which until now used to monitor and control the application of labour legislation.<sup>60</sup>

- o *Body for consultation / dialogue with women's NGOs, or with NGOs representing other axes of inequality yes (government council for equal opportunities):*

YES.

The Governmental Council for equal opportunities of women and men (Rada vlády ČR pro rovné příležitosti žen a mužů).

- o *Other, for example, Parliamentary Committees:*

YES.

The Permanent Commission on Family and Equal Opportunities in the Chamber of Deputies' Committee for Social Affairs and Healthcare<sup>61</sup>: deals with issues of family and equal opportunities since June 2002.

*Answering the following list of questions may require mention of any or all of these types of institution: some apply to one kind more than another.*

#### *The nature of the institution*

- *Is there gender machinery that meets the minimum legal requirements of the EU?*
  - o *A body for the promotion, analysis, monitoring and support of equal treatment of all persons without discrimination on the grounds of sex:*  
YES, the Governmental Council for Equal Opportunities for Women and Men.
  - o *Providing independent assistance to victims of discrimination in pursuing their complaints about discrimination;*  
NO.
  - o *Conducting independent surveys concerning discrimination;*  
NO.
  - o *publishing independent reports and*  
NO
  - o *Making recommendations on any issue relating to such discrimination.*  
NO

<sup>58</sup> <http://www.vlada.cz/scripts/detail.php?id=20581>

<sup>59</sup> <http://www.ochrance.cz/>

<sup>60</sup> Koldinská, Kristina (2006). »Czech Republic« in: *General report on development in gender equality law*. p.36. [http://ec.europa.eu/employment\\_social/gender\\_equality/legislation/bulletin\\_en.html](http://ec.europa.eu/employment_social/gender_equality/legislation/bulletin_en.html)

<sup>61</sup> <http://www.psp.cz/sqw/fsnem.sqw?id=780>

- *Is there gender machinery that meets the 'Paris Principles'?*
  - *Independence guaranteed by a constitutional or legislative framework,*  
NO.
  - *Autonomy from government,*  
NO.
  - *Pluralism including pluralism of composition,*  
YES, Governmental Council for Equal Opportunities for Women and Men.
  - *A broad mandate,*  
YES, Governmental Council for Equal Opportunities for Women and Men.
  - *Adequate powers of investigation,*  
NO.
  - *Sufficient resources.*  
NO.
- *Is there gender machinery that meets the further requirements of the UN Platform for Action?*
  - *Responsibility vested at the level of a Cabinet minister.*  
YES. The head of the Governmental Council for Equal Opportunities for Women and Men is, since 2007, the Minister for Human Rights and Minorities.
  - *Develop indicators and statistics to monitor policy.*  
NO.
  -
- *How close to the centre of power (e.g. Prime Minister or other) is the governmental machinery located?*
  - *Centre of power/ PM's office*  
NO.
  - *Other powerful department. Ministerial level*  
YES, the Minister for Human Rights and Minorities<sup>62</sup>.
  - *Other department*  
NO.
  -
- *Would any of the bodies be described as following a 'feminist' agenda?*  
NO.

*Briefly explain the reasoning behind your answer.*

In general, feminism is not widely accepted or well-received in the Czech Republic.<sup>63</sup> The current government<sup>64</sup> assumes that measures for positive discrimination to reach gender equality are not necessary and only worsen the situation.<sup>65</sup>

Concretely about the institutions:

The main responsible Minister, the Minister for Human Rights and Minorities, works mainly on human rights and minorities, not on gender equality or equal opportunities. This can be seen in her policies and actions; gender issues or feminism do not have a high priority.

The head of the Secretariat of the Government Council for Equal Opportunities, Dagmar Zelenkova, is sometimes called a "career bureaucrat" by NGO actors and she has been criticised for her lack of experience as an activist and lack of previous knowledge or experience with working on gender equality issues<sup>66</sup>.

<sup>62</sup> However, this is a new position since 2007; the Minister does not have her own ministry.

<sup>63</sup> Houston, Rebecca (2007). "Feminism - Czech's Dirty Word". <http://prague.tv/print/article.php?name=feminism-czechs-dirty-word>.

<sup>64</sup> As Petra Rakusanova puts it: The main opposition to feminism is the ODS, the democratic civic party, which is now heading the government.

<sup>65</sup> Topolanek, Mirek (2007). *Speech for the Opening of the European Year of Equal Opportunities*. <http://www.vlada.cz/scripts/detail.php?id=22047>

<sup>66</sup> Pavlik, Petr (2007). *Equal opportunities for all? Gender Politics in the Czech Republic*. [www.genderkompetenz.info/w/files/gkompzpdf/taix\\_ph.\\_d.\\_petr\\_pavlik.pdf](http://www.genderkompetenz.info/w/files/gkompzpdf/taix_ph._d._petr_pavlik.pdf)

*If yes, then indicate which vision of gender equality (equality through sameness, equal valuation of different contributions, or transformation) fits best.*

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*Are there other policy groups relevant to gender equality that are embedded in particular departments, but which are not usually known as gender machinery e.g. domestic violence group within the home affairs or justice department? If yes, when was it set up, what does it do, what are its resources?*

YES.

In 2001 a platform for interdisciplinary cooperation on the issue of violence against women, help for victims of crimes and realisation of general informational campaign and research was established. It was established by the Governmental Council for Equal Opportunities by the Czech Government according to Resolution No. 1033 from 10 October 2001. This platform is a coordinator in the field of violence against women, and it connects people at the highest level of the state administration. Every year, each Ministry has to solve a specific task, which should be aimed at combating violence and helping victims. It is a multi-agency working group for an interdisciplinary solution to domestic violence which includes representatives of different ministries and NGOs. The working group consists of representatives from the Ministry of the Interior, the Ministry of Labour and Social Affairs, the Ministry of Justice, the Ministry of Health and the Ministry of Education, Youth and Physical Education, as well as the nongovernmental organisations ROSA, proFem and the White Circle of Safety. However, even though the group still exists, its work has ceased.

*Are there any special legal institutions such as special courts to assist the implementation of gender equality laws e.g. employment tribunals, domestic violence courts?*

NO.

*Dedicated to gender or integrated with other equalities?*

*Is the gender equality body (enforcement or monitoring agency) integrated with machinery for other equalities issues (if so which) or for human rights?*

YES, with the machinery for human rights.

The Minister without portfolio responsible for Human Rights and Minorities works on these issues as well as gender equality/equal opportunities. However, the issues are dealt with separately. The equality body, previously situated in the Ministry of Labour and Social Affairs, has been given a more prominent standing as it now falls under the supervision of the government. It is headed by the minister. Previously, no minister was especially responsible for this issue.

- If yes,
  - When did this happen?  
In 2007.
  - Was the change controversial (who fought whom, allied to whom)?  
It was simply a political decision to create this function.
  - Is the division of responsibilities by function or by strand?  
BY FUNCTION and BY STRAND.
  - Is there a separate mechanism for consulting civil society by strand, including women?  
NO.
  - Does the equality body actively engage with the issue of intersecting inequalities (e.g. gender and ethnicity, gender and disability)? If yes, please specify the intersections that are taken into account.  
NO.
  
- If the gender equality body is not integrated with machinery for other equality issues, does the gender equality body and any other single strand equality body actively engage with the issue of intersecting inequalities? If yes, please specify the intersections that are taken into account by each of the equality bodies.  
NO.

*Relationship of machinery with civil society*

- Are there procedures for the consultation of women's groups in civil society by the gender or equalities machinery?  
YES.

Concerning gender equality, there is only one official institution through which NGOs can influence the policies, namely the Government Council for Equal Opportunities for Men and Women. Yet, it is not obligatory for the government to take up the suggestions of this Council; therefore it is not a very powerful institution.

The government or responsible ministers sometimes include NGOs in the preparation of laws, but it up to them to do so. There are no fixed procedures for this.

Sometimes expertise is commissioned from NGOs.

- If so, are they routinised or occasional?  
OCCASIONAL.

#### 4. Policy summary questions

##### 4.1 Non-employment<sup>67</sup>

- Is the tax system household based or individualised?

INDIVIDUALISED.

The option of common taxation of couples was possible in the period 2004-2007.

- Is the benefit system household based or individualised?

It depends on the type of benefit. For example, maternity and parental allowance are individualised, benefits of social subsistence are generally household based.

- How long is it legitimate for lone parents not to be in paid work? (i.e. at what age does the youngest child reach before parent is required to be available for employment and benefit stops)

There is no difference in the length of parental leave for lone parents. It is legitimate until the child is three years old.

- Are there *active* labour market programmes (i.e. programmes to help people who are out of labour market back into paid employment, include training and job placement schemes) for lone parents?

YES.

But not especially for lone parents.

- Are there active labour market programmes for women who are returning to employment after lengthy period of time out of the labour market? Are there active labour market programmes for any other category of citizens, and if so which categories?

YES.

Generally there are "individual employment plans" and for parents returning from parental leave there is a new financial incentive for employers – lower tax.

- What is the minimum amount of childcare that is provided by the state? (e.g. number of hours, no. of weeks per annum)<sup>68</sup>

- Childcare: care (under 3 years): about 2%
- Childcare: pre-primary education (3 yrs- school age): about 70%

- What is the predominant form of childcare provision? i.e. public, private or mixed  
PUBLIC.

- How is childcare financed (e.g. by public funds, privately or mixed)?

MIXED.

Predominantly public/state funded combined with low payments by the parents for children from three years to school age.

- Is the pension age the same for women and men? If so, since when?

NO, not yet. From 2012 and onwards, the pension age will be the same for both women and men.

In 1995, the Act on Pension Insurance (No. 155/1995 Coll.) was adopted. It contains conditions concerning entitlement to and the calculation of old-age pension. It specifies uniform rules to determine the amount of old-age pension for men and women, with the exception of the age of eligibility for old-age pension. In 1995, the retirement age for old-age pension was 60 for men and 53-57 for women, depending on the number of children they had

<sup>67</sup> I am grateful to Dr. Alena Križkova (Czech representative for EGGsIE) for information on this issue.

<sup>68</sup> Alena Križkova: There is no minimum amount of childcare set; most of the childcare is provided by the state but it depends on capacity. I can provide the coverage rates % of children of the age category which are actually in childcare institutions.

raised. The adoption of the Act on Pension Insurance<sup>69</sup> in 1995 began the process of the gradual increase in retirement age, by two months a year for men and four months a year for women up to 2007, at which point the retirement age for men will be 62 and for women 57-61. The faster rate of increase for women will reduce the difference in retirement age for men and women. The target retirement age of 63 will be reached after December 31, 2012, for men and for women without children. For women with children the retirement age will be 59 to 62, depending on the number of children raised.<sup>70</sup>

#### 4.2 Intimate citizenship

Is abortion legal? If so, in what year did this happen?

YES<sup>71</sup>.

Since 1957 (remaining restrictions were lifted in 1986).

Up to which week of pregnancy is abortion legal?

Abortion in the Czech Republic is legally allowed up to 12 weeks of pregnancy, with medical reasons up to 24 weeks of pregnancy, in case of grave problems with the foetus at any time<sup>72</sup>.

Are there any other conditions? If so, what are these (e.g. consent of doctor/s, counselling)?

NO.

Consent of the woman who will have the abortion.

Parental consent is necessary if the woman is under 16<sup>73</sup>.

How many abortions are carried out per year (select most recent year where data available. If illegal, approximately how many women travel to access abortion services in another country)?

In 2006: 39.959 abortions in total.<sup>74</sup>

Are there any restrictions on abortion for certain categories of people? (e.g. age, nationality)

NO.  
However, foreigners who do not have legal status in the Czech Republic may have difficulty in obtaining an abortion<sup>75</sup>

Is a marriage a state based contract, religious contract or both?

STATE-BASED CONTRACT.

Is divorce legal and what are the conditions for divorcing (e.g. is mutual consent necessary / sufficient)?

YES. Mutual consent is sufficient, but not necessary for a divorce.

The Czech Republic has one of the highest divorce rates in Europe: 47% (statistical estimation in 2005).<sup>76</sup>

Conditions for obtaining a divorce:

Based on a proposal by one of the spouses, the court decides on divorce. During the proceedings, the court establishes whether or not the grounds for divorce exist, i.e. whether or not the marriage has broken down and what the causes were.

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<sup>69</sup> *Sbírka Zákonů (1995). Česká Republika. "Zakon za dne 30. června 1995 o důchodovém pojištění". Částka 41. Act. No 155/1995 (Collection of Laws (1995). Czech Republic. "Law from the day of the 30 June 1995 on pension insurance. Journal Nr. 41. Act. No 155/1995). <http://www.mvcr.cz/sbirka/1995/sb41-95.pdf>. e-text. 26p.*

<sup>70</sup> <http://www.ssa.gov/policy/docs/progdsc/ssptw/2004-2005/europe/czechrepublic.html>

<sup>71</sup> The Czech Republic is a country for abortion tourism, especially women coming from Poland (<http://www.expats.cz/prague/article/health-medical/contraception-abortion/>).

