



Convention on the Rights of the Child

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Committee on the Rights of the Child

Concluding observations on the combined fifth and sixth periodic reports of Czechia*

I. Introduction

1. The Committee considered the combined fifth and sixth periodic reports of Czechia¹ at its 2536th and 2537th meetings,² held on 6 and 7 September 2021, and adopted the present concluding observations at its 2562nd meeting, held on 24 September 2021.

2. The Committee welcomes the submission of the combined fifth and sixth periodic reports of the State party and the written replies to the list of issues,³ which allowed for a better understanding of the situation of children's rights in the State party. The Committee expresses its appreciation for the constructive dialogue held with the multisectoral delegation of the State party.

II. Follow-up measures taken and progress achieved by the State party

3. The Committee welcomes the ratification by the State party of the Optional Protocol on a communications procedure, in 2015, the Optional Protocol on the sale of children, child prostitution and child pornography, in 2013, the Optional Protocol to the Convention on the Rights of Persons with Disabilities, in 2021, the Council of Europe Convention on Action against Trafficking in Human Beings, in 2017, the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse, in 2016, and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, in 2014.

4. The Committee also welcomes the legislative amendments promoting inclusive education, reinforcing the child's right to be heard and prioritizing family-based care over institutionalization, the introduction of compulsory and free preschool education from 5 years of age, the adoption of the Law On Victims of Crime, in 2013, which includes specific measures to protect children from secondary victimization, and the efforts undertaken to tackle bullying at school and to promote breastfeeding.

* Adopted by the Committee at its eighty-eighth session (6–24 September 2021).

¹ [CRC/C/CZE/5-6](#).

² See [CRC/C/SR.2536](#) and [CRC/C/SR.2537](#).

³ [CRC/C/CZE/RQ/5-6](#) and [CRC/C/CZE/RQ/5-6/Corr.1](#).



III. Main areas of concern and recommendations

5. The Committee reminds the State party of the indivisibility and interdependence of all the rights enshrined in the Convention and emphasizes the importance of all the recommendations contained in the present concluding observations. The Committee would like to draw the State party's attention to the recommendations concerning the following areas, in respect of which urgent measures must be taken: sexual exploitation and abuse (para. 27), children deprived of a family environment (para. 31), children with disabilities (para. 35), standard of living (para. 41), children in situations of migration (para. 44) and Roma children (para. 46).

A. General measures of implementation (arts. 4, 42 and 44 (6))

Reservations

6. While welcoming the willingness of the State party to discuss the withdrawal of its declaration in respect of article 7 (1) of the Convention, as expressed during the dialogue, the Committee reiterates its recommendation⁴ that the State party consider withdrawing the declaration.

Legislation

7. While noting legislative work undertaken by the State party in several areas covered by the Convention and welcoming the fact that child rights impact assessments of legislation will become mandatory in 2022, the Committee reiterates its previous recommendations⁵ that the State party conduct a comprehensive review of all its legislation in line with the Convention, enact comprehensive child rights legislation and ensure the full applicability of the Convention in the State party.

Comprehensive policy and strategy

8. While commending the adoption of a national strategy to protect children's rights, 2021–2029, the Committee recommends that the State party achieve effective cooperation among the respective ministries for its full implementation.

Coordination

9. While noting the creation of the coordination group to advise the Ministry of Labour and Social Affairs on the implementation of the Convention, the Committee recommends that the State party:

(a) Strengthen the authority of the coordination group to coordinate all activities related to the implementation of the Convention at various levels;

(b) Allocate the necessary human, technical and financial resources for its effective operation.

Allocation of resources

10. The Committee reiterates its previous recommendations⁶ and, recalling its general comment No. 19 (2016) on public budgeting for the realization of children's rights, recommends that the State party:

(a) Allocate designated budget lines at the national, regional and local levels for the realization of children's rights, giving particular attention to children in disadvantaged situations, including migrant and Roma children, with the aim of preventing family separation;

⁴ CRC/C/CZE/CO/3-4, para. 9.

⁵ Ibid., para. 11.

⁶ Ibid., para. 19.

(b) Resume the budget restructuring process to ensure the transparency of budget allocations, including use of specific indicators and tracking and monitoring systems.

Data collection

11. While noting that the child protection information system under the Ministry of Labour and Social Affairs is being finalized, the Committee, recalling its general comment No. 5 (2003) on general measures of implementation of the Convention and its previous recommendations to the State party,⁷ recommends that the State party ensure that the child protection information system:

(a) Covers all areas under the Convention and allows for the collection and analysis of data, disaggregated by age, sex, disability, geographical location, ethnic origin, national origin and socioeconomic background, on all children, in particular those in situations of vulnerability, including children from disadvantaged households, children who are victims of violence, rural children, children belonging to minority groups, migrant and refugee children, children with disabilities, children in care, children at risk of family separation and children deprived of their liberty;

(b) Includes consolidated data from across all relevant ministries and agencies, which should use unified reporting methodology and terminology.

