



# SIXTH OPINION ON CZECHIA



## ADVISORY COMMITTEE ON THE FRAMEWORK CONVENTION FOR THE PROTECTION OF NATIONAL MINORITIES

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## TABLE OF CONTENTS

SUMMARY .....	4
PRIORITY RECOMMENDATIONS .....	7
Priority recommendations .....	7
Other recommendations .....	8
Follow-up to these recommendations .....	8
MONITORING PROCEDURE .....	9
Follow-up activities and awareness-raising related to the recommendations of the Fifth Opinion of the Advisory Committee .....	9
Preparation of the state report for the sixth cycle .....	9
Country visit and adoption of the sixth Opinion .....	9
ARTICLE-BY-ARTICLE FINDINGS .....	10
Scope of application (Article 3) .....	10
Population census and data collection (Article 3) .....	10
Legal and institutional framework for the protection of national minority rights (Article 4) .....	11
Legal and institutional framework for combating discrimination and promotion of full and effective equality (Article 4) .....	14
Promotion of the culture of national minorities (Article 5) .....	16
Intercultural dialogue and mutual respect (Article 6) .....	18
Hate speech and hate crime (Article 6) .....	20
Minority broadcast, print and digital media (Article 9) .....	22
Use of minority languages with administrative and judicial authorities (Article 10) .....	24
Use of personal names and display of topographical indications in minority languages (Article 11) .....	26
Promoting knowledge about national minorities (Article 12) .....	28
Equal access to education for Roma (Article 12) .....	29
Teaching in and of minority languages (Article 14) .....	31
Effective participation in decision-making processes and public affairs (Article 15) .....	33
Effective participation in socio-economic life/access to housing (Article 15) .....	35
Bilateral and multilateral co-operation (Article 18) .....	36

## SUMMARY

1. During the sixth monitoring cycle, the Czech authorities have continued to demonstrate their awareness of the importance of protecting minority rights. This is reflected in the fact that national minority protection has been included in a number of initiatives in policy, legislation and practice, such as the revision of curricula, the revision of legislation on personal names and the planned legislation on the financing of new digital media, as well as in grant programmes in several thematic fields. In some areas of minority protection, Czechia demonstrates good practice, for example by providing a comprehensive system of minority language education for persons belonging to the Polish minority and by supporting the Museum of Romani Culture in Brno. At the same time, certain minority rights enshrined in the Framework Convention are only implemented for persons affiliating with one or a few national minorities, particularly with regard to the use of minority languages in the fields of media, language learning and public administration.

2. In general, implementation of national minority rights protection appears to be impeded by a non-systematic approach and a lack of resources. Structures at the central level with relevant competences that are also tasked with oversight are poorly staffed. Moreover, proposed changes in governance seem to have stalled the processes of implementation in certain areas and risks hampering the heretofore good co-operation between the government and the 15 national minorities. Strict interpretation and application of new census data has impeded implementation of decisions taken prior to the 2021 census. A number of issues regarding gross violations of Roma women's reproductive rights remain unresolved because of negligence on the part of the health authorities. The right of persons belonging to national minorities to maintain and develop their cultures is curtailed for most of Czechia's national minorities due to the lack of financial support for cultural institutions. The socio-economic rights of Roma families continue to be imperilled by lack of access to basic services. Overall, the Advisory Committee is of the view that representatives of national minorities face challenges in maintaining an honest dialogue with the authorities.

### Scope of application and census

3. The authorities consider as national minorities those groups designated as such in the statute of the Government Council for National Minorities. In July 2024, the government council approved a request of Georgians to be represented on it, which came into force in October 2024 following the government's approval of the revised government council statute. The government council now comprises representatives of 15 national minorities (Belarusian, Bulgarian, Croat, Georgian, German, Greek, Hungarian, Polish, Roma, Russian, Ruthenian, Serb, Slovak, Ukrainian and Vietnamese minorities).

4. In 2021, a population and housing census was organised. Despite measures taken by the authorities to raise awareness of the census among persons belonging to national minorities, the long-standing trend of a significant number of respondents (31.6%) not declaring a "nationality" (ethnic affiliation) has continued and intensified.