<sup>72</sup> <http://www.expats.cz/prague/article/health-medical/contraception-abortion/>

<sup>73</sup> [www.contraception-esc.com/powerpoint/ABinEurope.ppt](http://www.contraception-esc.com/powerpoint/ABinEurope.ppt)

<sup>74</sup> Statistical Yearbook of the Czech Republic 2007. <http://www.czso.cz/csu/2007edicniplan.nsf/engkapitola/10n1-07-2007-0400>.

<sup>75</sup> <http://www.expats.cz/prague/article/health-medical/contraception-abortion/>

<sup>76</sup> Information by Dr. Radka Dudova, sociologist.

The marriage is automatically considered as broken down, if the marriage has lasted at least one year, the spouses have been separated for at least six months and the second spouse supports the divorce proposal. If certain documents are submitted, the court will not investigate the causes for the breakdown and will grant the divorce. The documents in question are: a) a written contract governing the settlement of the mutual property relations, the rights and responsibilities of cohabitation and any eventual maintenance for the period after the divorce with the officially verified signatures of the spouses; b) a valid court decision approving the agreement regulating the circumstances of any minors for the time after the divorce.

The court will not grant a divorce if the spouse, who did not significantly contribute to the breakdown of the marriage by breaching his or her marital responsibilities and who would suffer significant loss due to the divorce, does not agree with the divorce, provided exceptional circumstances speak in favour of preserving the marriage. If, however, the spouses have not been cohabitating for a period of more than three years, the court will grant a divorce in such a case, provided the marriage has broken down.

If the spouses have children who are minors, a divorce may not be granted, if the divorce would be at odds with the interests of said children due to special reasons<sup>77</sup>.

If divorce is not legal, what are the conditions for separation or annulment?  
-

Are there any restrictions to marriage other than the sex of the partners (e.g. nationality, country of origin)?  
NO.

Any single person, who has reached the age of 18, may marry. Persons younger than 18 years may marry only with the permission of the courts. Marriage between close relatives is not allowed, nor is marriage between an individual and his or her parent, or between an adopted child and his or her adopted parent.

Nationality is only important in the case of a registered partnership. Such partnerships may be concluded in the Czech Republic only if one of the partners has Czech citizenship. Registered partnership between close relatives, siblings and persons below 18 years of age is prohibited<sup>78</sup>.

Are civil partnerships/civil unions/gay marriage legal?

YES.

Since July 2006.

And if so, are the legal rights the same as for heterosexual marriage?

NO.

Consider the following (Yes/no + year when introduced):

Does it extend to<sup>79</sup>:

Survivors' benefits in pensions?

NO.

Adoption rights?

NO.

Parental leave?

NO

Assisted reproduction?

NO

Family reunification – have partners the right to settle and be employed in the country where their partners live?

YES.

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<sup>77</sup> [http://ec.europa.eu/civiljustice/divorce/divorce\\_cze\\_en.htm#1](http://ec.europa.eu/civiljustice/divorce/divorce_cze_en.htm#1).

<sup>78</sup> <http://europa.eu.int/eures/main.jsp?catId=8859&acro=living&lang=en&parentId=7806&countryId=CZ&living=>

<sup>79</sup> <http://www.buddybuddy.com/d-p-czec.html>

The Czech Registered Partnership Act contains the following<sup>80</sup>:

The partnership registration takes place in the presence of an employee of the Registry Office and it is the Registry Office that decides which premises should be used for this act. Each of the fourteen regions of the Czech Republic will have only one such office. The conditions for entering a partnership are as follows: the partners must be at least 18 years of age, legally competent and single (i.e. neither registered nor married). At least one of the partners must have Czech citizenship. The partners must not be next of kin in the direct line or siblings. The partnership can be dissolved by court decision only. Partners become "close persons" according to the Civil Code and can act on behalf of each other in common affairs. They have a mutual duty to maintain and support each other. The surviving partner automatically belongs to the first inheritance group. The partners are commonly assessed for the purposes of social support and subsistence minimum legislation. They can participate in each others' business activities but are not allowed to employ one another. They are entitled to refuse to give testimony should this endanger the other partner (applies to petty offences, penal offences, tax and duty administration). The partners are entitled to select a counsel for each other, as well as to appeal from the judgement in favour of the sentenced partner. A partner is entitled to use his/her partner's rented apartment for the duration of the partnership and in certain circumstances can inherit the right to be a tenant after the partner's death. The partnership status (like in the case of marriages) must be stated in the person's ID card. A partner who applies for a job at the Labour Office has the right to refuse a particular job offer based on the job character or place of employment of his/her partner.

What the law does not contain:

- estate by entirety
- common or double surname
- impact on citizenship, residence or work permit acquisition
- survivor's pensions
- advantages stemming from income tax law (e.g. joint taxation)
- financial compensation in case of partner's death
- adoption of children

Number of registered civil partnerships, annually and in total?

Until the end of 2007 487 couples in total had registered since the introduction of the law in July 2006.<sup>81</sup>

#### **4.3 Gender-based violence**

Has there been a national survey on gender based violence? When was the most recent one carried out?

NO.

Does it include:

- Domestic violence and violence in partnerships?
- Sexual assault/violence and rape?
- Sexual harassment and stalking?
- Trafficking
- Prostitution?
- Forced marriage?
- Honour crimes?
- FGM?

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<sup>80</sup> [http://www.ilga-europe.org/europe/guide/country\\_by\\_country/czech\\_republic/legal\\_details\\_of\\_the\\_czech\\_registered\\_partnership\\_law](http://www.ilga-europe.org/europe/guide/country_by_country/czech_republic/legal_details_of_the_czech_registered_partnership_law)

<sup>81</sup> [http://www.ceskenoviny.cz/news/index\\_view.php?id=293876](http://www.ceskenoviny.cz/news/index_view.php?id=293876)

#### 4.3.1 Domestic violence

What legal devices are available to prevent domestic violence? Do they target perpetrators and/or victims? (Yes/no +year when introduced). Devices could for instance include:

- restraining orders

YES.

- non-molestation orders

YES.

- occupation orders

YES.

At least temporarily (since January 2007).

- state funded perpetrator programs

NO.

There are no state-funded perpetrator programs; NGOs like ProFem, Koordonna and the League of Open Men try to lobby for their introduction.

Only some ministries have single projects in this area. Caritas is working in this field.

- Other devices?

NO.

Comment:

The years 2004 and 2007 were turning points in this area because new legislation became effective which allows police to remove the violator from the household. Violence in partnerships is now recognised as a crime.

What is the prevalence of domestic violence against women, in one year? (from the survey)

NO SURVEY and therefore not available data.

What is the life time prevalence of domestic violence against women? (from the survey)

NO SURVEY and therefore not available data.

What is the number of incidents of domestic violence against women, in one year (from the survey)

NO SURVEY and therefore not available data.

What is the number of incidents of domestic violence reported to the police (annual)? (If not available, say so)

NOT AVAILABLE.

What is the number of domestic violence convictions in the courts? (If not available say so)

NOT AVAILABLE.

What is the attrition rate for domestic violence in the criminal justice system (convictions as % of reports to police)? (if not available say so)

NOT AVAILABLE.

If there is any information on the previous questions broken down by age, class, sexual orientation, race/ethnicity etc, give it here too.

NOT AVAILABLE.

#### 4.3.2 Rape & Sexual assault

When was marital rape criminalized?

IN 2004.

There were discussions about it already earlier, but it had not been legally written down.

What is the number of annually reported incidents to the police?

In 2003 646 incidents were reported.<sup>82</sup>

What is the attrition rate for rape in the criminal justice system (convictions as % of reports to police)? (if not available say so)

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<sup>82</sup> CEDAW-Report from 2004.

417 of 646 cases were prosecuted.<sup>83</sup> There is no figure available on how many of the 417 were convicted.

What is required for an act to be considered to be rape, e.g.:

- lack of consent (since when)  
NO (use of violence or threats)
- Physical resistance? (since when)  
NO
- Other?  
NO.

According to the updated § 241<sup>84</sup> of the Criminal Code, rape is a crime committed against both women and men. Certain practices other than sexual intercourse are considered rape. The aim of updating the Criminal Code was to supersede an unacceptable advantage of perpetrators who commit a rape crime in a way other than sexual intercourse, and to prosecute rape regardless the sex of the victim<sup>85</sup>.

Is any characteristic of victim or perpetrator considered relevant (e.g. age, sex), and if so which characteristic?

NO.

However, in statistics the sex of the person is taken into account.

#### 4.3.3 Trafficking for sexual exploitation

Has the government signed and ratified the EU convention on human trafficking (date)

NO<sup>86</sup>.

Is trafficking primarily seen as a problem of the sending or the receiving country?

The Czech Republic changed from being a sending country into a receiving country; therefore both sides of the problem are recognised.<sup>87</sup>

Are women victims of trafficking?

YES.

But even though women are still seen as the main victims of trafficking it is no longer seen as only a women's problem but considered as trafficking of human beings to include all kinds of trafficking.

When identified as such, are victims given temporary/permanent residence permits? How long? (date)

YES, temporary residence permits.

According to the new draft wording of Section 33 (1c) the participation of the foreigner as a witness or as a damaged party in criminal proceedings is an explicitly stated reason for obtaining a visa for a stay exceeding 90 days for the purpose of toleration of residence in the country.<sup>88</sup>

#### 4.3.4 Intersections

Have specialised policies and practices on gender based violence that address gender as intersecting with race/ethnicity, class, sexual orientation been developed by:

- Police<sup>89</sup>  
NO.

Even though there is no specific training on gender-based violence there is a project on-going

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<sup>83</sup> CEDAW-Report from 2004.

<sup>84</sup> Definition of Rape (section 241): Whoever compels another person to have sexual relations, either through violence or the threat of violence or the threat of other harm, or whoever abuses a person's defencelessness to commit such an act, will be punished by a prison term of from six months to five years.

<sup>85</sup> [http://www.stopvaw.org/Czech\\_Republic2.html](http://www.stopvaw.org/Czech_Republic2.html)

<sup>86</sup> [http://www.coe.int/t/DG2/TRAFFICKING/campaign/default\\_en.asp](http://www.coe.int/t/DG2/TRAFFICKING/campaign/default_en.asp).

<sup>87</sup> Ministry of the Interior (2005). National Strategy of the Fight against Trafficking in Human Beings (for the period of 2005-2007). Prague. p. 9.

<sup>88</sup> Ministry of the Interior (2005). National Strategy of the Fight against Trafficking in Human Beings (for the period of 2005-2007). Prague. p. 17.

<sup>89</sup> It might be that in the area of trafficking and prostitution special training has been done as the focus in this field is on minorities (from Vietnam, Ukraine, Balkan); however, in the National Strategy against Trafficking in Human Beings nothing is explicitly mentioned.

since 2007 which trains police officers in the area of anti-discrimination. This project is being implemented in cooperation between NGOs and the Ministry of the Interior.<sup>90</sup>

- NGOs

YES.

Domestic Violence: The NGO ProFem<sup>91</sup> organises courses for women who suffered under domestic violence and are unemployed; this has now been opened for migrant women.

ProFem also tries to cooperate with NGOs dealing with refugees.

- Local Authorities / government

NO.

- Other

NO.

#### **4.3.5 Service provision**

Are there refuges and/or sexual assault centres? (dates)

YES.

How many are there?

There are 15 state-owned intervention centres and an un-known number of NGO-centres.

When was the first set up?

State-funded: 2007

NGOs: ?.

Are they state funded, to what extent?

The state centres are completely state-funded; the budget is in the hand of the regions. The money comes from the state and is regionally distributed.

### **CIVIL SOCIETY AND ENGAGEMENT IN POLICY MAKING<sup>92</sup>**

#### **5. Political system**

##### **5.1 Is the state unitary or federal?**

If federal, are key gender+ equality decisions made at national or provincial/local level?

UNITARY.

##### **5.2 To what extent and how are social partners (employers & trade unions/capital & labour) integrated in policy decisions?**

The Council of Economic and Social Agreement of the CR was established in 1990 to provide a platform for conducting an ongoing dialogue between the Government and the social partners. It is a voluntary body established to negotiate issues in the areas of employment, social and economic policies. The supreme organ is the Plenary Session, composed of the Prime Minister, seven Government representatives, seven trade union representatives and seven employer representatives. Among its other activities, it also contributes to the gradual establishing of tri-partite structures in the most disadvantaged regions and sectors.<sup>93</sup>

The Czech-Moravian Chamber of Trade Unions (CMKOS) is the only union federation representative at the national level (and in the tripartite body) and it has been careful to maintain its institutional and ideological independence.<sup>94</sup>

Are there legally binding decision making processes similar to the EU framework agreements (e.g. as the Parental Leave Directive)?

NO.

Would the political system be possible to describe as corporatist or neocorporatist, where hierarchically ordered trade unions and/or employer and/or other civil society organisations are institutionally incorporated in policy making?

Not exactly corporatist or neocorporatist; there are corporatist tendencies as Trade Unions are sometimes involved in policy making as well as civil society organisations, but that is not the case in the major part of the decisions. The working of the post-1998 tripartite mechanism is not regulated by

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<sup>90</sup> <http://www.radio.cz/en/article/99642/limit>

<sup>91</sup> <http://www.profem.cz/>

<sup>92</sup> I am grateful to Dr. Petra Rakušanová for background information on this issue.