Independent monitoring

12. While noting the State party's explanation that the Office of the Ombudsperson is involved in the protection of children's rights, the Committee encourages the State party to continue its efforts to establish an independent ombudsperson for children, who has the mandate to receive and investigate individual complaints with regard to violations of children's rights.

Dissemination, awareness-raising and training

13. While welcoming the launch of the information gateway on children's rights, the Committee recommends that the State party:

(a) Integrate children's rights into school curricula;

(b) Provide systematic training, and individual education plans, on children's rights and child-friendly procedures for all professionals working with and for children, including, but not limited to, teachers, judges, prosecutors, lawyers and police officers;

(c) Raise awareness of the Optional Protocol to the Convention on a communications procedure and provide capacity-building activities aimed at training relevant actors, including children and/or children's human rights defenders, on the Optional Protocol.

Cooperation with civil society

14. While noting the role of civil society organizations working for and with children, the Committee recommends that the State party:

(a) Strengthen its cooperation with civil society and ensure that the system of allocating grants is transparent and accessible and covers more broadly all areas under the Convention;

(b) Systematically involve civil society and organizations working for and with children in developing, implementing, monitoring and evaluating policies, plans and programmes concerning children's rights and in preparing periodic reports under the Convention.

⁷ Ibid., para. 21.

International cooperation

15. Recalling target 17.2 of the Sustainable Development Goals, the Committee encourages the State party to meet the internationally agreed target of 0.7 per cent of its gross national income allocated for official development assistance and to prioritize children's rights in its international cooperation agreements.

Children's rights and the business sector

16. While noting the significant contribution of travel and tourism to GDP of the State party, the Committee, recalling its general comment No. 16 (2013) on State obligations regarding the impact of the business sector on children's rights, recommends that the State party:

(a) Establish and implement regulations to ensure that the business sector, including the tourism industry, complies with international human rights and children's rights standards, including by reviewing the national action plan for business and human rights and relevant legislation;

(b) Ensure the effective monitoring of such regulations and appropriately sanction and provide remedies when violations occur.

B. Definition of the child (art. 1)

17. The Committee recommends that the State party amend its legislation to remove all exceptions that allow marriage for those under 18 years of age and to prohibit child marriage.

C. General principles (arts. 2–3, 6 and 12)

Non-discrimination

18. Recalling target 10.3 of the Sustainable Development Goals and its previous recommendations to the State party,⁸ the Committee recommends that the State party:

(a) Intensify its measures to eliminate discrimination against Roma children in all areas of life;

(b) Adopt a national action plan for combating racism and hate crimes;

(c) Ensure that children from economically deprived households, rural children, children with disabilities, children in alternative care, migrant children and children belonging to minority groups have access to education, health care, essential services, housing, social benefits and participatory structures;

(d) Ensure the availability of avenues to seek justice for children who are victims of discrimination and organizations representing them, including by introducing the class action pleading.

Best interests of the child

19. While noting that the term "interests of the child" is in use, the Committee, with reference to its general comment No. 14 (2013) on the right of the child to have his or her best interests taken as a primary consideration, reiterates its recommendation that the State party should integrate and consistently interpret and apply the right of the child to have his or her best interests taken as a primary consideration in all proceedings, decisions, policies, programmes and projects that are relevant to, and have an impact on, children. It also recommends that the State party develop procedures and criteria on, and provide systematic training and guidance for all relevant professionals to assess

⁸ Ibid., para. 31.

and determine, the best interests of the child in every area covered by the Convention and to give the principle due weight as a primary consideration.

Respect for the views of the child

20. While welcoming the progress made with regard to the right of children to consent to various procedures, the Committee is still concerned that the perception of children as subjects of rights is not well enshrined in the society or among professionals. Recalling its general comment No. 12 (2009) on the right of the child to be heard and its previous recommendations to the State party,⁹ the Committee recommends that the State party:

(a) Abolish any age limit on the right of children to express their views and ensure that children's views are given due consideration in all matters and processes that affect them, especially through direct hearings;

(b) Ensure the mandatory legal representation of children in judicial proceedings;

(c) Resume the consideration of the draft law on the development of youth participation;

(d) Encourage, promote and support the participation of children in school parliaments and the National Parliament of Children and Youth throughout the territory of the State party, giving particular attention to children in vulnerable situations, and ensure that children's views expressed through those channels truly have an impact on political discussions and decisions affecting children.

D. Civil rights and freedoms (arts. 7–8 and 13–17)

Nationality

21. The Committee recommends that the State party facilitate the acquisition of citizenship for children who would otherwise be Stateless, regardless of their parents' citizenship, residence or marital status, and encourage parents of Stateless children to apply for citizenship on their behalf. The Committee also recommends that the State party consider withdrawing its declarations in relation to the Convention relating to the Status of Stateless Persons.

Right to identity

22. The Committee urges the State party to address the causes of the anonymous abandonment of children, strengthen family support measures and consider introducing, as a last resort, the possibility of confidential hospital births, in order to end the anonymous abandonment of children in "baby boxes".

