



**International covenant
on civil and
political rights**

Distr.
GENERAL

CCPR/CO/72/CZE/Add.1
27 February 2003

Original: ENGLISH

HUMAN RIGHTS COMMITTEE

**CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES
UNDER ARTICLE 40 OF THE COVENANT**

Concluding observations of the Human Rights Committee

CZECH REPUBLIC

Addendum

Comments by the Government of the Czech Republic (CCPR/CO/72/CZE)

[9 December 2002]

Geneva, 9 December 2002
No. 3190/2002

Distinguished Special Rapporteur,

Following your letter of 5 November 2002, I would like to inform you about developments so far concerning specific areas referred to in paragraph 27 of the concluding observations (CCPR/CO/72/CZE) of the Human Rights Committee (hereinafter referred to as "the Committee") adopted after the examination of the initial report of the Czech Republic.

1. Recommendation regarding the setting up of effective procedures for the implementation of Views adopted by the Committee (para. 6)

The procedure for the implementation of the Views of the Committee was approved by resolution of the Government of the Czech Republic No. 527 dated 22 May 2002. According to this resolution, the procedure is applicable subject to the entry into force on 1 January 2003 of the relevant Amendment to Law No. 2/1969 Coll. of the laws on the establishment of ministries and other central authorities of the State administration of the Czech Republic.

According to articles 4 and 5 of Law No. 318/2001 Coll. of the laws on the provision of information and cooperation for the purpose of proceedings before the European Court on Human Rights and the Human Rights Committee, the responsibility for the implementation of the Views of the Committee is already assumed by the Ministry of Justice. The Ministry of Justice shall inform the Constitutional Court and the relevant authorities about the Views of the Committee concerning individual communications. Simultaneously, it shall request the relevant authorities to submit information about measures they had taken (intend to take) or had suggested (intend to suggest) in order to implement the Views of the Committee with regard to non-compliance with the Covenant by the Czech Republic. This information shall be submitted in writing in due course.

According to the above-mentioned resolution and on the basis of the above information, the Minister of Justice shall submit to the Government the report about the Views of the Committee with regard to violations of the Covenant provisions by the Czech Republic as well as about the measures the relevant authorities had taken (intend to take) or had suggested (intend to suggest) in order to implement the Views of the Committee. The Minister of Justice, in cooperation with relevant authorities, shall recommend the measures to be adopted by the Government in order to implement the conclusions contained in the Views of the Committee. Should the violation of the Covenant provisions according to the Views of the Committee be related to the legislation, the Government shall inform the Chamber of Deputies of the parliament accordingly. The Government may submit a draft Law to the Chamber of Deputies in order to remedy the incompatibility of the legislation with the Covenant. The Ministry of Justice shall inform the Committee on behalf of the Czech Republic about the measures that have been taken in order to implement the Views of the Committee.

2. Recommendation regarding the special schools (para. 9)

The document concerning the implementation of the recommendation contained in paragraph 9 of the concluding observations has been elaborated and should be approved by the Government by the end of this year. The Committee will be informed of the Government's decision subsequent to that date.

3. Recommendation regarding the investigation of complaints against police officers (para. 16)

The monitoring of the police officers has been significantly improved due to the amendment to the Penal Procedure Code, which entered into force on 1 January 2002. According to this amendment, the authority to investigate alleged crimes committed by police officers was transferred from the Inspection of the Ministry of the Interior to the Public Prosecutor's Office, that is, out of the police structure.

The Commissioner for Human Rights is expected to submit a proposal for the establishment of an independent monitoring body to oversee the places where those who are deprived of their liberty are being held for the consideration of the Government. Other possible measures to be taken in order to improve the work of the police are still being discussed among the relevant ministries. Information on this issue will be submitted to the Human Rights Committee by the Government by the end of this year. The Committee will be informed accordingly.

Although at this stage I am able to give only partial responses to the issues raised, let me assure you, distinguished Special Rapporteur, about the particular attention being paid by the Government of the Czech Republic to the above-mentioned issues of concern as well as to other recommendations of the Committee.

Yours sincerely,

Alexander Slabý
Ambassador