<sup>93</sup> National Plan of social inclusion (2004), p. 61.

<sup>94</sup> Careja, Romana. (2007). "Are trade unions effective accounting actors?" in: *South-East Europe Review*. p. 8.

a specific law; consequently, there is no legally-binding text defining the rights and obligations of the social partners at tripartite level.<sup>95</sup>

What is the gender composition in the decision making process of agreements made by the social partners (if there are any such agreements)?

NOT AVAILABLE DATA, but women are in general under-represented in the executive bodies of the social partners.

### **5.3 In which policy environment (ministry) is a decision on the issue predominantly made (for each area: general gender equality policies; non-employment; intimate citizenship; gender-based violence)?<sup>96</sup>**

General Gender Equality:

It used to be under the direction of the Ministry of Labour and Social Affairs. Now it is directly under the government and headed by the Minister for Human Rights and Minorities (without portfolio). The office moved, but the people working in the department remained the same.

Non-Employment:

The Ministry of Labour and Social Affairs covers the area of family policy. However, family policy and gender equality are very strictly separated.

Minority Policy is dealt with by the Minister without Portfolio.

Gender-Based Violence:

Minister without Portfolio and the Committee for the prevention of domestic violence as well as the Ministry of the Interior (criminological area/prevention of crime) are involved in this issue.

Intimate Citizenship:

It is not really situated anywhere.

However, the Minister without Portfolio as well as the working group for questions of sexual minorities in the Governmental Council for Human Rights work on it. Legal changes in this area are under the responsibility of the Ministry of Justice.

### **5.4 Political cleavages**

Is the state consociational or not, i.e. are there major internal divisions (ethnic, language, religion etc) where neither of the groups form a majority while, at the same time, the political regime can be considered to be stable?

NO, the state is not consociational.

What are the main existing salient political cleavages within the state, and on what dimension (e.g. language, region, religion, nationality)?

- Depth of EU-integration

- Left-Right (e.g. issues of taxation)

- Regional differences: big difference between Prague as the capital with nearly no unemployment and the regions.

- Czech – Roma

### **5.5 International obligations and links**

When, if at all, was CEDAW signed?<sup>97</sup>

22 February 1993.

When did the country join the EU?

1 May 2004

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<sup>95</sup> Careja, Romana. (2007). "Are trade unions effective accounting actors?" in: *South-East Europe Review*. p. 9.

<sup>96</sup> I am grateful to Maria Sasa Lienau, ProFem, for background information on this issue.

<sup>97</sup> <http://www.un.org/womenwatch/daw/cedaw/states.htm>

## 6. Political Representation

### 6.1 The development of women's political representation, including:

- Date of female suffrage<sup>98</sup>  
1920<sup>99</sup>.
- Note any caveats, e.g. age, property qualification, ethnicity, and when removed.  
Age restriction: women younger than 18 years are not allowed to vote.
- Date of male suffrage  
1907; universal male suffrage was applied for the first time in elections to the chamber of deputies in 1907<sup>100</sup> when the Czech Republic was part of the Austro-Hungarian Empire<sup>101</sup>.
- Use of quotas<sup>102</sup>
  - When introduced  
NOT on the national level/for parliamentary elections; just party-wise.<sup>103</sup>

What form e.g. party, electoral, constitutional

PARTY.

Two parties have used a quota system:

- ČSSD, the Social Democrats: 25% of those elected by the party must be women. If a local party organisation has failed to nominate 25% women among its top candidates, then the Social Democratic Women's Organisation has the right to nominate extra women<sup>104</sup>.

- Strana zelených, the Green Party, is the only party which uses a zip-system. However, it is not very powerful even though it is now part of the governmental coalition.

- What is the numerical representation of women in parliament? (over QUING period)

### Gender structure of the Czech parliament 1994 – 1998<sup>105</sup>

	Chamber of Deputies 1994	Chamber of Deputies 1996	Chamber of Deputies 1998	Senate 1998
Men	181	173	170	72
% Men	90.5	86.5	85.0	88.9
<b>Women</b>	<b>19</b>	<b>27</b>	<b>30</b>	<b>9</b>
<b>% Women</b>	<b>9.5</b>	<b>13.5</b>	<b>15.0</b>	<b>11.1</b>
Total	200	200	200	81

<sup>98</sup> See Inter-Parliamentary union (IPU) website: <http://www.ipu.org/wmn-e/world.htm>

<sup>99</sup> Women could stand for election from 1907. <http://www.pinn.net/~sunshine/czech/parli.html>

<sup>100</sup> <http://www.czech.cz/en/czech-republic/history/all-about-czech-history/ideas-of-the-czech-national-revival/>

<sup>101</sup> <http://countrystudies.us/czech-republic/15.htm>

<sup>102</sup> See IDEA: <http://www.idea.int/gender/index.cfm>

<sup>103</sup> <http://www.quotaproject.org/displayCountry.cfm?CountryCode=CZ>

<sup>104</sup> Global Database of Quotas for Women. <http://www.quotaproject.org/displayCountry.cfm?CountryCode=CZ>.

Accessed: June 2008.

<sup>105</sup> Institute of Sociology of the Academy of Sciences of the Czech Republic (2004), p. 5f.

### Gender structure of the Czech parliament 1998 – 2002<sup>106</sup>

	Senate 2000 – 2004	Chamber of Deputies 2000	Chamber of Deputies 2002 -2006	Chamber of Deputies 2006	Senate 2006
Men	71	174	166	169	70
% Men	87.7	174	83.0	84.5%	86.4%
<b>Women</b>	<b>10</b>	<b>33</b>	<b>34</b>	<b>31</b>	<b>11</b>
<b>% Women</b>	<b>12.3</b>	<b>15.9</b>	<b>17</b>	<b>15.5%</b>	<b>13.6%</b>
Total	81	207	200	200	81

- Was the increase in women's representation a gradual increase since suffrage, or were there any key turning points? E.g. quotas, 1989<sup>107</sup>.

NO, it did not increase gradually, but there were key turning points since the Czech Republic underwent huge political changes:

- Creation of the independent republic of Czechoslovakia in 1918.
- Munich Pact and the II World War.<sup>108</sup>
- Under Communist rule from 1948-1989;
- Introduction of the 30% quota system for the parliament in 1971.
- 1989: change from a communist to democratic system and abolishment of the quota system
- Creation of the Czech Republic in 1993.

These changes also affected women's representation.

Women's representation between 1919 and 1948 was between 2% and 8.6%<sup>109</sup>. It was relatively stable during the communist time because of the introduced quota system but crashed after 1989 because of the abolishment of the quota system. Suddenly, hardly any women were present on the political level.

NGOs like Forum 50% try to increase political representation of women in the Czech Republic.<sup>110</sup>

- Other important developments  
NO.

### 6.2 Political representation for intersecting inequalities:

Class (e.g. was male suffrage granted in stages with property qualifications; representation in parliament)

YES, but that was still in the Austro-Hungarian Empire.

Ethnicity/religion (what exclusions and when; numerical representation in parliament):

There are no political parties representing ethnic minorities like the Roma and there is no quota system for their representation.

However, there are NGOs representing ethnic minorities and these are included in the Governmental Council for Minorities.

Roma are now recognised as a separate group with cultural support and education.

<sup>106</sup> Institute of Sociology of the Academy of Sciences of the Czech Republic (2004), p. 5f and <http://www.ipu.org/wmn-e/classif.htm>.

<sup>107</sup> [http://en.wikipedia.org/wiki/Czech\\_Republic](http://en.wikipedia.org/wiki/Czech_Republic)

<sup>108</sup> <http://www.vlada.cz/en/urad/historie/default.html>

<sup>109</sup> Havelkova, Hana (2006). "Jako v loterii: politická reprezentace žen v ČR po roce 1989" in: Haškova, Hana, Alena Křížková and Marcela Linková (eds.). *Mnohohlasem: Vjednávání žeskyh prostorů po roce 1989*. Praha: Sociologický ustav Akademie věd ČR. pp. 25-42.

<sup>110</sup> [http://www.padesatprocent.cz/?c\\_id=39](http://www.padesatprocent.cz/?c_id=39)

Other important intersecting inequalities, any quotas  
NO.

### 6.3 Political parties and gender

Does women's political representation vary by Party?

YES (see table on the next page).

KSČM<sup>111</sup>, the communist party of Bohemia and Moravia, has the most female representatives at the moment, the ODS<sup>112</sup>, the Civic Democratic Party and now the ruling party, has the least female representatives.

#### Women in Political Parties<sup>113</sup>

Party	1994		1996		1998		2002		2006	
	Female members (Numbers)	Female members (percent)								
ODS	6	9.2%	5	7.3%	6	9.5%	8	13.8%	9	11%
ČSSD	3	15.0%	11	18%	11	14.9%	10	14.3%	9	12%
KSČM	1	10.0%	5	22.7%	6	25.0%	12	29.3%	8	31%
KDU-ČSL	1	6.3%	2	11.1%	3	15.0%	2	9.5%	2	15%
ODA	3	17.6%	0	0.0%	-	-	-	-	-	-
US	-	-	-	-	3	15.8%	1	10.0%	-	-

ODS: Civic Democratic Party, <http://www.ods.cz/eng/>

ČSSD: Czech Party of Social Democrats, <http://www.cssd.cz/>

KSČM: Communist Party of Bohemia and Moravia,  
<http://www.kscm.cz/index.asp?thema=2677&category=>

KDU-ČSL: Christian and Democratic Union – the party of the people, <http://www.kdu.cz/>

ODA: Civic Democratic Alliance, <http://www.oda.cz/>

US: Freedom Union, <http://www.unie.cz/index.php?typ=UEA&showid=4>

If so, do these Parties tend to represent different class, ethnic, religious or other interests?

NO.

#### What is the current Party / Parties in Government:

The current government is a coalition of the ODS, KDU-ČSL, and the Green Party (SZ), and led by the leader of the ODS Mirek Topolánek. It succeeded in winning a vote of confidence on January 19th, 2007 after a months-long struggle of creating a government. This was thanks to two members of the ČSSD, Miloš Melčák and Michal Pohanka, who abstained.<sup>114</sup>

<sup>111</sup> <http://www.kscm.cz/index.asp?thema=2677&category=>

<sup>112</sup> <http://www.ods.cz/eng/>

<sup>113</sup> Rakušanová, Petra (2006). *Česká Politika: Ženy v Labyrintu mužů*. Prague: Forum 50%. p. 46.

Unfortunately, the Green Party is not mentioned in this table and the party does not provide gender-segregated data of its elected candidates on the party website or on the parliament website.

<sup>114</sup> [http://en.wikipedia.org/wiki/Politics\\_of\\_the\\_Czech\\_Republic](http://en.wikipedia.org/wiki/Politics_of_the_Czech_Republic)

*With which European Parliament political group is this Party / Parties affiliated?*<sup>115</sup>

The parties are affiliated to the EPP-ED are the KDU-ČSL and the ODS, the Green Party is affiliated to the European Greens.

*What political party / parties have held office during 1995-2007?*

Two parties have been interchangeably in office during this period: the ODS, the Civic Democratic Party, and the ČSSD, the Czech Party of Social Democrats.

1992-1996: PM Vaclav Klaus (ODS): ODS

1996-1997 PM Vaclav Klaus (ODS): ODS

1997 – 1998: Josef Tošovský (non-party): interim government appointed by the president Vaclav Klaus.

1998 – 2002: Miloš Zeman (ČSSD): a minority government led by the Social Democrats (ČSSD) with the support of ODS

2002 – 2004: Klaus Špidla (ČSSD); coalition government led by ČSSD with the small Christian Democratic Union - Czechoslovak People's Party (KDU-ČSL) and Freedom Union-Democratic Union.(US-DEU)

2004- 2005: Stanislav Gross (ČSSD): coalition government led by ČSSD

2005-2006: Jiří Paroubek (ČSSD): coalition government led by ČSSD

2006 - : Mirek Topolánek (ODS): government coalition led by ODS approved in 2007 (s. above)

## 6.4 Representation in government

- *What percentage of government Ministers are female?*<sup>116</sup>

2 out of 16 ministers are female; this equals 12.5%.

- *To which Ministries do female ministers belong?*

Ministry of Defence: JUDr. Vlasta Parkanová, Minister of Defence

MUDr. Džamila Stehlíková, Minister of the Government of the Czech Republic for Human Rights and National Minorities, also named the Minister without portfolio. However, she does not have her own ministry.

## 7. Civil Society

### 7.1 Gender

*Is there one (or more than one) national organisation that coordinates feminist and women's organisations.*

YES.

The main one concerning general gender equality, but also other issues, is the Czech Women's Lobby<sup>117</sup>.

If so,

- *Is this the same as the body which is affiliated to the European Women's Lobby?*

YES.

Czech Women's Lobby (CWL) <sup>118</sup>

Current Head of CWL: Ms Lenka Bennerova from the NGO Forum 50%

Website: <http://czlobby.cz/>

It became a member of the EWL in 2006

- *When was it established?*

The CWL was established in 2005 and is a legal entity since 2008.