Access to information

23. With reference to its general comment No. 25 (2021) on children's rights in relation to the digital environment, the Committee recommends that the State party strengthen its efforts to protect children from negative and harmful media and digital content and to decrease disinformation and fake news campaigns, including regarding coronavirus disease (COVID-19) vaccinations.

E. Violence against children (arts. 19, 24 (3), 28 (2), 34, 37 (a) and 39)

Corporal punishment

24. Recalling its general comment No. 8 (2006) on the right of the child to protection from corporal punishment and other cruel or degrading forms of punishment, the

⁹ Ibid., para. 36.

Committee reiterates that the State party should explicitly prohibit corporal punishment in law, in all forms and settings, and promote positive, non-violent and participatory forms of child-rearing and discipline.

Abuse and neglect

25. While welcoming the adoption of the action plan to prevent domestic violence, 2019–2022, the Committee notes the prevalence of child abuse, especially within the family and of young children, and punitive parenting approaches. Recalling its general comment No. 13 (2011) on the right of the child to freedom from all forms of violence and target 16.2 of the Sustainable Development Goals, the Committee recommends that the State party:

(a) Formulate an updated strategy on preventing and addressing all forms of violence against children and ensure the effective implementation, monitoring and evaluation thereof;

(b) Conduct a study to comprehensively assess the extent, causes and nature of child abuse and neglect, including domestic violence, and ensure the regular collection of disaggregated data;

(c) Allocate adequate resources to improve victim identification and implement long-term programmes for addressing the root causes of violence and abuse;

(d) Increase the availability of multidisciplinary, community-based support services, and ensure cooperation and coordination between them, to prevent institutionalization;

(e) Strengthen awareness-raising and community-based programmes to prevent and tackle domestic violence, child abuse and neglect, including by involving former victims thereof;

(f) Consider ratifying the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence.

Sexual exploitation and sexual abuse

26. While welcoming the establishment of the online complaint portal,¹⁰ the Committee is seriously concerned about the following:

(a) The lack of a child-friendly and multisectoral response to child sexual abuse, in the conduct of multiple interviews and the criminal investigation, which is harmful for the children who are victims of such abuse, the lack of a specialized medical evaluation and the lack of access to appropriate trauma therapy for children who are victims of such abuse;

(b) The discontinuation of the national plan for combating the commercial sexual exploitation of children;

(c) The growing number of cases of girls and boys exploited in prostitution and in the production and distribution of child sexual abuse material, with victims as young as 3 years of age;

(d) The increase in sexting among children, including through coercion, which may result in blackmailing the victim and may have harmful effects on children, such as anxiety and suicide;

(e) The lack of legal protection of children above 15 years of age from sexual exploitation and abuse;

(f) The underreporting of, and lack of data on, child sexual exploitation and abuse, in particular in travel and tourism, which does not allow for an accurate assessment of the incidence thereof;

¹⁰ STOPonline.cz.

(g) The low rates of intervention, investigation, prosecution and conviction in cases of child sexual exploitation and abuse;

(h) The lack of specialized services for children who are victims of such abuse, and of child-friendly information on how to seek compensation.

27. **The Committee urges the State party to:**

(a) **Reinstate the national plan for combating the sexual exploitation of children and designate a coordinating body with sufficient leadership and capacity to oversee its implementation;**

(b) **Implement the measures necessary to enhance awareness of child sexual abuse and exploitation among both the members of public and professionals working with and for children and respond to all manifestations of child sexual exploitation and abuse, in particular online and in travel and tourism, including by strengthening the professional capacity and software tools to detect and investigate such abuse, promoting training for parents and teachers about risks online and the risks associated with sexting, ensuring and promoting accessible, confidential, child-friendly and effective channels for reporting all forms of sexual exploitation and abuse and encouraging children to make use thereof;**

(c) **Ensure that the implementation of the above-mentioned measures is regularly monitored and that the impact thereof on the prevalence, reporting and investigation of child sexual exploitation and abuse is assessed;**

(d) **Review sections 187 (1), 192, 193 and 202 of the Criminal Code to ensure that all persons under 18 years of age are protected against sexual exploitation and abuse and cannot be held criminally liable for sharing self-generated sexual images;**

(e) **Ensure that child sexual abuse is promptly reported, investigated and prosecuted, including sexual abuse within the child's circle of trust, applying a child-friendly and multisectoral approach to avoid the retraumatization of children who are victims of such abuse, that appropriate remedies, treatment and support are provided to victims and that perpetrators are duly sanctioned and deterred from having contact with children in their professional capacity;**

(f) **Provide specialized services for children who are victims of such abuse, including psychological support, to ensure their recovery and reintegration, from the State budget, maintain financial support to non-governmental organizations providing those services and provide child-friendly information on how to seek compensation;**

(g) **Build the capacity of professionals working for and with children to identify, refer to and/or provide appropriate assistance to children who are victims of such violence;**

(h) **Conduct a national survey on sexual and intimate partner violence, including information about such violence among children and adolescents;**

(i) **Ensure the collection of data on child sexual exploitation and abuse, including in travel and tourism, disaggregated by age, sex, nationality and ethnic origin of the victim and the perpetrator and the relationship between the victim and the perpetrator.**