### Legal and institutional framework for national minority protection

5. Certain rights of persons belonging to national minorities, for example concerning the establishment of a committee for national minorities and topographical indications in a minority language, depend on the proportion of Czech citizens with a permanent residence ("municipality citizens") in the given municipality (census-based 10% threshold of all "municipality citizens" in municipalities and 5% threshold in regions). However, according to the results of the 2021 census, only persons belonging to the Polish minority still reached the 10% threshold, and the 5% threshold is not reached by persons belonging to national minorities at all. This means that these minority rights in reality only apply to persons belonging to one national minority, and only at the local (municipality) level.

6. In addition to the existing Government Council for National Minorities, in 2022, the institution of Government Commissioner for Roma Minority Affairs was set up. Together with the Government Council for Roma Minority Affairs, it provides an institutional basis for the implementation of measures to protect the rights of persons belonging to the Roma minority. In general, however, the staff capacity of the national authorities responsible for the matters of persons belonging to national minorities is insufficient.

### Antidiscrimination

7. Limitations in the mandate of the Public Defender of Rights (e.g. concerning monitoring of legislation) continue to weaken its ability to combat discrimination. The Public Defender of Rights does not carry out specific awareness-raising activities among persons affiliating with national minorities; it mostly deals with discrimination issues affecting Roma or complaints brought by persons affiliating with the Roma community.

8. The adoption of Act No 297/2021 allows for the compensation of Roma women sterilised in conflict with the law and the payment of lump-sums. However, the Ministry of Health has processed applications for compensation of Roma women very slowly and rejected too many applications on grounds of insufficient evidence. In 2024, the Supreme Administrative Court found that the approach by the Ministry of Health disregarded the meaning and purpose of the legislation.

#### Sustainability of cultural activities

9. The overall funding granted to cultural activities of persons belonging to national minorities has decreased and this has limited the scope of activities organised. The cultures of most national minorities are supported exclusively through project-based funding. There are very few cultural institutions specialising in or run by individual national minorities or persons who affiliate with them.

#### Intolerance and hate speech

10. The authorities have developed further and updated the legal framework relating to hate speech and hate crime, including incitement to violence or hatred on grounds of affiliation with a national minority. Training organised for the judiciary helps to put in practice the new legal norms.

11. Expressions of intolerance towards Roma persist. In the context of the Russian Federation's war of aggression against Ukraine and the arrival of large numbers of refugees from Ukraine in Czechia, the number of expressions of intolerance against Ukrainians and, to a lesser extent, Russians has increased.

#### Use of minority languages

12. In the media, a public television programme is available in one minority language (Polish), while public radio programmes of a very short duration are offered in four minority languages (German, Polish, Romani, Slovak) and an (irregularly broadcast) private radio programme is offered in one minority language (Slovak). One newspaper exists in a minority language (Polish).

13. The right to use a minority language in dealings with the administrative authorities is significantly impaired by the fact that an applicant must provide an interpreter if no official speaks the minority language in question (with the exception of Slovak). In practice, only the Polish language is used in communication with local authorities and at railway stations/stops. Following an amendment in 2023 to Act No 301/2000 on registry offices, name and surname, it is possible to make a declaration of marriage or registered partnership in a minority language.

14. The right of women to use their surname in a minority language has been expanded and liberalised. Topographical signs in a minority language continue to exist in Polish only. The authorities have announced that they will encourage municipalities to display topographical indications also in German and other minority languages.

15. Pupils belonging to the Polish minority receive instruction in Polish from pre-school to secondary school level throughout the area inhabited by this minority. The authorities plan to introduce bilingual education in German and Czech. In addition, there exists demand for teaching Slovak in mainstream education.

#### Effective participation in decision-making processes and public affairs

16. The Government Council for National Minorities and the Government Council for Roma Minority Affairs facilitate regular contacts between the authorities at national level and representatives of the national minorities. Through the Government Council for Roma Minority Affairs, Roma representatives were involved in the drafting of the Strategy of Roma Integration 2021-2030 and now participate in its implementation and monitoring. Given that the Government Council for National Minorities represents 15 national minorities and has very limited human resources, it is not in a position to deal with individual national minorities to the same extent as the Government Council for Roma Minority Affairs. Local and regional committees for national minorities address only a limited number of areas of national minority policy and neither the competences nor the procedure for nominating their members are clearly defined.