- *How many organisations are affiliated to the national body?*

21 ORGANISATIONS.

<sup>115</sup> See list Of EP political groups: [http://www.europarl.europa.eu/groups/default\\_en.htm](http://www.europarl.europa.eu/groups/default_en.htm)

<sup>116</sup> See IPU: <http://www.ipu.org/wmn-e/world.htm>

<sup>117</sup> In the 1990s already two voluntary alliances were founded but they were not successful. One of them was the Asociace pro rovné příležitosti (association for equal chances); however, two important associations were not represented in it: the Czech Union of Women and the Union of Catholic Women.

<sup>118</sup> I am grateful for background information on this organisation provided by Saša Lienau, ProFem, and Petra Zárecká, Fórum 50 %.

- *How many women are so coordinated?*  
There is no data available on how many women are so coordinated. However, among the 21 organisations are two of the biggest Czech women's organisations, the Czech Catholic Women's Union and the Czech Women's Union (ČSŽ). ČSŽ alone includes about 1000 women.
- *How many staff work for the organisation (how many paid, how many unpaid)?*  
The CWL is a voluntary organisation and everybody works unpaid.  
Ivana Merkova (coordinator)  
Lenka Benerova (chairwoman)  
I. Zoffovoa (vice-chairwoman), Soroptimist International  
At the moment they try to change the voluntary character and might apply for funds from the European Social Fund.
- *What is its budget?*  
The Czech Women's Lobby does not have its own budget.  
The membership fee is 1500 CZ for each organisation  
=> Budget: 21 x 1500 CZ = ca. 31500 CZ, which all goes to the CWL for the membership fee.
- *What is its range of activities (are these in an annual report)?*  
So far, there has not been an annual report; the first annual report will probably be published in 2009.  
The focus of the activities is currently on the Czech EU Presidency in 2009. They want to organise:  
a conference and six roundtables/1 roundtable each month (1. Violence against women, 2. Representation of women, 3. EU-elections, 4. Women + (re)production, 5. Migrant women, 6. Asylum law) and are looking for financial support.  
However, in general the main focus is on how to cooperate within the 21 organisations, which are partly very different. The CWL includes a wide range of member organisations: Roma women ⇔ Forum 50% (political representation), ProFem (feminist) ⇔ Czech Catholic Women's Union (conservative).  
In the past, the Czech Women's Lobby was active in the following:  
organising meetings, lobbying and working on policies (e.g. policy of equal treatment, migration policy, violence, anti-discrimination law). Concerning general gender equality they published statements against sexist advertisements in Brno.
- *Does the national body engage with all or only some of our 3 issues:*  
The 21 organisations cover all of the 3 issues. The activities of the national body have so far mainly focused on:
  - employment
  - political representation
  - violence
  - minorities (but Roma NGOs are not very active because they have problems with the membership fees)
  - reproductive rights/rights of children

*Are there national coordinating organisations for feminist/women's activities in: employment/non-employment; gender based violence; and intimate citizenship (if so name them)?*

Employment: Czech Women's Union<sup>119</sup>

Gender Based Violence: Koordonna<sup>120</sup> concerning domestic violence

Intimate Citizenship: Gay and Lesbian League<sup>121</sup>; mainly focused on the adoption of the law on registered partnership, wherefore it is not so active anymore.

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<sup>119</sup> <http://www.csz.cz/>

<sup>120</sup> <http://www.koordona.cz/>

<sup>121</sup> <http://www.partnerstvi.cz/gll-uvod/>

### **List the key women's / feminist civil society organisations and their main methods / activities**

Women's organisations cover a wide range of areas; mainly concerning general gender equality, employment, political representation and domestic violence. Not all of the women's organisations follow a feminist agenda though.

The following are the main women's/feminist civil society organisations

1. Gender Studies<sup>122</sup>
2. Czech Women's Union (CSŽ)<sup>123</sup>
3. Network of mother's centres<sup>124</sup>
4. Nesehnuti<sup>125</sup>, Brno
5. Czech Women's Lobby<sup>126</sup>
6. ProFem<sup>127</sup>
7. Forum 50%<sup>128</sup>

#### Gender Studies (feminist, employment, general gender equality)

- Building autonomous institutions: NO
- Public protest e.g. demonstrations: NO
- Campaigning: YES
- lobbying state: YES
- service provision: NO (e.g. seminars for the public)
- research: YES
  - Are they important or marginal to national politics? This is one of the most influential organisations and it is present in all the important lobbying actions and on the political level.
  - Are they centralised or dispersed? CENTRALISED

Gender Studies is one of the oldest and most influential NGOs in this field. It was founded in 1991 in the apartment of Jiřina Šiklová, a sociologist. Originally, it functioned as a library and so-called Curriculum Centre. The primary goals were to run a library and promote lectures on gender studies at Czech universities. The organisation was officially founded in 1992; first as a foundation, and later on as an organisation for public benefit. In 1994, the centre moved from Jiřina Šiklová's flat and started an independent existence. Thanks to the initiative of Gender Studies, o.p.s., a Centre for Gender Studies was opened at the Philosophical Faculty, Charles University in 1998. Several years later, it moved to the Faculty of Humanities as an independent Department of Gender Studies. Currently, Gender Studies, o.p.s. focuses on consultation and information activities, education and publicity of gender-related issues (including the issue of equal opportunities)<sup>129</sup>.

#### Czech Women's Union (CSŽ) (employment)

- Building autonomous institutions: NO
- Public protest e.g. demonstrations: NO
- Campaigning: YES
- lobbying state: YES
- service provision: YES (seminars, roundtables)
- research: YES
  - Are they important or marginal to national politics? They are important because CSŽ is the only NGO representing women all over the Czech Republic.

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<sup>122</sup> <http://www.en.genderstudies.cz/gender-studies/who-we-are.shtml>

<sup>123</sup> [www.csz.cz](http://www.csz.cz)

<sup>124</sup> <http://www.materskacentra.cz/>

<sup>125</sup> <http://www.nesehnuti.cz/>

<sup>126</sup> [czlobby.cz](http://czlobby.cz)

<sup>127</sup> [www.profem.cz](http://www.profem.cz)

<sup>128</sup> [www.padesatprocent.cz](http://www.padesatprocent.cz)

<sup>129</sup> <http://www.en.genderstudies.cz/gender-studies/history/?x=237050>

- Are they centralised or dispersed? They have their headquarters in Prague but branches all over the country.

The Czech Women's Union is the successor of the Communist Women's Union which was dissolved as a federal organisation in 1990; that means that it "inherited" the property and the membership of the Communist Women's Union.

#### Network of Mothers Centres (conservative, reproductive issues)

- Building autonomous institutions: NO
- Public protest e.g. demonstrations: NO
- Campaigning: NO
- lobbying state: NO
- service provision: YES
- research: NO
  - Are they important or marginal to national politics? Powerful; they cooperate with the Ministry of Labour of Social Affairs and Labour.
  - Are they centralised or dispersed? DISPERSED.

#### Nesehnuti (women, ecological and discrimination issues)

- Building autonomous institutions: NO
- Public protest e.g. demonstrations: NO
- Campaigning: YES
- lobbying state: YES
- service provision: YES
- research: NO
  - Are they important or marginal to national politics? Marginal, but important in Brno.
  - Are they centralised or dispersed? They are centralised but in Brno.

#### Czech Women's Lobby (general gender equality)

- Building autonomous institutions: NO.
- Public protest e.g. demonstrations: NO
- Campaigning: YES
- lobbying state: YES
- service provision: NO
- research: YES
  - Are they important or marginal to national politics? Marginal as they are relatively new but they are gaining importance.
  - Are they centralised or dispersed? The headquarters are in Prague but the 21 member organisations are present all over the Czech Republic.

#### ProFem (feminist, active in the area of domestic violence)

- Building autonomous institutions: NO.
- Public protest e.g. demonstrations: NO
- Campaigning: YES
- lobbying state: YES
- service provision: YES
- research: YES
  - Are they important or marginal to national politics? They are important to national politics in the area of domestic violence and involved in the various working groups on this issue.
  - Are they centralised or dispersed? They are centralised in Prague; they would like to cooperate more with regions but because of funding requirements they are restricted to the Prague area.

This is one of the oldest organisations and the only one which could be called feminist. It was founded in the beginning of the 1990s with support from the German foundation FrauenAnstiftung. ProFem focuses on domestic violence and provides legal counselling via the project AdvoCats.

#### Forum 50% (active in the area of political presentation of women)

- Building autonomous institutions: NO
- Public protest e.g. demonstrations: NO
- Campaigning: YES (e.g. before the elections of the House of Representatives they ran a campaign on how to encourage women's representation on the lists)
- lobbying state: YES
- service provision: NO
- research: YES (on political representation of women)
  - Are they important or marginal to national politics? MARGINAL to national politics, but because of the involvement with the Czech Women's Lobby they become more important.
  - Are they centralised or dispersed? CENTRALISED.

#### ROSA (active in the area of domestic violence)

- Building autonomous institutions: NO
- Public protest e.g. demonstrations: NO
- Campaigning: YES
- lobbying state: YES
- service provision: YES
- research: NO
  - Are they important or marginal to national politics? They are important in the area of domestic violence.
  - Are they centralised or dispersed? CENTRALISED.

#### ***List the key anti-feminist organisations and their main methods/ activities?*<sup>130</sup>**

The main issue for anti-feminist organisations is the issue of fatherhood and custody. They are mainly created by divorced men who want to fight custody payments for their children or who want to have the right to see their children again<sup>131</sup>. They claim that the child support is too high because they think it is cheaper to look after a child even if child care is estimated at about 6000-7000 CK a month.

Some men took the Czech Republic to the European Court of Human Rights over the issue of child support and the right to see their children. The men won in Strasbourg and the Czech Republic had to pay compensation, but the fathers still did not succeed in seeing their children. Trials in the Czech Republic can last for 12-16 years and therefore they have not seen their children for a very long time. The organisations also have female members; often grandmothers of children who cannot see their grandchildren or the new partners of these men. The new partners feel victimised that their husbands have to pay for another family as child support is calculated from the sum of the income of the new couple, and not solely based on the father's income.

These fathers' organisations have an influence on public discourse because of public campaigns of for example K213. However, they are now quite isolated on the political level because they are so aggressive.

The anti-feminist organisations act nationally: but they use the European Court of Human Rights in Strasbourg to achieve their aims.

1. Český svaz mužů<sup>132</sup>/Czech Men's Union
2. K213<sup>133</sup>
3. Justice for Children
4. Union Otroci
5. South Bohemian Fathers: in opposition to South Bohemian Mothers

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<sup>130</sup> I am grateful for information on this topic provided by Dr. Radka Dudova.

<sup>131</sup> Before the revolution: nobody really cared about the problem; not much chance for influence.

Now: development of social structures and the legislation but this is independent of the actions:

- Parental leave: exists

- Alternate custody: exists since 2002

Men's organisations claim that they proposed such things earlier but were ignored.

<sup>132</sup> <http://www.svaz-muzu.cz/>

<sup>133</sup> <http://k213.cz/>

## 6. Associations of Fathers

### Cesky svaz mužů<sup>134</sup>/Czech Men's Union

- Building autonomous institutions: NO
- Public protest e.g. demonstrations: YES
- Campaigning: YES
- lobbying state: YES
- service provision: NO
- research: NO
  - Are they important or marginal to national politics? They are getting more attention and are therefore gaining more influence.
  - Are they centralised or dispersed? CENTRALISED.

It exists since 2004 and is the main antifeminist organisation. They claim to have about 18 000 members<sup>135</sup> since 2007. In 2005 they tried to become included in the Governmental Council of Equal Opportunities, which includes five representatives of women's NGOs, but they did not succeed. They tried it again in 2008, but failed again.

Their name makes them interesting (it is a reference to the Czech Women's Union); they focus on fatherhood, but also on equal opportunities.

### K213 (most visible)

- Building autonomous institutions: NO
- Public protest e.g. demonstrations: YES<sup>136</sup>
- Campaigning: YES
- lobbying state: YES
- service provision: NO
- research: NO
  - Are they important or marginal to national politics? There is no longer cooperation between them and the political level, but through their public appearances they create an influence.
  - Are they centralised or dispersed? CENTRALISED

K213 has existed since 2004. The name K213 comes from the legal paragraph 213 which refers to child support; it states that whoever does not pay child support should go to jail. They argue that this is against human rights and urge fathers not to pay it. They are very aggressive against women. They focus on public actions, e.g. a blockade of the Ministry of Labour and Social Affairs in January 2008 (10-20 people). The blockade was well covered by the media and created lots of discussion. It is the reason people know about the organisation and the event strongly influenced the public.

### Justice for Children<sup>137</sup>

- Building autonomous institutions: NO
- Public protest e.g. demonstrations: NO
- Campaigning: NO
- lobbying state: NO
- service provision: YES (they provide legal advice for men who want to go to the European Court of Human Rights in Strasbourg to be allowed to see their children)
- research: NO
  - Are they important or marginal to national politics? MARGINAL.
  - Are they centralised or dispersed? CENTRALISED.