Harmful practices

28. **Recalling joint general recommendation No. 31 of the Committee on the Elimination of Discrimination against Women/general comment No. 18 of the Committee on the Rights of the Child (2019) on harmful practices and target 5.3 of the Sustainable Development Goals, the Committee urges the State party to:**

(a) **Explicitly criminalize forced marriage and raise awareness about the harmful effects of child marriage on the physical and mental health and well-being of girls, targeting in particular the Roma community, encourage the reporting of child marriage and establish protection schemes for victims who file a complaint;**

(b) **Ensure that no child, including intersex children, is subjected to unnecessary medical or surgical treatment during childhood, in line with the rights of children to bodily integrity, autonomy and self-determination, and provide social, medical and psychological services, as well as adequate counselling, support and reparations, to intersex children and families with intersex children;**

(c) **Adopt the draft law to compensate children who are victims of forced sterilization.**

F. Family environment and alternative care (arts. 5, 9–11, 18 (1)–(2), 20–21, 25 and 27 (4))

Family environment

29. **While welcoming the legislative amendments to prevent family separation, the development of preventive services and positive parenting projects and the increase in childcare allowances and support to single parents, the Committee recommends that the State party:**

(a) **Strengthen the capacity of, and coordination between, the social protection authorities at the various levels of government;**

(b) **Develop and finance social and community-based services to detect and support families in situations of particular vulnerability, including due to socioeconomic situations, those raising children with disabilities and single-parent families, and provide timely and targeted services, including field, outpatient, respite and social activation services, to prevent child abandonment and family separation and facilitate returns of children;**

(c) **Review the amounts of child allowances and ensure that children benefit directly from them;**

(d) **Allocate adequate and long-term funding to social services, including preventive services, and to non-governmental organizations providing family support;**

(e) **Actively promote equal parenting and encourage fathers to share the care for very young children and to use parental leave.**

Children deprived of a family environment

30. **The Committee welcomes the new legislation putting an end to the placement of children under 3 years of age into institutional care, the amendments to the Act on Social and Legal Protection of Children and the Civil Code that strengthen foster care, that provide that institutionalization should remain a last resort, be for a limited period of time only and be decided and periodically reviewed by a court and that establish transitional foster care for crisis situations. However, the Committee remains concerned about the following:**

(a) **The fragmented state of the childcare and protection system across three ministries and the lack of a national deinstitutionalization policy;**

(b) **The delays in the adoption of the draft act on support to families, alternative family care and the system to protect children's rights;**

(c) **The high institutionalization rates, including in large institutions, for children under 3 years of age, upon the request of parents and for "behavioural difficulties", and with regard to children with disabilities and Roma children, while family-based care options are lacking;**

(d) **Socioeconomic circumstances, in particular poverty, poor housing conditions and loss of housing, being used as grounds for family separation;**

(e) **The long duration of placements in institutions and emergency assistance facilities and the insufficient monitoring of such placements;**

- (f) The insufficient efforts to ensure the right of children in care to contact their parents;
- (g) The insufficient support for children leaving care.

31. **Recalling the Guidelines for the Alternative Care of Children¹¹ and its previous recommendations to the State party,¹² the Committee recommends that the State party:**

(a) **Unify the childcare system under one structure to enable its effective direction and the allocation of public funds to prioritize non-residential forms of support for children in situations of vulnerability, including children with disabilities, and their families;**

(b) **Develop and adopt a comprehensive national policy and strategy and a specific and time-bound action plan to phase out institutionalization, in support of community-based and family-based options, giving particular attention to children with disabilities, Roma children and very young children;**

(c) **Expedite the adoption of the draft act on support to families, alternative family care and the system to protect children's rights;**

(d) **Ensure the implementation of the new legislation aimed at putting an end to the institutionalization of children under 3 years of age and ensure that such children are exclusively cared for in a family environment;**

(e) **Ensure that children are only separated from their family if it is in their best interests and after a comprehensive assessment of their situation and that poverty, housing situation, disability or ethnic origin are never the sole justification for family separation and abandon the practice of placement for "behavioural difficulties";**

(f) **Promote, support and facilitate family-based care and, only when necessary and appropriate, care in small residential facilities, for children who cannot stay with their families, giving particular attention to children with disabilities and Roma children;**

(g) **Further strengthen the capacity of foster care, including by conducting a national recruitment campaign for foster parents and providing regular and adequate training for them before and during the placement of children, especially on fostering children with special needs;**

(h) **Ensure the regular, periodic and substantive review of placements and monitor the quality of care;**

(i) **Provide opportunities for all children in care to maintain direct contact with their parents;**

(j) **Ensure adequate support for children leaving care and develop community-based services to help them to start independent lives.**

Adoption

32. **The Committee takes note of the legislative amendments that transformed adoption into a form of parenting, require the child's consent for adoption of a child above 12 years of age and oblige adoptive parents to inform the child of adoption before the child starts school. The Committee recommends that the State party:**

(a) **Ensure that the best interests of the child are the paramount consideration in the adoption procedures for children of all ages and that the right of adoptive children to know their biological parents is effectively enforced;**

(b) **Develop and implement guidelines for the consistent and objective assessment of the suitability of children for adoption;**

¹¹ General Assembly resolution 64/142, annex.

