

United Nations High Commissioner for Refugees

Czech Republic

We would like to bring your attention to the following excerpts of Treaty Body Concluding Observations and Special Procedure reports relating to issues of interest and concern to UNHCR with regards to Czech Republic.

Treaty Body Concluding Observations

CERD/C/CZE/CO/7

11 April 2007

6. The Committee notes with satisfaction that the State party ratified the European Convention on Nationality and the Convention Relating to the Status of Stateless Persons in 2004, as well as the European Charter for Regional or Minority Languages in 2006, bearing in mind the relevance of these conventions for the implementation of the provisions of the International Convention on the Elimination of All Forms of Racial Discrimination.

CRC/C/OPAC/CZE/CO/1

21 June 2006

11. The Committee recommends that the State party develop systematic awareness-raising, education and training on the provisions of the Optional Protocol for all relevant professional groups working with asylum-seeking, refugee and migrant children from countries affected by armed conflict, e.g. teachers, medical professionals, lawyers, judges and military personnel.

16. The Committee notes with appreciation that the State party is reviving its policies regarding physical and psychosocial recovery and social reintegration for refugee, asylum-seeking and migrant children from countries affected by conflict, the Committee remains concerned, however, that current institutional arrangements remain insufficient.

17. The Committee recommends that the State party adopt and implement a policy that adequately takes into account the needs of refugee, asylum-seeking and migrant children from countries affected by conflict. In particular, the Committee recommends that the State party provide specific accommodation facilities designed for children. In this regard, the Committee recommends that the State party take note of the Committee's general comment No. 6 (CRC/GC/2005/6) on the treatment of unaccompanied and separated children outside their country of origin, as well as paragraph 57 of the concluding observations of the Committee on the Rights of the Child adopted in 2003 on the second periodic report of the State party under the Convention (CRC/C/15/Add.201).

CAT/C/CR/32/2
3 June 2004

B. Positive Aspects

4. *The Committee welcomes the ongoing efforts by the State party to revise its legislation in order to safeguard human rights in general and, more specifically, those related to the implementation of the Convention against Torture. The Committee welcomes in particular:*

(a) The amendments to the Residence of Aliens Act No. 222/2003 Coll., effective 1 January 2004 establishing an independent judicial second instance body to review asylum cases;

C. Subjects of Concern

5. *The Committee expresses concern about the following:*

(j) The amendments to the law on the right to asylum which amplified the grounds for rejecting asylum requests and allows for the detention of persons in the process of being removed to be held in aliens' detention centres for a period of up to 180 days; as well as the restrictive nature of the conditions in these centres which are comparable to those in prisons;

CRC/C/15/Add.201
18 March 2003

54. *The Committee welcomes the efforts of the Government aimed at developing post-secondary education, making it more accessible, ensuring education for minority groups and integrating children with disabilities into mainstream education. The Committee welcomes the secondary school for Roma children established on the initiative of the Roma people themselves. However, the Committee is concerned that the implementation of the reform of the education system remains insufficient and that in-service teacher training in this respect is lacking. The Committee is further concerned that Roma children continue to be over-represented in so-called "special schools" and at the discrimination in access to education of illegal migrants and refugees who are denied asylum.*

55. *Noting the State party's efforts in this domain, the Committee recommends that the State party:*

(a) Ensure the availability and accessibility of free primary education for all children in the State party, giving particular attention to children in rural communities, children from Roma and other minorities, as well as children from disadvantaged backgrounds such as refugees, illegal migrants, particularly unaccompanied minors, to good quality education, including in their own language;

(b) Continue to strengthen its efforts to professionalize the pre-school assessment of children and avoid, as much as possible, that children of Roma origin or other children belonging to disadvantaged groups are not assigned to special schools;

(c) Implement educational reforms with sufficient preparation and support schools in this regard with extra funding and teacher training, and a process for quality evaluation of the new programmes;

(d) Promote quality of education in the whole country in order to achieve the goals mentioned in article 29, paragraph 1, of the Convention and the Committee's General Comment on the aims of education; and ensure that human rights education, including children's rights, are included into the school curricula.

8. Special protection measures

Refugee and internally displaced children

56. *The Committee notes that the number of refugees and asylum-seekers is steadily increasing and welcomes the ongoing efforts of the State party to provide for the special needs of these persons and the systematic recording of information on unaccompanied minors since 1998. The Committee welcomes the ratification by the State party of the Convention on the Reduction of Statelessness of 1961 and notes the intention of the Government to ratify the Convention relating to the Status of Stateless Persons of 1954. It also recognizes the cooperation with the Office of the United Nations High Commissioner for Human Rights (UNHCHR) in the drafting process of the new Foster Care Law defining modalities of education and accommodation for foreigners who are also unaccompanied minors. However, the Committee remains concerned that:*

(a) Special care and protection are not accorded to all asylum-seekers, particularly those in the 15 to 18-year age group and that children aged under 15 may be placed in diagnostic institutions which are not equipped to provide the special care these children require;

(b) Children may be placed in detention facilities for foreigners for prolonged periods;

(c) Compulsory school attendance is not always observed.

57. **The Committee recommends that the State party:**

(a) Guarantee special protection and care to all child asylum-seekers with respect to their special needs, including those in the 15 to 18-year age group;

(b) Avoid any form of detention of asylum-seekers under 18 years of age;

(c) Facilitate access of children to legal and psychological assistance, including by enabling contact with NGOs offering such assistance;

(d) Pursue implementation of the new foster care modalities contemplated by the 2002 legislation.

- End of excerpts -

**Protection Operation and Legal Advice Section
Division of International Protection Services
UNHCR
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