The leader's divorce took place in 1988 and the organisation has existed since about 1990.

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<sup>134</sup> <http://www.svaz-muzu.cz/>

<sup>135</sup> <http://www.svaz-muzu.cz/index.php?page=onas&page1=historie>

<sup>136</sup> Sucha, Veronika (2008). "Angry father sent to prison, calls the judge imbecile".

<http://aktualne.centrum.cz/czechnews/clanek.phtml?id=603895>

<sup>137</sup> [www.iustin.cz](http://www.iustin.cz)

### The Union of Fathers<sup>138</sup>

- Building autonomous institutions: NO.
- Public protest e.g. demonstrations: NO.
- Campaigning: YES.
- Lobbying state: YES.
- Service provision: YES (provide information on fathers' rights).
- Research: NO
  - Are they important or marginal to national politics? Marginal
  - Are they centralised or dispersed? DISPERSED. The president is in Prague, but they have branches all over the Czech Republic.

It was founded in 1988 and it claims to be the oldest organisation in this area.

### **Are there any men's groups / organisations that are supportive of women's / feminist organisations?**

YES.

There is only the League of Open Men<sup>139</sup> which is considered to consist of feminist men. They deal a lot with fatherhood and are quite active. They collaborate with women's organisations and are quite visible but not as visible as the aggressive fathers' organisations. They lobby for active fatherhood and parental leave.

### **Women's / feminist organisations in civil society**

- *What are the major distinctions in civil society between different types of organisations/projects e.g. feminist, pro-family etc.?*
  - Feminist ⇔ Pro-family
  - Feminist ⇔ Pro-men
  - Feminist ⇔ conservative
  - New NGOs ⇔ Czech Women's Union
- *Do women's organisations actively engage with other intersecting inequalities (in each area?)*

NO, not really.

There are some organisations that cover issues of gender and another inequalities, e.g. organisations focusing on ethnic issues and women (see below) or the Union of Catholic Women<sup>140</sup>
- *Do they have good alliances with those representing other inequalities or not? (in each area)*

NO.

No organisation is really dealing with several inequalities.
- *Are there many organisations of minoritised women? (in each area)*

NO.

There are very few gender organisations in general and in the area of minoritised women in particular<sup>141</sup>.

The only organisation of minoritised women is the women's group Manushe<sup>142</sup> (member of CWL) which is a section of the NGO Slovo 21.

The aim is to create educated, independent, emancipated and self-confident Roma women, able to voice their needs and demands and to stand up for themselves.

### *What links are there with international? / EU level / bilateral bodies? (in each area)*

Through the possibilities of funding most the NGOs have ties with bilateral or international bodies.

<sup>138</sup> <http://unieotcu.aspweb.cz/dnn/>

<sup>139</sup> <http://ilom.cz/>

<sup>140</sup> Unie katolických žen: <http://ukz.katolik.cz/struktura.htm>.

<sup>141</sup> According to Petra Rakusanova the women of the Ukrainian, Vietnamese, Slovak, Polish minorities do not have their own organisations.

<sup>142</sup> <http://www.slovo21.cz/en/index.php?id=manushe>

Some organisations are also members in international organisations.

### General Gender Equality

The Czech Women's Lobby is a member of the European Women's Lobby.

The NGO Gender Studies has links with the Karat Coalition<sup>143</sup>. KARAT is a regional coalition of organisations and individuals that work to ensure gender equality in the CEE/CIS countries and monitors the implementation of international agreements and lobbies for the needs and concerns of women in the region at all levels of decision-making.

Gender Studies is a member of the Network of East West Women<sup>144</sup>.

### Non-employment

The Czech Women's Union is a member of the ACWW (The Associated Country Women of the World)<sup>145</sup>.

### Intimate Citizenship

The gay and lesbian organisations have links to ILGA-Europe<sup>146</sup>.

### Gender-based violence

ProFem has strong links with Germany because of its history, especially the Heinrich Boell Foundation.

- *Is organised feminism engaged with the state, or does it follow an autonomous or separatist agenda building its own institutions? For example, is it invited to report to consultations; does it take money from the state; is it commissioned by the state to undertake specific tasks?*

YES, but it is not incorporated.

The government commissions some tasks (mainly voluntary work) and also gives money. Yet, the governmental money is very limited. All organisations are oriented mainly towards the European Social Funds.

The current government is not actively supporting gender organisations; for example, last year, for the European year for Equal Opportunities for All, no projects by women's organisations were funded.<sup>147</sup>

- *Does this vary between issue areas?*

YES.

General gender equality hardly receives any funding, neither does intimate citizenship.

Employments issues are mainly covered by money coming from the European Union.

The most interaction, funding and support go to domestic violence projects; domestic violence is not seen as a gender-based problem.

- *Has this changed over time?*

YES.

Initially, when the organisations were first set up, there was very little financial support by the state. The organisations were dependent on funding from abroad. Now, the state provides larger amounts of money, but not necessarily long-term funding. Different issues and different organisations receive state funding depending on the policy of the government.

- *When engaging with the state is a coalition form of organising common or not?*

YES, but it depends on the issue.

- *Does it make sense to talk of a 'women's movement' or not?*

NO.

- *Briefly explain your answer.*

The first wave of feminism took place as the movement demanding suffrage; the second wave of

<sup>143</sup> <http://www.karat.org/index.php?pagelid=225>

<sup>144</sup> <http://www.neww.org.pl/en.php/home/index/0.html>

<sup>145</sup> <http://www.acww.org.uk/>

<sup>146</sup> [http://www.ilga-europe.org/europe/guide/country\\_by\\_country/czech\\_republic](http://www.ilga-europe.org/europe/guide/country_by_country/czech_republic)

<sup>147</sup> Background information supplied by Saša Lienau, ProFem.

feminism was never finished, and now the third wave has started. Some third wave issues were introduced/forced on the Czech Republic through the EU membership, and in some cases the issues were introduced too soon for the Czech Republic<sup>148</sup>. The Czech women's movement is now more like a "sleeping beauty"<sup>149</sup>.

During communism a policy of state feminism existed. Therefore, since 1989, feminism has not been well-received in the Czech Republic. ProFem is one of the few civil society organisations with an explicit feminist agenda. More organisations started working in this field but their agenda is dependent on funding. NGOs only recently started to collaborate occasionally rather than constantly competing with each other. However, the broad public is not active or involved in the women's movement.

- *Is there a tendency towards one of the three major visions of gender equality (sameness, equal valuation of difference, transformation)?*  
NO. It depends on the issues and on the organisation.  
Since there are hardly any feminist organisations, the vision of transformation is the least followed; maybe by ProFem.  
Then there is the vision of sameness (50 %) for political representation or equal valuation of difference (the Czech Women's Union).  
Women and employment is based on sameness as well as equal valuation of difference.
- *Is there a preferred model of care work: support for a domestic regime or support for a public (state or market provision) regime?*  
STATE PROVISION.
- *How closely aligned is feminism with social democracy?*  
Moderately.  
However, social democracy just provides the space to make feminism heard but not the money. Still, the current, conservative government even blocks discussions on these issues.

Notes on the history of the development of gendered or feminist civil society organisations:

- *Is there a history of divisions as to where on a continuum between autonomous or close to state is most appropriate?*  
NO.
  - *Does this vary by 4 areas (general, employment, intimate citizenship, gender based violence)?*  
NO.
- *Is there a history of divisions as to: socialist, radical, liberal?*  
Radical:  
This is not in the Czech tradition. During the 1920s and 1930s when there was a very strong movement in the Czech Republic for women's political rights and employment.  
Maybe ProFem can be considered as following a radical agenda.  
Socialist:  
In the 1990s feminism was very close to socialism (mother = feminist, married).
  - *Does this vary by 4 areas?*  
NO.
- *Is there a history of changing engagement with class, ethnic and religious forces?*  
YES, but only concerning class.

Class

Class is, at the moment, not treated as such an important issue in the Czech Republic, neither by politicians nor by NGOs. The Czech Republic was one of the most egalitarian communist countries<sup>150</sup> therefore class issues first really developed again after 1989. Because of the transition to a market-based system, class became an important issue, since the working

<sup>148</sup> For example, the introduction of home-working before the labour market has been made less rigid and more flexible (Saša Lienau, ProFem).

<sup>149</sup> Comment by Petra Zárcecká, Forum 50%.

<sup>150</sup> Mateju, Petr, Blanka Rehakova and Geoffrey Evans (1999) "The politics of interests and class realignment in the Czech Republic, 1992-1996". In: Evans, Geoffrey (ed). *The end of class politics: class voting in comparative context*. Oxford: Oxford University Press. p. 236.

class and farmers were the ones losing out during this transition whereas professional and entrepreneurial classes gained.<sup>151</sup>

However, women's organisations are mainly concentrated in Prague (which has nearly no unemployment and faces very different problems than the regions) and therefore the inclusion or importance of class is often overlooked by these organisations.

There used to be a formal group of female communists but it has stopped working now. ČSSD (socialist party) and all other parties have women's organisations, but the Trade Unions did not really create anything (apart from the Committee on Equal Opportunities at ČMKOS, see below).

The only women's organisation, which might be working with the class issue, is the Czech Women's Union since it includes many rural women and women from the regions.

#### Ethnic

Ethnicity has been an important issue since the beginning of the women's movement, mainly as an intersectional issue.

#### Religious

Not important in the Czech Republic since it is a secular country.

Sometimes strong opposition by the Christian Party; e.g. concerning abortion.

- *Does this vary by 4 areas?*

YES.

The interaction with ethnicity is the strongest in the area of gender-based violence.

- *Is feminist research organised in Universities and research institutes?*

YES.

- *Are there named centres?*

YES:

- The Department of Gender & Sociology<sup>152</sup> at the Institute for Sociology at the Academy of Sciences of the Czech Republic in Prague.

- The National Contact Centre<sup>153</sup> was established in 2001. Even though gender issues and the question of equal opportunities were beginning to enter the consciousness of the general public in the Czech Republic, the area of research and development was still untouched by gender equality issues. The Centre aims to contribute to shaping the gender discourse in research and development, to shape science policy and human resource policy in the Czech Republic, especially with respect to the position of women in science. It also functions as a place for various opinions and concepts to meet at the crossroad of scientific research and gender, and as a place where Czech female researchers can meet and exchange experiences. On an international level, the Centre has established close ties with Unit C-5 Women in Science at the Directorate General for Science, Technology and Innovation of the European Commission, as well as with similar organisations. At present, the Centre is involved in the development of the European Platform for Women Scientists.

- Department of Gender Studies<sup>154</sup> at the Charles University in Prague

- Division of Gender Studies<sup>155</sup> at the Faculty of Social Studies at the Masaryk University in Brno.

- *If yes, are they important?*

YES, but not all of them.

Only the Department of Gender & Sociology is quite important (it is often commissioned for research by the Ministry of Labour and Social Affairs).

- *If not, is important feminist research primarily dispersed or mainstreamed?*

*Otherwise, feminist research is dispersed.*

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<sup>151</sup> Mateju, Petr, Blanka Rehakova and Geoffrey Evans (1999) "The politics of interests and class realignment in the Czech Republic, 1992-1996". In: Evans, Geoffrey (ed). *The end of class politics: class voting in comparative context*. Oxford: Oxford University Press. p. 234.

<sup>152</sup> <http://www.soc.cas.cz/departments/en/4/42/Gender-Sociology.html>

<sup>153</sup> <http://www.zenyaveda.cz/html/>

<sup>154</sup> [http://www.fhs.cuni.cz/gender/o\\_nas\\_eng.html](http://www.fhs.cuni.cz/gender/o_nas_eng.html)

<sup>155</sup> <http://gender.fss.muni.cz/english.php>

- *Are there specific positions, funds or journals within the country (or region e.g. Nordic)?*  
The Institute of Sociology<sup>156</sup> publishes the journal "Gender, rovné příležitosti, výzkum" (Gender, equal opportunities, research)<sup>157</sup> and the journal "Kontext: časopis pro gender a věděni" (Context: review for gender and knowledge)<sup>158</sup>.  
There are no specific positions or funds.
- *Is there a national association for women's studies/gender studies?*  
NO.  
There is no need for it since there are so few gender departments.
- *Are there feminist lawyers' organisations?*  
YES.  
AdvoCats<sup>159</sup>.
- *Are there radical lawyers' organisations that support justice claims for one or more of the inequalities?*  
NO.

## 7.2 Class

- *A short history of the development of organisations representing class interests*<sup>160</sup>.

The Czech Republic, similar to Poland and Slovakia, is a post-socialist country where the trade unions are very strong. Initially, there was a boom in members but membership is currently decreasing.<sup>161</sup> A state-run trade union existed already during the socialist period, the Revolutionary Trade Union Movement (ROH)<sup>162</sup>. The successor of the socialist trade union federation of Czechoslovakia is still dominant: This is now called ČMKOS, in the beginning it was the Česká a Slovenská konfederace odborových svazů (ČSKOS)<sup>163</sup>, which included 41 Trade Unions in both the Czech and Slovak part of the country. At the end of 1992 it changed its name into ČMKOS and is now called the Czech-Moravian Confederation of Trade Unions. It is still the biggest trade union confederation in the Czech Republic.<sup>164</sup> It has about 772,000 members. It represents about 2/3 of the nation's trade union members.