¹² [CRC/C/CZE/CO/3-4](#), para. 46.

(c) **Take the measures necessary to avoid unnecessary delays in procedures and to ensure that adoption agencies operate in a transparent manner, that their activities are duly regulated and that children in the adoption process are protected against the risks of private arrangements, trafficking and abuse;**

(d) **Ensure post-adoption monitoring and services.**

Children of incarcerated parents

33. **The Committee recommends that the State party protect and ensure the visitation rights of the children of incarcerated parents, including by increasing the frequency and duration of visits, providing adequate and child-friendly meeting premises and removing restrictions on the number of simultaneous visitors.**

G. Children with disabilities (art. 23)

34. The Committee notes the significant decrease in the number of children with disabilities in institutional care and the efforts made in developing inclusive education. However, the Committee is concerned about the following:

(a) The lack of a definition of reasonable accommodation compliant with the Convention on the Rights of Persons with Disabilities;

(b) The fragmentation of care, which hinders its effectiveness;

(c) Delays in the allocation of the “care allowance”, and its unavailability during the first year of life, and regional disparities in the provision of specialized medical and social care, especially for children with very serious, combined or rare disabilities, which prompts the institutionalization and hospitalization of such children, at times together with adults;

(d) The overrepresentation of children with disabilities in institutions, specifically in “social care homes” that mix children and adults, which are based on a contract with parents and are outside the control of the child protection system;

(e) Insufficient early and effective interventions for children with autism and developmental disorders;

(f) Widespread discrimination against children with disabilities, in particular Roma children.

35. **With reference to its general comment No. 9 (2006) on the rights of children with disabilities, the Committee urges the State party to adopt a human rights-based approach to disability, to set up a comprehensive strategy for the inclusion of children with disabilities and to:**

(a) **Align the definition of reasonable accommodation with the Convention on the Rights of Persons with Disabilities;**

(b) **Improve the coordination and interconnection between the social, health-care and legal protection authorities charged with caring for children with disabilities and train staff to initiate appropriate care options and enable timely referrals;**

(c) **End the practice of placing children with disabilities in “social care homes” with adults;**

(d) **Strengthen support for the parents of children with disabilities, including those with very serious, combined or rare disabilities, to meet the demand in urban, rural and remote areas, reduce regional disparities and ensure the right of those children to grow up in their family environment, including by increasing the availability of early care, home nursing and relief services, creating a network of community and outpatient health-care services, training and ensuring an adequate number of paediatricians, child psychiatrists and psychologists and ergotherapists, providing timely and adequate socioeconomic support to all children with disabilities, regardless of their age and type of disability, and improving outreach to parents about the services available;**

(e) Ensure early and effective detection of, and intervention for, children with autism and developmental disorders, provide adequate training to professionals and comprehensive information, services and support to parents, on educating and raising children with disabilities, and ensure that such children benefit from scientifically based early development programmes and inclusive education;

(f) Undertake awareness-raising campaigns to combat the stigmatization of, and prejudice against, and to promote a positive image of, children with disabilities.

H. Basic health and welfare (arts. 6, 18 (3), 24, 26, 27 (1)–(3) and 33)

Health and health services

36. While welcoming the measures taken in connection with combating the COVID-19 pandemic and the ban on selling unhealthy foods in schools, the Committee recalls its general comment No. 15 (2013) on the right of the child to the enjoyment of the highest attainable standard of health and target 3.8 of the Sustainable Development Goals and recommends that the State party:

(a) Evaluate the child and adolescent health strategy currently in force and formulate, with the participation of children, a subsequent strategy and an action plan with a dedicated budget and a monitoring mechanism;

(b) Adopt legislation on the provision of school health services and ensure their coordination;

(c) Ensure that all children, regardless of their age and nationality, have the right to have their parent or legal guardian stay with them during hospitalization and medical procedures, including by reviewing legislation, policies and programmes;

(d) Adopt a paediatric essential drugs list and paediatric formulations for all essential drugs;

(e) Strengthen the collection of disaggregated data on the staffing of health-care facilities in urban and rural areas, drug prescriptions issued to children and health interventions.

Mental health

37. While welcoming the adoption of the national suicide prevention action plan, 2020–2030, the Committee notes that suicide is the second leading cause of mortality among those 15 to 24 years of age. Recalling target 3.4 of the Sustainable Development Goals, the Committee recommends that the State party:

(a) Continue allocating adequate resources to prevent suicide among children and address its root causes;

(b) Take advantage of the mental health care reform and the development of the mental health action plan to establish measurable and time-bound indicators and a mechanism to assess and monitor the quality of services for children, ensure respect for the rights and dignity of children in psychiatric hospitals, develop community services, including for early intervention and for the provision of continuous support to children with severe mental health problems, encourage children to seek mental health services and ensure that they can do so without stigma;

(c) Prepare guidance for the transition from child to adult mental health services, for children requiring continuing care;

(d) Collect and analyse disaggregated data on the availability of mental health services for children, including the number of practicing child psychologists and psychiatrists, of prescriptions for psychosocial disorders issued to children and of children in treatment for autism and attention deficit/hyperactivity disorder.