#### Access of Roma to education and housing

17. The number of Roma children attending kindergarten has continued to grow, albeit at a slow pace. In primary education, almost all (98%) Roma pupils are educated according to the regular curriculum. However, the proportion of Roma pupils who attend mainstream schools/classes has slightly decreased, and a study commissioned by the authorities confirmed ongoing segregation of Roma pupils. Measures by the authorities to promote effective access of Roma children to inclusive quality education have been insufficient.

18. Only a limited number of Roma have moved from “residential hostels” to adequate social housing. The draft Act on Support in Housing only addresses some of the structural barriers that Roma face in the housing sector.

**Bilateral co-operation**

19. The authorities use bilateral relations with other states to support the protection of rights of persons belonging to national minorities, but persons belonging to the Belarusian, Bulgarian, Greek, Ukrainian and Vietnamese minorities do not yet benefit from bilateral agreements.



## PRIORITY RECOMMENDATIONS

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21. The Advisory Committee proposes that the Committee of Ministers make the following recommendations with respect to the implementation of the Framework Convention by Czechia.

22. The authorities should take the following priority measures to improve further the implementation of the Framework Convention, along with the implementation of all recommendations contained in this opinion:

### Priority recommendations

- 1) The Advisory Committee urges the authorities to amend the relevant legislation with a view to regulating access to certain minority rights with a more flexible and less restrictive arrangement, ensuring that persons belonging to national minorities can enjoy the rights enshrined in the Framework Convention on a sustainable basis and taking into account the demographic situation of the national minority concerned over a longer period of time (see para. 54, Article 4).
- 2) The Advisory Committee urges the authorities to ensure effective redress for sterilisations of women unlawfully carried out in the past and to compensate without further delay all victims (see para. 70, Article 4).
- 3) The Advisory Committee urges the authorities to intensify, in co-operation with Roma representatives, including women and the families concerned, measures promoting effective access for Roma children to inclusive quality education, including pre-school education, and to increase support for teaching assistants and other key support positions so that support measures and interventions for disadvantaged Roma pupils are effectively implemented (see para. 156, Article 12).
- 4) The Advisory Committee urges the authorities to intensify their efforts to improve the living conditions of Roma in order to prevent and combat all forms of inequality affecting them in access to socio-economic rights, especially housing (see para. 187, Article 15).
- 5) The Advisory Committee calls on the authorities to support the creation of a sustainable structure for cultural activities for persons affiliating with individual national minorities requesting it, and in close consultation with them, and to provide these structures with the conditions, including long-term funding, for the collection, presentation and publication of cultural works, including in minority languages (see para. 81, Article 5).
- 6) The Advisory Committee calls on the authorities to pursue their efforts to combat stereotypes and prejudice against persons affiliating with minorities, including through minority-specific awareness-raising campaigns (e.g. in social media). Furthermore, the Advisory Committee calls on the authorities to publicly condemn and, in cases of criminal relevance, effectively prosecute and sanction all instances of hate speech and anti-minority rhetoric in the public discourse (see para. 104, Article 6).
- 7) The Advisory Committee calls on the authorities to allocate to interested national minorities time slots for television programmes to be broadcast at regular intervals in their languages, extend the duration of the radio programmes in minority languages and consult representatives of numerically smaller national minorities about their needs and interests regarding relevant media production in their languages (see para. 113, Article 9).
- 8) The Advisory Committee calls on the authorities to facilitate the oral and written use of minority languages in contacts with the administrative authorities for persons belonging to national minorities, notably by identifying staff able to communicate in a minority language and recruiting linguistically qualified staff, and to raise awareness of this right among national minorities (see para. 125, Article 10).
- 9) The Advisory Committee calls on the authorities to introduce teaching of Slovak in public education at all appropriate stages, in particular pre-school, and to ensure that there is an offer of Slovak university studies which is sufficient to train teachers of Slovak (see para. 165, Article 14).
- 10) The Advisory Committee calls on the authorities to introduce bilingual education in German and Czech by contacting the relevant schools together with the regional and local authorities concerned and co-ordinating this process at national level (see para. 166, Article 14).