The Association of Autonomous Trade Union (ASO) was founded in 1995 and associates 15 independent federations. It represents about 20% of the nation's trade union members, about 200 000.

The Confederation of Arts and Culture (KUK) represents about 5% of the nation's trade union members. 90 000 people were registered in its member trade unions in 2001.

There are also a number of unaffiliated trade unions and associations.

Representatives of these social partners and representatives of the government formed a common council, the Council of Economic and Social Agreement, on 10 October 1990. It was supposed to create agreement on the most important problems of the economic and social policies. The initiative for the creation of the Council came from the new Ministers of Labour and the presidents of the employers' organisations and Trade Unions. In June 1995, the name was changed to the Council on the Dialogue of Social Partners in the Czech Republic. Its function was to be a voluntary platform for Trade Unions, employers and government representatives. In 1997 it changed its name back to the Council of Economic and Social Agreement. . In the following years, there was cooperation between the government and the social partners on many issues (e.g. National Employment Programme,

<sup>156</sup> <http://www.soc.cas.cz/info/cz/6/Publikace-a-periodika.html>

<sup>157</sup> <http://www.genderonline.cz>

<sup>158</sup> <http://kontext.zenyaveda.cz>.

<sup>159</sup> <http://www.profem.cz/projekty/?x=1924323>

<sup>160</sup> I am grateful for background information to Dr. Zdenka Mansfeldova, senior researcher at the Institute of Sociology, Czech Academy of Sciences.

<sup>161</sup> [http://www.worker-participation.eu/national\\_industrial\\_relations/countries/czech\\_republic/collective\\_bargaining](http://www.worker-participation.eu/national_industrial_relations/countries/czech_republic/collective_bargaining)

<sup>162</sup> ČMKOS state that the Czech Republic has a tradition of 100 years of organisations representing class interests. <http://www.cmkos.cz/o-nas/historie/158-3>

<sup>163</sup> <http://www.cmkos.cz/o-nas/odborove-struktury-a-vztahy-mez-i-nimi>

<sup>164</sup> ČMKOS state that the Czech Republic has a tradition of 100 years of organisations representing class interests. <http://www.cmkos.cz/o-nas/historie/158-3>

documents concerning EU-accession negotiations)<sup>165</sup>.

The Christian Labour Confederation/Christian Trade Union Coalition (KOK) was founded in 1990. It has about 15 000 members.

- *How strong are trade unions? Use the following four measures of trade union strength (Data: European Industrial Relations Observatory Online, national sources)*
  - *density (proportion of workers that are organised),*  
22%<sup>166</sup>.
  - *coverage (what proportion of workers are covered by collective bargaining agreements),*  
15%<sup>167</sup>.
  - *centralisation of collective bargaining,*
    - There is a low degree of bargaining centralisation.
    - *Is there a national body of trade unions;*  
YES, there are several (s. above).  
The most important one is ČMKOS, the Czech-Moravian Confederation of Trade Unions<sup>168</sup>.
    - *What proportion of TU members and unions are affiliated?*  
ČMKOS includes 35 member organisations and about 800 000 workers<sup>169</sup>.
  - *Coordination of collective bargaining.*
    - *Does the national body of trade unions negotiate on behalf of trade unions*  
YES.
    - *Can it coerce or discipline member unions to enforce agreement?*  
NO.
  - *Women and trade unions*<sup>170</sup>.
    - *What percentage of total trade union membership (i.e. including unions not affiliated with national body and those that are affiliated) is female?*  
NOT AVAILABLE DATA
    - *How are women organised in trade unions and the central trade union body (e.g. caucuses, separate branches, fully integrated)?*  
The biggest trade union grouping in the Czech Republic, the Czech-Moravian Confederation of Trade Unions (Českomoravská konfederace odborových svazů, ČMKOS), established a Committee on Equal Opportunities for Men and Women<sup>171</sup> as an advisory body on 14 October 2003. This is only body dealing with this issue at the level of Trade Unions.  
The Committee is composed of female members of various trade union organisations (within ČMKOS). This Committee is a response to the lack of trade union activity in integrating gender equality into trade union policy and collective bargaining. The Committee drew up a Plan to Support the Implementation of the Principle of Gender Equality in the Conditions of ČMKOS and Individual Trade Unions.
    - *What proportion of women are in the executive of (major) trade unions?*  
Asociace samostatných odborů (ASO)<sup>172</sup>: NONE.  
CMKOS: one of the three vice-presidents is a woman; 6 of the 32 member trade unions are headed by women.<sup>173</sup>
    - *Is gender equality high or low on the bargaining agenda?*  
LOW<sup>174</sup>.

<sup>165</sup> Milan Horalek and Jana Formanova. (2002). *Wirtschaft und Sozialpolitik in der Tschechischen Republik*. Bonn: FES. p. 16-17. <http://library.fes.de/fulltext/id/01174003.htm>. Accessed: June 2008.

<sup>166</sup> [http://www.worker-participation.eu/national\\_industrial\\_relations/countries/czech\\_republic](http://www.worker-participation.eu/national_industrial_relations/countries/czech_republic)

<sup>167</sup> [http://www.worker-participation.eu/national\\_industrial\\_relations/countries/czech\\_republic/collective\\_bargaining](http://www.worker-participation.eu/national_industrial_relations/countries/czech_republic/collective_bargaining)

<sup>168</sup> <http://www.cmkos.cz/>

<sup>169</sup> <http://www.cmkos.cz/o-nas/historie/158-3>

<sup>170</sup> Use national Labour Force Survey. Website providing links to country LFS available from International Labour Organisation: <http://www.ilo.org/dyn/lfsurvey/lfsurvey.home>

<sup>171</sup> <http://www.cmkos.cz/poradni-organy/vybor-cmkos-pro-rovne-prilezitosti-zen-a-muzu>

<sup>172</sup> [http://www.asocr.cz/index2.php?lh=z\\_d&ld=z\\_m&o=a\\_o&he=z\\_h](http://www.asocr.cz/index2.php?lh=z_d&ld=z_m&o=a_o&he=z_h)

<sup>173</sup> <http://www.cmkos.cz/svazy/vsechny-svazy>.

<sup>174</sup> A statement contained on page 65 of the Report on the Course of Collective Bargaining at Higher Level and at Enterprise Level in 2005 speaks volumes: "...they asked the trade unions to give their findings (procedures and results) from the application of equal opportunities in the trade unions' collective bargaining process.

Gender issues, equal opportunities and equal pay are topics that are dealt with by trade unions rather than by employer organisations, but even in the unions these topics are found at higher trade union level rather than at the level of individual trade union organisations. ČMKOS has a Committee for Equal Opportunities for Men and Women which is not very active.

The second biggest trade union confederation, the Association of Independent Trade Unions (Asociace samostatných odborů, ASO, 15 Unions), is not at all active in this area.

In general, it is fair to say that only trade union federations carry out gender activities; at the level of trade union organisations and at enterprise level, this is still rare. That is because:

- There is a low level of information and awareness about gender issues at the level of trade union organisations and at enterprise level;
  - Trade union organisations lack the necessary staffing and financial capacity to accommodate a specialist on gender equality;
  - The topic is sometimes disparaged and ridiculed in the Czech Republic – fear of ridicule, doubts as to whether it is an important topic;
  - Other priorities – trade union organisations have other problems to deal with;
  - Insufficient interest in this issue among women.<sup>175</sup>
- *Is it seen as an issue for women, or for all trade unionists?*  
NO, neither.

- *How well organised are employers?*

RELATIVELY WELL.

There are several employer organisations according to the professions:

The Confederation of Industry of the Czech Republic (Svaz průmyslu a dopravy CR, SP CR)<sup>176</sup>. SP CR is the largest employer organisation in the country, representing almost 1,600 companies; its members are mainly enterprises in industry and transport, but also include a number of other organisations. SP CR is a member of the national tripartite forum.

The Association of the Textile, Clothing and Leather Industry (Asociace textilního-odevního-kožedelného průmyslu, ATOK)<sup>177</sup>. ATOK represents about 80 companies operating in the textiles sector<sup>178</sup>.

The Association of Entrepreneurs in Building Industries of the Czech Republic (Svaz podnikatelů ve stavebnictví, SPS)<sup>179</sup>. The Association of Building Entrepreneurs of the Czech Republic associates 850 members that represent approximately 75 % of the construction production of the Czech Republic.

- *Do they have a single (or more) national organisation?*  
YES (s. above).
- *Is it powerful or not? E.g. can it control its members?*  
NO.  
They are voluntary organisations and try to lobby for their interests.
- *Are they indifferent or hostile to gender equality in the workplace?*  
INDIFFERENT.
- *Do they oppose the development of gender machinery, gender equality policies and gender equality laws?*  
NO.

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Unfortunately, not one trade union responded to this request." (Veverkova, Sonia (2007). *Gender and career development – Czech Republic*. <http://www.eurofound.europa.eu/eiro/studies/tn0612019s/cz0612019q.htm>).

<sup>175</sup> Veverkova, Sonia (2007). *Gender and career development – Czech Republic*.

<http://www.eurofound.europa.eu/eiro/studies/tn0612019s/cz0612019q.htm>

<sup>176</sup> [http://www.spcr.cz/en/basic\\_info/who.php](http://www.spcr.cz/en/basic_info/who.php)

<sup>177</sup> <http://www.atok.cz/default.asp?lg=en>

<sup>178</sup> *Increased cooperation within trade unions and employer organisations* (2006).

<http://www.eurofound.europa.eu/eiro/2006/10/articles/cz0610059i.htm>

<sup>179</sup> [http://www.sps.cz/jm\\_english/index\\_eng.asp?lokalizace=ang](http://www.sps.cz/jm_english/index_eng.asp?lokalizace=ang)

- Do they support 'diversity management'? (e.g. policies that emphasise the gains associated with the promotion of diversity in the organisation, in contrast to an emphasis on equality / equal opportunities).  
NO.
- Did they lobby for a merged rather than separate equalities bodies?  
NO, they lobbied for neither.
- Are there tri-partite or corporatist bodies including employers, trade unions and government that make important national decisions?  
Yes, such a body exists, the Council of Economic and Social Agreement, but is based on voluntary cooperation (see above). The main power concerning important national decisions lies with the government.  
The Plenary Session of the Council of the Economic and Social Agreement of the Czech Republic is the top organ of this tripartite body and consists of 8 representatives of the government, 7 representatives of trade unions and 7 representatives of employers. At present the social partners include the Czech-Moravian Confederation of Trade Unions and the Association of Autonomous Trade Unions and, from the employers' side, the Union of Industry and Transport of the Czech Republic and the Confederation of Employers' and Entrepreneurial Unions of the Czech Republic.<sup>180</sup>
  - Are women represented in such bodies?  
NOT AVAILABLE DATA.
- Are there EU, bilateral or other international level links for either trade union or employer organisations?  
YES.

#### Trade Unions

ČMKOS is a member of ETUC<sup>181</sup>, the European Economic and Social Committee<sup>182</sup> and the International Confederation of Trade Unions (ITUC)<sup>183</sup> and the Trade Union Advisory Committee to the OECD<sup>184</sup>.

#### Employer Organisations

The Confederation of Industry of the Czech Republic is a member of the following three organisations: International Organisation of Employers<sup>185</sup>, Confederation of European Business<sup>186</sup> and the Business and Industry Advisory Committee to OECD<sup>187</sup>.

The Association of Building Entrepreneurs of the Czech Republic (ABE) is a member of the European Construction Federation Industry.<sup>188</sup>

- Are these links important (e.g. in lobbying government at national level)  
NOT AVAILABLE DATA.