Adolescent health

38. The Committee welcomes the right of girls above 16 years of age to abort without the consent of a legal guardian. It also welcomes the measures taken to protect children from substance abuse, but notes an increased consumption of alcohol, cigarettes and marijuana among children and adolescents. Recalling its general comment No. 4 (2003) on adolescent health and development in the context of the Convention, its general comment No. 20 (2016) on the implementation of the rights of the child during adolescence and targets 3.5 and 3.7 of the Sustainable Development Goals, the Committee recommends that the State party:

(a) Implement comprehensive adolescent sex and reproductive health education at school, with a focus on the promotion of human rights, gender equality, respect and contraceptive use and the prevention of adolescent pregnancy, high-risk sexual behaviour and sexual and intimate partner violence;

(b) Ensure that the notification of legal guardians in case of abortion is done with prior and informed consent of the girl concerned and is consistent with her right to privacy;

(c) Ensure the effective implementation of the Act on the Protection of Health from Harmful Effects of Addictive Substances, to protect children from such phenomena, conduct large-scale awareness-raising campaigns and provide life skills education on preventing substance abuse and provide accessible and youth-friendly substance dependence treatment and harm reduction services and support services for quitting smoking;

(d) Adopt legislation and a policy for the transition from paediatric to adult services for children requiring continuing care;

(e) Undertake an assessment of the services provided to ensure their compliance with the rights of the child and the global standards for high-quality health-care services for adolescents of the World Health Organization (WHO), seeking the assistance of WHO.

Environmental health

39. While noting a high level of air pollution, in particular due to the carbon-intensive economy, the Committee recalls targets 3.9 and 13.3 of the Sustainable Development Goals and recommends that the State party:

(a) Conduct an assessment of the impact of air pollution on children's health;

(b) Regulate the maximum concentrations of air pollutant emissions, establish monitoring mechanisms and introduce deterrent sanctions for non-compliance;

(c) Strengthen awareness-raising of environmental health and climate change among children.

Standard of living

40. While noting a high share of public spending in the State party and the measures taken to regulate indebtedness and to abolish children's liability for their parents' debts, the Committee is concerned that:

(a) A critical need for social housing remains unmet, with a high number of families with children in severe housing distress;

(b) The draft law on social housing was rejected in 2015;

(c) The benefit-free zone policy led to the increased vulnerability of already vulnerable populations, including Roma families with children;

(d) Children incur debts that they have difficulty paying off in adulthood.

41. Recalling target 1.3 of the Sustainable Development Goals, and its previous recommendations to the State party,¹³ the Committee recommends that the State party:

- (a) Establish an adequately resourced social housing system, systematically collect and analyse data on families in need of social housing and secure the necessary housing stock;
- (b) Exeditiously adopt the draft law on social housing;
- (c) End the practice of benefit-free zones and review the system of social benefits to support families in need, regardless of ethnic background, to ensure the conditions of living necessary for children's development, in accordance with articles 26 (2) and 27 (3) of the Convention;
- (d) Annul children's debts and prohibit the registration of debts for children.

I. Education, leisure and cultural activities (arts. 28–31)

Education

42. The Committee welcomes the measures taken to promote inclusive education, including the inclusive education action plans and Decree No. 27/2016, and the gradual decrease in the number of children with disabilities and Roma children in special education. Recalling targets 4.1, 4.2 and 4.5 of the Sustainable Development Goals, the Committee recommends that the State party:

- (a) Review its legislation and practices, including amendments to Decree No. 27/2016, to ensure the full and effective integration of all children, including Roma children, migrant children and children with disabilities, into mainstream education at all levels and provide adequate financial support for children in socially or financially disadvantaged situations;
- (b) Reaffirm its commitment to inclusive education, including by employing an adequate number of teachers and adequately remunerated teaching assistants, ensuring reasonable accommodation at school, facilitating access to advisory centres and providing the necessary support to schools;
- (c) Collect and analyse disaggregated data on Roma children, children with disabilities and migrant children who enrol in, complete and drop out of school, to inform its policies and programmes;
- (d) Establish and apply a national standardized education curriculum, giving particular attention to digital skills, supply an adequate number of qualified and adequately remunerated teachers, strengthen teacher training in information and communications technology skills and improve digital equipment in schools;
- (e) Allocate sufficient State funds for developing early childhood education and creating an adequate number of childcare facilities, giving particular attention to children in socially and financially disadvantaged situations;
- (f) Address inequalities generated by the COVID-19 crisis during home schooling, including by ensuring the availability of computer equipment and sufficient Internet access, giving particular attention to children in rural areas and children with disabilities.

¹³ Ibid., para. 60.