<sup>180</sup> <http://eesc.europa.eu/ceslink/08-en/03-czech-republic-rhsd/rhsd-council-of-economic-and-social-agreement-of-the-czech-republic-en.html>

<sup>181</sup> [www.etuc.org](http://www.etuc.org)

<sup>182</sup> <http://eesc.europa.eu/>

<sup>183</sup> <http://www.ituc-csi.org/>

<sup>184</sup> <http://old.tuac.org/about/cabout.htm>

<sup>185</sup> <http://www.ioe-emp.org/>

<sup>186</sup> <http://www.busineurope.eu/content/default.asp?pageid=415>

<sup>187</sup> <http://www.biac.org/>

<sup>188</sup> <http://www.fiec.org/Content/Default.asp?>

### 7.3 Other intersecting social inequalities

#### 7.3.1 Ethnicised / racialised groupings

- *What is the composition of the national population by ethnicity?*

The majority of the 10.3 million inhabitants of the Czech Republic are Czech (95%). Other ethnic groups include Germans, Roma, Poles and Hungarians. The number of the historical minorities, like those of Germans and Poles, is declining. The Roma community, as well as the Vietnamese community, are growing. Since the dissolution of Czechoslovakia, Slovaks staying in the Czech Republic have comprised roughly 3% of the population.<sup>189</sup>

#### Census of Minorities in the Czech Republic 1991 - 2001<sup>190</sup>

Minority	1991 Census	2001 Census
Slovaks	314,877	193,190
Poles	59,383	51,968
Germans	48,556	39,106
Roma	32,903	11,746
Magyars	19,932	14,672
Ukrainians	8,220	22,112
Vietnamese	421	17,462

- *What are considered to be the most important ethnicised, racialised, and linguistic divisions politically (e.g. Roma/non-Roma, Black/White, citizen/migrant, language communities)?*  
ROMA/NON-ROMA.
- *Is ethnicity considered to be intersected by religion (e.g. Islamic/non-Islamic)?*  
NO.  
Religion does not play a huge role in the Czech Republic. It is one of the most secularised countries in the EU and the number of Islamic inhabitants or immigrants is still very low.
- *Prioritise the ones that have been the most important in the development of gender+ equality policies.*  
NONE.
- *What is the citizenship status of (all or part) of each of the minoritised groups (e.g. do any groups lack the right to political participation, employment, residence, social security benefits, or visit)?*  
NOT AVAILABLE DATA.
- *In what way are ethnicised and racialised groups organised? What are their main strategies (i.e. Building autonomous institutions, Public protest e.g. demonstrations, Campaigning, lobbying state, service provision, research)?*  
SERVICE PROVISION.
  - *In what way are women engaged in these organisations?*  
NOT AVAILABLE DATA.
  - *Do minoritised women organise separately within or outside of such organisations?*  
YES, they are members of these organisations.  
Separate organisations are rare; there is only one organisation for Roma women called Manushe.
  - *Are there any groups organised against certain ethnic groups?*  
Neo-NAZIS.  
The National Party<sup>191</sup>, a right-wing party.

#### 7.3.2 Religion/belief/faith

- *What is the composition of the national population by religion / faith*

The country has a largely homogenous population with a dominant Christian tradition.

<sup>189</sup> [http://en.wikipedia.org/wiki/Demographics\\_of\\_the\\_Czech\\_Republic](http://en.wikipedia.org/wiki/Demographics_of_the_Czech_Republic)

<sup>190</sup> [http://en.wikipedia.org/wiki/Demographics\\_of\\_the\\_Czech\\_Republic](http://en.wikipedia.org/wiki/Demographics_of_the_Czech_Republic)

<sup>191</sup> <http://www.narodni-strana.cz/>

However, primarily as a result of 40 years of Communist rule between 1948 and 1989, the vast majority of the citizens do not identify themselves as members of any organised religion. In a 2001 opinion poll, 38 percent of respondents claimed to believe in God, while 52 percent identified themselves as atheists. There was a revival in the interest in religion after the 1989 "Velvet Revolution"; however, the numbers of those professing religious beliefs or participating in organised religion have fallen steadily since then in almost every region of the country. An estimated 5 percent of the population attend Catholic services weekly. Most live in the southern Moravian dioceses of Olomouc and Brno. The number of practicing Protestants is even lower (approximately 1 percent of the population). Leaders of the local Muslim community estimate that there are 20,000 to 30,000 Muslims, although Islam has not been registered as an officially recognised religion since the Communist takeover in 1948. There is one mosque in Brno and one in Prague. The Jewish community, which numbers only a few thousand persons, is an officially registered religion due to its recognition by the State before 1989.<sup>192</sup>

- *What proportion of the population are practising members of an organised religion?*

Population in total: 10.2 million

Proportion of the population which are a practising member of an organised religion<sup>193</sup>:

Muslims Percent: 0.2% (approx. 20 000)<sup>194</sup>

Protestants: 1%

Catholic: 5%

What are the main religious organisations?

The Czech Republic is a secular country; therefore, religious organisations are not so influential. However, all the religious groups have their own organisations. Furthermore, the Christian Party<sup>195</sup> makes itself heard and the Caritas Czech Republic<sup>196</sup> is recognised as being a significant organisation<sup>197</sup>.

Muslim organisations are quite weak, but there are several organisations like the Muslims Union (Muslimská unie), the League of Czech Muslims (Liga českých muslimů), the Liberal Muslims (Liberální muslimové).<sup>198</sup>

- *What are the main strategies of the religious organisations? (i.e. Building autonomous institutions, Public protest e.g. demonstrations, Campaigning, lobbying state, service provision, research)*

SERVICE PROVISION (mass, gatherings); the Christian Party: political activities.

- *How are women represented or not within them?*

NOT AVAILABLE DATA.

However, there are separate religious groups for women<sup>199</sup>:

The main organisation is the Union of Catholic Women<sup>200</sup>. It is active in charity work.

Jewish women groups are very conservative.

Protestant women are only regionally organised since they are so few of them.

There is no association of Muslim women.

- *Do they oppose gender equality in general and in our three issues?*

NO.

However, they have problems with the issue of intimate citizenship, especially abortion and registered partnership.

- *What is their preferred model of womanhood?*

They support a traditional, conservative model of womanhood.

<sup>192</sup> <http://www.state.gov/g/drl/rls/irf/2003/24353.htm>

<sup>193</sup> <http://www.state.gov/g/drl/rls/irf/2003/24353.htm>

<sup>194</sup> <http://www.islamawareness.net/Europe/Czech>

<sup>195</sup> <http://zahranicni.kdu.cz/>

<sup>196</sup> <http://www.charita.cz/>

<sup>197</sup> <http://www.czech.cz/en/economy-business-science/general-information/non-profit-sector/>

<sup>198</sup> Topinka, Daniel (ed.). *Integrační Proces Muslimů V České Republice – Pilotní Projekt.*

[www.mvcr.cz/dokument/2007/integrace\\_muslimu.pdf](http://www.mvcr.cz/dokument/2007/integrace_muslimu.pdf). Seen: June 2008.

<sup>199</sup> Information provided by Saša Lienau, ProFem.

<sup>200</sup> <http://ukz.katolik.cz>

- *Do they support or oppose the other equalities issues?*  
NO.
- *Are they in alliance with any other inequalities or not?*  
NO.
- *Are there any groups organised against certain religious groups?*  
NO.

### 7.3.3 Sexual orientation

- *Are there gay/lesbian/trans/bisexual/queer organisations? What are their main strategies (i.e. Building autonomous institutions, Public protest e.g. demonstrations, Campaigning, lobbying state, service provision, research)*

YES<sup>201</sup>.

Organisations in this area are developing quickly, however they are also ceasing activities rapidly and stop existing; therefore this scene is changing quickly. The existing organisations are very small and mainly informal. The main strategies are service provision (organisation of festivals, trips etc.); only a few of them are involved in campaigning and lobbying.

There are hardly any influential Lesbian organisations.

A number of gay organisations declare themselves as gay-lesbian, even though they have almost zero lesbian members. Since the function of these organisations often depends on a very limited number of individuals, only a few of them have a long-term character and the form of a civic association. This causes great difficulties when mapping the development of the community and its addressing in the sense of policies that immediately concern them (e.g. informing on means of protection from discrimination, HIV prevention, etc.).

## Lesbian Organisations

### Prague

In Prague, the most active organisations is a group of younger women and girls around the association Rozdílné rytmy (Varying Rhythms; RR)<sup>202</sup>, which is partially affiliated in terms of personnel with Lesbický turistický oddíl (Lesbian Tourist Division; LTO). Members of Rozdílné rytmy also have a significant portion in organising the festival eLnadruhou<sup>203</sup> (under the patronage of the association by the same name).

Lesbian activists also take part in activities in Prague's Gay a lesbická liga (Gay and Lesbian League)<sup>204</sup>, whereas of four spokespersons, two are representatives of the lesbian community. Today, GLL is the only organisation dedicated to representing the interests of the lesbian community on the political level.

### Pardubice

An organisation has been active for a number of years in Pardubice, entitled Pardubická lesba<sup>205</sup>. The most frequent type of events includes trips and visiting cultural events.

### Pilsen

In Pilsen, the group one4one<sup>206</sup> is active. It mainly engages in holding music and sports events. This group has existed for a number of years, and has been rather active lately.

### Internet

An entirely new Internet project aimed especially at lesbian parenting is www.drba.cz, where it is possible to read about entire specific problems, which lesbian women and their families must resolve.

## Gay organisations

### Prague

The Gay a lesbická liga (Gay and Lesbian League)<sup>207</sup> is currently the only political LGB organisation.

<sup>201</sup> Information on this issue is taken from the: Analysis for the government (2007): Analýza situace lesbické, gay, bisexuální a transgender menšiny v ČR. [www.vlada.cz/assets/cs/rvk/rfp/PracSk\\_sex\\_mensin/ANALYZA\\_final.pdf](http://www.vlada.cz/assets/cs/rvk/rfp/PracSk_sex_mensin/ANALYZA_final.pdf). Accessed: June 2008.

<sup>202</sup> <http://www.rozdilnerytmy.gl.cz>

<sup>203</sup> <http://www.elnadruhou.cz>

<sup>204</sup> <http://www.glliga.cz>

<sup>205</sup> <http://www.pardubicka.lesba.cz>

<sup>206</sup> <http://one4one.xhosting.cz>

<sup>207</sup> <http://www.partnerstvi.cz/gll-uvod/>

After the passing of the Registered Partners Act in 2006, which it helped to get passed, their activities began quieting down to a certain extent. This has created an important and unfilled space in the field of LGB activism

M-klub Lambda123 is a Prague gay club for seniors<sup>208</sup>, but gays of other ages also take part in its trips and meetings. The club has existed since 1992.

A meaningful organisation for religious gays and lesbians is the civic association Logos<sup>209</sup>, which is of an ecumenical character and which organizes worship and regular Sunday meetings with the support of the rectory of the Českobratrská církev evangelická (Czech Brethren Evangelical Church) in Prague.

Brno

STUD<sup>210</sup> is by far the most important Brno gay-lesbian organisation. It has been active since 1996, and its main activities currently include organising the only LGBT event in the CR, the film festival Mezipatra (Mezzanine). STUD also has its own archive and library with LGBT topics, which was made accessible to the public after a pause caused by a lack of resources.

České Budějovice

Jihočeská Lambda (South Bohemian Lambda)<sup>211</sup> is one of the oldest existing LGB associations in the CR. It was founded in 1993, and its activities include organising regular meetings, trips, cooperation with similar associations abroad (mainly in Austria), a counselling centre and an information centre. From 2006 to 2007, it successfully realized an aid project in the case of social rejection of LGBT persons in South Bohemia aimed at work opportunities. It was funded by the European Social Fund. The association club is unique in its activities in the CR, because it remained on a platform of an active civic association with a permanent membership base, and was able to rank amongst providers of social services for the city of České Budějovice.

### Trans organisations

The civic association Transforum<sup>212</sup> represents the interests of trans people in the Czech Republic. This association has existed since 1998, and is the only Czech organisation representing the interests of trans people. Amongst its activities it is worth to mention the awarding of the Transpřítel (Trans Friend), and the effort to include the interests of trans people in an anti-discriminatory act. The association develops its activities mainly in Prague.

- Do they have a national organisation?  
YES. The Gay and Lesbian League
- In what way are women engaged in and represented in these organisations?  
NOT AVAILABLE DATA.
- Do they work in alliance with other inequalities or not?  
NO.  
There are groups for old or young homosexuals and lesbians.
- Are there any groups organised against gay / lesbian / trans-people?  
NO.

#### 7.3.4 Disability

- Are there disability organisations? What are their main strategies (i.e. Building autonomous institutions, Public protest e.g. demonstrations, Campaigning, lobbying state, service provision, research)  
YES.  
The main strategy is SERVICE PROVISION.  
They are not really gender-oriented.
- In what way are women engaged in and represented in these organisations?  
NOT AVAILABLE DATA.

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<sup>208</sup> <http://sweb.cz/m.klub.lambda/>

<sup>209</sup> <http://logos.gl.cz/ls-uvod/>

<sup>210</sup> <http://www.stud.cz/>

<sup>211</sup> <http://www.klucicb.info/>

<sup>212</sup> <http://www.transforum.cz>

### 7.3.5 Age

- Are there organisations of / for older people? What are their main strategies (i.e. Building autonomous institutions, Public protest e.g. demonstrations, Campaigning, lobbying state, service provision, research)?  
YES.  
SERVICE PROVISION.
- How are women engaged in and represented in these organisations?  
NOT AVAILABLE DATA.

### **7.4 Hotspots and Alliances**

Is there a history of controversies or 'hotspots' between certain of the intersecting inequalities, rather than others (if so, which)? For example is gender/religion or sexuality/religion a regular source of controversy? Is this hostility best described as endemic or constant, or as occasional and issue based?

NO, there is not a history of controversies and there are no real hotspots between the intersecting inequalities.

There are some areas of conflict, for example: whether domestic violence and trafficking are seen as gender-based problems or not; the issue of reproduction and Christian groups. However, intersecting inequalities are mainly ignored. Concerning women, there are no apparent hotspots. This can create a problem because existing problems are not made visible.<sup>213</sup>

Do some organisations representing inequalities often form alliances with each other (if so, which)? For example, feminism and trade unions, or feminism and gay/lesbian groups? Are such alliances best characterised as routine and institutionalised, or as ad hoc and issue based?