J. Special protection measures (arts. 22, 30, 32–33, 35–36, 37 (b)–(d) and 38–40)

Children in situations of migration

43. While noting the implementation of the State integration programme, the Committee is concerned about the following:

- (a) The insufficient regard for children's rights and best interests in immigration procedures, in the absence of a best interests determination procedure;
- (b) The lack of special protection measures for children above 15 years of age;
- (c) The unreliable age-determination methods in use;
- (d) The detention of migrant children, in particular those above 15 years of age and pending age assessment results, and the detention of children under 15 years of age with their families pending transfers under the Dublin III Regulation to ensure family unity and the best interests of the child;
- (e) The lack of access to public health insurance for migrant children and the exclusion from private insurance of newborn and/or seriously-ill children whose parents are neither permanent residents nor asylum seekers, resulting in a significant debt burden on migrant families and children;
- (f) Insufficient access to secondary and post-secondary education for migrant children without residence permits;
- (g) Insufficient support to enable migrant children to integrate into mainstream school;
- (h) Hate speech against asylum seekers and refugees, including children.

44. **Recalling joint general comments No. 3 and No. 4 of the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families/No. 22 and No. 23 of the Committee on the Rights of the Child (2017) on the human rights of children in the context of international migration, the Committee urges the State party to:**

- (a) **Ensure that the best interests of the child are a primary consideration, that children are heard in procedures related to asylum and migration and that their views are duly taken into account, establish a procedure for a best interests determination in such procedures and build the authorities' capacity to apply it;**
- (b) **Ensure that, in asylum and immigration matters, all those under 18 years of age are treated as children, receive the requisite special protection and are not detained;**
- (c) **Develop a standard age-determination procedure that is multidisciplinary, scientifically based, respectful of children's rights, used only in cases of serious doubt about the claimed age and takes into consideration documentary or other forms of evidence available and ensure access to effective appeal mechanisms;**
- (d) **Harmonize legislation to prohibit the placing of children in immigration detention, which is never in their best interests, and ensure non-custodial solutions, including foster care, and prioritize the immediate transfer of asylum-seeking children and their families out of detention centres;**
- (e) **Intensify its efforts to ensure access to health care and health insurance for all migrant children, regardless of their or their parents' asylum status, residence or health condition, and adopt a debt relief strategy for health-related matters;**
- (f) **Ensure access to all levels of education for all migrant children, including those without residence permits;**
- (g) **Strengthen training in Czech for migrant children, to enable them to quickly integrate into mainstream school, including by allocating adequate human,**

financial and technical resources and adopting the draft regulations on systematic educational support in Czech as a second language;

(h) Develop campaigns for countering hate speech against migrants, asylum seekers and refugees, in particular children, include learning content against hatred, hate crimes, racism and intolerance in school curriculum and investigate, prosecute and punish acts of nationally or ethnically motivated discrimination.

Roma children

45. The Committee welcomes the adoption of the Roma integration strategy, 2021–2030, and the steps taken to address the educational segregation of Roma children. However, it is seriously concerned that widespread discrimination and hate crimes perpetrated against Roma populations have serious repercussions on Roma children, including the following:

(a) The poor living conditions, including inadequate health care and nutrition and housing segregation, among the Roma population;

(b) The overrepresentation of Roma children in schools with a Roma majority and in special schools for children with disabilities, with particularly high school dropout rates among Roma girls, making them vulnerable to trafficking, in particular for marriage purposes, sexual exploitation and abuse;

(c) The insufficient coverage of Roma children by preschool education, which increases the risk of school segregation and dropout;

(d) The overrepresentation of Roma children in institutional care and as candidates for international adoption;

(e) The insufficiency of data on the situation of Roma children, which impedes monitoring and the development of effective policies to address it.

46. **The Committee urges the State party to:**

(a) Implement targeted policy measures to address the causes of poverty and improve living conditions among Roma families, including children, and ensure that they have access to public health insurance and adequate housing support;

(b) Ensure that Roma children have access to high-quality education, including preschool education, and that they remain in and complete school, develop a school desegregation plan, promote diversity in schooling, reduce the number of Roma children in special education and establish safeguards against misplacement;

(c) Identify, investigate and effectively address all cases of exploitation, abuse and hate crime in relation to Roma children, hold accountable those responsible and intensify awareness-raising efforts to prevent such violations;

(d) Take all measures necessary to reduce the number of Roma children in institutional care, including through family support and family-based care options, and promote domestic adoptions;

(e) Systematically collect and analyse data on the situation of Roma children in all areas covered by the Convention, with due respect for the principles of confidentiality, voluntary self-identification and informed consent, to inform its policies and programmes.

Sale, trafficking and abduction

47. While noting the adoption of the fifth national strategy for combating trafficking in human beings, 2016–2019, the Committee is concerned that the State party is the country of origin, transit or destination of trafficking, affecting children in socially disadvantaged situations, including Roma and unaccompanied children, increasingly boys, and that around half of the victims of trafficking identified between 2012 and 2018 for sexual exploitation, marriage abroad, forced begging and theft were children. Recalling target 8.7 of the Sustainable Development Goals, the Committee recommends that the State party:

- (a) **Ensure the implementation, monitoring and evaluation of the national strategy;**
- (b) **Improve the collection of data on children who are victims of trafficking, disaggregated by sex, age, type of exploitation and country of origin and destination;**
- (c) **Undertake research on trafficking in children, including for the purposes of sexual exploitation, forced marriage and forced begging and theft;**
- (d) **Establish a procedure for the identification of victims of trafficking and ensure that it is disconnected from the initiation of criminal proceedings and from the victim's agreement to cooperate with the authorities and that it takes into account the best interests of the child and the specific circumstances and needs of children who are victims of trafficking;**
- (e) **Build the capacity of the professionals working for and with children to identify victims of trafficking, in particular among asylum-seeking children, unaccompanied children and children in detention pending removal, and ensure their access to assistance and protection;**
- (f) **Strengthen the provision of specialized services to children who are victims of trafficking, including shelters for women with several children, and ensure effective access to compensation and financial assistance, regardless of nationality or residence status;**
- (g) **Effectively investigate and prosecute cases of trafficking of children and ensure appropriate convictions for perpetrators under article 168 (1) of the Criminal Code;**
- (h) **Intensify awareness-raising and socioeconomic measures targeting families and children in vulnerable situations and measures to discourage demand for trafficking of children.**

Administration of child justice

48. **Recalling its general comment No. 24 (2019) on children's rights in the child justice system and its previous recommendations to the State party,¹⁴ the Committee urges the State party to align its child justice system fully with the Convention and other relevant standards and in particular to:**

- (a) **Strengthen the prevention of crime among children, paying particular attention to girls;**
- (b) **Ensure that children under 15 years of age, the minimum age of criminal responsibility, are not treated as offenders, benefit from high-quality, free and independent legal aid, access to their case files, evidence and the right to appeal and are never placed in closed institutions for young offenders;**
- (c) **Establish and promote non-judicial measures, such as diversion, mediation and counselling, for all children in conflict with the law, regardless of their age, and, wherever possible, the use of non-custodial sentences for children, such as probation or community service;**
- (d) **Ensure that detention is used as a measure of last resort, for the shortest possible period of time and is reviewed on a regular basis, with a view to its withdrawal, including by reviewing article 47 of the Act on Judiciary in Suits of Youth;**
- (e) **When detention is unavoidable, ensure that children in conflict with the law are not detained together with adults or with other children in institutional care.**

¹⁴ Ibid., para. 70.

K. Follow up to the Committee's previous concluding observations and recommendations concerning the implementation of the Optional Protocols to the Convention

Optional Protocol on the sale of children, child prostitution and child pornography

49. The Committee reiterates its previous recommendations contained in its concluding observations on the report of the State party submitted under article 12 (1) of the Optional Protocol,¹⁵ noting the limited information on their implementation and with reference to its guidelines regarding the implementation of the Optional Protocol.

Optional Protocol on the involvement of children in armed conflict

50. The Committee reiterates its previous recommendations contained in its concluding observations on the report of the State party submitted under article 8 of the Optional Protocol,¹⁶ in particular that the State party explicitly criminalize the involvement of children in hostilities and abolish arms trade with countries where children directly participate in hostilities.

L. Ratification of international human rights instruments

51. The Committee recommends that the State party, in order to further strengthen the fulfilment of children's rights, consider ratifying the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.

M. Cooperation with regional bodies

52. The Committee recommends that the State party cooperate with the Council of Europe on the implementation of the Convention and other human rights instruments.

IV. Implementation and reporting

A. Follow-up and dissemination

53. The Committee recommends that the State party take all appropriate measures to ensure that the recommendations contained in the present concluding observations are fully implemented. The Committee also recommends that the combined fifth and sixth periodic reports, the written replies to the list of issues and the present concluding observations be made widely available in the languages of the country.

B. Next report

54. The Committee invites the State party to submit its seventh periodic report by 30 June 2026 and to include therein information on the follow-up to the present concluding observations. The report should be in compliance with the Committee's harmonized treaty-specific reporting guidelines adopted on 31 January 2014¹⁷ and should not exceed 21,200 words.¹⁸ In the event that a report exceeding the established word limit is submitted, the State party will be asked to shorten the report. If the State party is not in a position to review and resubmit the report, translation thereof for the purposes of consideration by the treaty body cannot be guaranteed.

¹⁵ [CRC/C/OPSC/CZE/CO/1](#).

¹⁶ [CRC/C/OPAC/CZE/CO/1](#).

¹⁷ [CRC/C/58/Rev.3](#).

¹⁸ General Assembly resolution 68/268, para. 16.

55. The Committee also invites the State party to submit an updated core document, not exceeding 42,400 words, in accordance with the requirements for the common core document contained in the harmonized guidelines on reporting under the international human rights treaties, including guidelines on a common core document and treaty-specific documents¹⁹ and paragraph 16 of General Assembly resolution 68/268.

¹⁹ [HRI/GEN/2/Rev.6](#), chap. I.