In general, alliances are missing; mainly competition exists for grants. If alliances occur they are ad hoc and issue based.

Alliances between several organisations concerning the amendment of the Foreign Act were created in 2007. However, the alliance failed in its goal and the amendment was adopted. Another alliance was formed against the speech of the Prime Minister's at the opening of the European Year of Equal Opportunities (which at least reached the awareness of the European Women's Lobby).

The NGO Gender Studies and Trade Unions cooperate in projects in the field of women and employment, but the cooperation is not going so well; Gender Studies also cooperates with companies (nominating the most family friendly company).

In the past there was more cooperation between gender-groups and gay and lesbian groups. However, at the moment there is no real active lesbian group that could be involved in cooperation with gender based groups. Concerning alliances between feminist/gender-oriented organisations and gays and lesbians: "What has been symptomatic of this state is the inability of the Czech gender and feminist community to openly and systematically embark upon a fight against homophobia as part of their feminist agenda and reluctance of Czech gays and lesbians to understand the potential, and thus embrace, feminist analysis for their argumentation of marginality and discrimination" (p.41)<sup>214</sup>.

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<sup>213</sup> Estimation by Petra Zářecká, Forum 50%.

<sup>214</sup> Sokolová, Věra (2005). "Identity politics and the (B)Orders of Heterosexims: Lesbians, Gays and Feminists in the Czech Media after 1989" in: Leuween, Jifina van and Nicole Richter (eds). *Mediale Welten in Tschechien nach 1989 Genderprojektionen und Codes des Plebejismus*. München: Kubon and Sagner. p. 29-44.

## WIDER SOCIAL INSTITUTIONS

### 8. Wider Social Environment

The wider social environment may be important in explaining the resources, whether economic, organisational or discursive, which are available to the political groups and institutions identified above.

#### *Population, economic development, economic inequality and state welfare*

	Country	EU
<b>GDP per capita PPP (Purchasing Power Parity) 2003 (OECD 2006)</b>	11.586	
<b>Population size 2006 (Eurostat 2006)</b>	10.3	493.0
<b>% of workforce in agriculture 2003 (World Bank 2006)</b>	4	
<b>Longevity 2005 (World Bank 2005)</b>	75.9	
<b>Gini (measure of economic inequality) 2005 (Eurostat 2007)</b>	26	
<b>% GDP/gov. expenditure on social expenditure 2003 (OECD 2007)</b>	19.1	
<b>% GDP/gov. expenditure on active labour market policies 2003 (OECD 2007)</b>	0.25	
<b>% GDP/government expenditure on childcare (forthcoming OECD)</b>	0.1	
<b>% GDP/Government expenditure on military (World Bank 2005)</b>	1.777	

#### *Gender Regime*

		Female	Male
<b>Employment rate (2005, Eurostat)<sup>215</sup></b>		56.3	73.3
<b>Unemployment rate (2005, Eurostat)<sup>216</sup></b>		9.8	6.5
<b>Share of women in adult labour force % (2004, UN)<sup>217</sup></b>		45	
<b>Women's share of part-time employment % (2004, UN)<sup>218</sup></b>		73	
<b>Gender pay gap, unadjusted (gap= difference between average gross hourly earnings of male and female employees given as % of average gross hourly earnings of male paid employees, unadjusted form 2005 Eurostat)<sup>219</sup></b>		19	
<b>School enrolment tertiary % gross (2004, World Development Indicators)<sup>220</sup></b>	1.16		
<b>Women in Parliament % of parliamentary seats in single or lower chamber occupied by women (UN 2007)<sup>221</sup></b>		15.5	
<b>Women's share of legislators and managers % (UN 2005)<sup>222</sup></b>		30	
<b>% one parent families (dependent children)</b>			
<b>Mean age at first marriage (Eurostat, 2003)<sup>223</sup></b>		25.8	28.6
<b>Marriage rate (2003, UN)<sup>224</sup></b>		4.8	

<sup>215</sup> Employment rates:

[http://epp.eurostat.ec.europa.eu/portal/page?\\_pageid=1996,39140985&\\_dad=portal&\\_schema=PORTAL&screen=detailref&language=en&product=STRIND\\_EMPLOI&root=STRIND\\_EMPLOI/emploi/em012](http://epp.eurostat.ec.europa.eu/portal/page?_pageid=1996,39140985&_dad=portal&_schema=PORTAL&screen=detailref&language=en&product=STRIND_EMPLOI&root=STRIND_EMPLOI/emploi/em012)

[http://epp.eurostat.ec.europa.eu/portal/page?\\_pageid=1996,39140985&\\_dad=portal&\\_schema=PORTAL&screen=detailref&language=en&product=STRIND\\_EMPLOI&root=STRIND\\_EMPLOI/emploi/em013](http://epp.eurostat.ec.europa.eu/portal/page?_pageid=1996,39140985&_dad=portal&_schema=PORTAL&screen=detailref&language=en&product=STRIND_EMPLOI&root=STRIND_EMPLOI/emploi/em013)

<sup>216</sup> Unemployment rates:

[http://epp.eurostat.ec.europa.eu/portal/page?\\_pageid=1996,39140985&\\_dad=portal&\\_schema=PORTAL&screen=detailref&language=en&product=STRIND\\_EMPLOI&root=STRIND\\_EMPLOI/emploi/em072](http://epp.eurostat.ec.europa.eu/portal/page?_pageid=1996,39140985&_dad=portal&_schema=PORTAL&screen=detailref&language=en&product=STRIND_EMPLOI&root=STRIND_EMPLOI/emploi/em072)

[http://epp.eurostat.ec.europa.eu/portal/page?\\_pageid=1996,39140985&\\_dad=portal&\\_schema=PORTAL&screen=detailref&language=en&product=STRIND\\_EMPLOI&root=STRIND\\_EMPLOI/emploi/em073](http://epp.eurostat.ec.europa.eu/portal/page?_pageid=1996,39140985&_dad=portal&_schema=PORTAL&screen=detailref&language=en&product=STRIND_EMPLOI&root=STRIND_EMPLOI/emploi/em073)

<sup>217</sup> Share of women in adult labour force: percentage of the economically active who are women:

<http://unstats.un.org/unsd/demographic/products/indwm/tab5a.htm>

<sup>218</sup> Women's share part-time employment:

<http://unstats.un.org/unsd/demographic/products/indwm/tab5b.htm>

<sup>219</sup> Gender pay gap:

[http://epp.eurostat.ec.europa.eu/portal/page?\\_pageid=1996,39140985&\\_dad=portal&\\_schema=PORTAL&screen=detailref&language=en&product=STRIND\\_EMPLOI&root=STRIND\\_EMPLOI/emploi/em030](http://epp.eurostat.ec.europa.eu/portal/page?_pageid=1996,39140985&_dad=portal&_schema=PORTAL&screen=detailref&language=en&product=STRIND_EMPLOI&root=STRIND_EMPLOI/emploi/em030)

<sup>220</sup> World Development Indicators, World Bank (September 2006)

<sup>221</sup> Women in parliament:

<http://unstats.un.org/unsd/demographic/products/indwm/tab6a.htm>

<sup>222</sup> Women's share legislators and managers:

<http://unstats.un.org/unsd/demographic/products/indwm/tab5d.htm>

<sup>223</sup> Mean age at first marriage:

[http://epp.eurostat.ec.europa.eu/portal/page?\\_pageid=1996,39140985&\\_dad=portal&\\_schema=PORTAL&screen=detailref&language=en&product=Yearlies\\_new\\_population&root=Yearlies\\_new\\_population/C/C1/C13/cab11024](http://epp.eurostat.ec.europa.eu/portal/page?_pageid=1996,39140985&_dad=portal&_schema=PORTAL&screen=detailref&language=en&product=Yearlies_new_population&root=Yearlies_new_population/C/C1/C13/cab11024)

Divorce rate (2003, UN) <sup>225</sup>		3.22	
Fertility rate (2004 , World Development Indicators) <sup>226</sup>		1.3	

## 9. SUMMARY

### 9.1 'Deficiencies, deviations and inconsistencies in EU and MS's gender+ equality laws'<sup>227</sup>

	Fully transposed	Before/ after EU	Year	Less, equal to EU, or beyond	ECJ for CEC/Country	EU references
<b>Issues</b>				X	X	
<i>Example: Parental leave UK</i>	Yes	After	1998	Beyond 2002	CEC	No
<b>Equal pay/equal treatment</b>		Before	2004	Less		Yes
<b>Sexual harassment and discrimination</b>		Before	2004	X (it was equal, now less)		Yes
<b>Equality bodies</b>		Before		X (less)		
<b>NGO/civil society dialogue</b>		Before	1992			No
<b>Parental leave</b>		Before	2000	Beyond		Yes
<b>Organisation of working time</b>						
<b>Gender Machinery</b>		Before		X (less)		

### 9.2 Plans and programmes

<b>National general gender equality plan (current)</b>	<u>Yes X</u>				No
Reference to Lisbon targets					X
Reference to Barcelona targets					X
Targets and indicators	None	Weak X	Moderate	Strong	

<b>National plan: Gender-based violence (current)</b>	Yes				<u>No X</u>
Targets and indicators	None	Weak	Moderate	Strong	

<sup>224</sup> Marriage rate, table 23: <http://unstats.un.org/unsd/demographic/products/dyb/dybsets/2003%20DYB.pdf>

<sup>225</sup> Divorce rate:

<http://unstats.un.org/unsd/demographic/products/dyb/DYB2003/Table25.pdf>

<sup>226</sup> World Development Indicators, World Bank (September 2006)

<sup>227</sup> Information on this is supplemented by Koldinska, Kristina (2007). "Gender equality: before and after the enlargement of EU: the case of the Czech Republic" in: *European Law Journal Vol. 13, No.2.* pp. 238-252.

Focus on gender	No	Yes:	Weak	Moderate	Strong
<b>Employment plan</b> (general assessment)	X				
<b>Social protection and social inclusion plan</b> (general assessment)	X				
Reference to gender based violence	X				

### 9.3 Gender machineries

National gender machineries	Yes (specify date)		No	Notes
	Gender specific	General equality		
Central government gender equality body with senior minister	Yes	Yes		<p>There is one Minister without portfolio since 2007 who works on Human Rights and Minorities; she mainly focuses on minorities, but is also responsible for gender equality.</p> <p>Government Council for Equal Opportunities since 2002 headed by the Minister for Human Rights and Minorities</p>
Independent equality body (research, monitoring, and enforcement)			No	
National consultative / representative body linking state and women's NGOs	Yes			<p>In 2002 the Government Council for Equal Opportunities was created to help shape gender equality policies. It is an inter-ministerial consultative and advisory body with a mandate to promote European gender equality policy, but does not have its own budget. It includes ministers, representatives of academia and NGOs and is an advisory body concerning equal opportunities issues. It can only develop recommendations but it has not the competence to take decisions.</p>
Any other body / bodies (e.g. parliamentary committees)	Yes	Yes		<p>Gender Focal points in each ministry since 2002</p> <p>Permanent Commission on Family and Equal Opportunities, Committee for Social Affairs and Healthcare, Parliament since 2002</p>

#### 9.4 Policy <sup>228</sup>

	No - Not at all	Yes / Low	Yes / Moderate	Yes / High
<b>General</b> To what extent is gender mainstreamed throughout policies?		X (Since 1999 all ministries have been obliged to use gender mainstreaming as a legitimate tool for implementation of the policy of equal opportunities for men and women in the CR and the government included its application among priority tasks in this area) <sup>229</sup> .		
<b>Non-employment (4.1)</b>				

Extent to which mothers can be legitimately non-employed				X
<b>Intimate citizenship (4.2)</b>				
Extent to which women have access to abortion (in country of residence)				X
Extent to which state policies are highly heteronormative			X	
<b>Gender-based violence (4.3)</b>				
Extent to which policies on GBV go beyond domestic violence	X			
Strength, resources and co-ordination of GBV policies		X		

#### 9.5 Civil society and state interface <sup>230</sup>

	Not at all	Low	Moderate	High
Strength of national co-ordinating gender equality body (centralisation, co-ordination, representativeness, resources) <sup>231</sup>		X		
Extent to which the women's NGOs participate in policy making		X		
Extent to which women's NGOs are close to state		X		
Extent to which women's NGOs engage with intersecting inequalities	X			
Extent to which women's NGOs are state funded <sup>232</sup>		X		
Extent of influence of trade union body on policy making		X		
Extent of power of women within trade union body <sup>233</sup>		X		

<sup>228</sup> My own estimation.

<sup>229</sup> National plan for social inclusion (2004), p. 60.

<sup>230</sup> My own estimation and discussed with Petra Rakušanová.

<sup>231</sup> It depends on the government. The current government has not called for meetings of the Government Council for Equal Opportunities for a long time.

<sup>232</sup> Funding for their own existence/administration: NO; funding for projects: YES, but very low and very hard to get.

<sup>233</sup> Under a government of Social Democrats the influence is higher.