### Other recommendations

23. The authorities are invited to take account of the detailed observations and recommendations contained in the present Opinion of the Advisory Committee.

### Follow-up to these recommendations

24. The Advisory Committee encourages the authorities to translate and publish the present opinion into the official and minority languages and disseminate its findings and recommendations widely among all stakeholders.

25. Furthermore, the Advisory Committee encourages the authorities to organise a follow-up event after the publication of this sixth-cycle Opinion to discuss and identify ways of implementing the recommendations made in this opinion.



## MONITORING PROCEDURE

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### Follow-up activities and awareness-raising related to the recommendations of the Fifth Opinion of the Advisory Committee

26. A round table to follow up on the recommendations of the Fifth Opinion of the Advisory Committee took place on 21 April 2022 in Prague. The Fifth Opinion and Resolution are published on the website of the Office of the Government of the Czech Republic in Czech and English.<sup>1</sup>

### Preparation of the state report for the sixth cycle

27. The sixth state report was received on 29 March 2023. The authorities have based it partly on annual reports on the situation of national minorities to which representatives of the national minorities had contributed. However, minority representatives have not been directly consulted in the preparation of the state report.<sup>2</sup>

### Country visit and adoption of the sixth Opinion

28. This sixth-cycle Opinion on the implementation of the Framework Convention for the Protection of National Minorities (hereinafter “the Framework Convention”) by Czechia was adopted in accordance with Article 26(1) of the Framework Convention and Rule 25 of Resolution (2019)49 of the Committee of Ministers. The findings are based on information contained in the sixth state report, other written sources, as well as information obtained by the Advisory Committee from governmental and non-governmental sources during its visit to Prague, Brno and Jevišovka from 25 to 28 June 2024. Unfortunately, not all invited representatives of national minorities accepted the invitation.

29. The Advisory Committee expresses its gratitude to the authorities for their co-operation before, during and after the visit, and to the other interlocutors it met during the visit for their valuable contributions. Regrettably, the Association of Municipalities has not been available for a meeting with the Advisory Committee. The draft opinion, as approved by the Advisory Committee on 24 February 2025, was transmitted to the Czech authorities on 3 March 2025 for observations, according to Rule 37 of Resolution (2019)49. The Advisory Committee welcomes the observations received from the Czech authorities on 13 May 2025.

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30. A number of articles of the Framework Convention are not covered in the present opinion. Based on the information currently at its disposal, the Advisory Committee considers that the implementation of these articles does not give rise to any specific observations. This statement is not to be understood as signalling that adequate measures have now been taken and that efforts in this respect may be diminished or even halted. Rather, the Advisory Committee considers that the obligations of the Framework Convention require a sustained effort by the authorities. The Advisory Committee assesses the situation in the light of the state of affairs prevailing at the time of monitoring.

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<sup>1</sup> See [Office of the Government of the Czech Republic](#).

<sup>2</sup> See [Sixth report](#) submitted by the Czech Republic pursuant to Article 25, paragraph 2 of the Framework Convention for the Protection of National Minorities, ACFC/SR/VI(2023)003, p. 14.

## ARTICLE-BY-ARTICLE FINDINGS

## Scope of application (Article 3)

31. The term “national minority” is defined in Czechia by Act No 273/2001 on the Rights of Persons belonging to National Minorities (the “Minorities Act”), without specifying the national minorities (Article 2 (1)). In practice, national minorities are considered to be persons affiliating with those communities designated as such in the statute of the Government Council for National Minorities. A representative of the Jewish community, which has expressed no interest in being considered a national minority as it derives its identity from its confession, enjoys the status of permanent guest of the government council. In July 2024, the government council approved a request by representatives of persons identifying as Georgians to be represented on this body, which came into force in October 2024 following the government’s approval of the revised government council statute.<sup>3</sup> The government council now comprises representatives of 15 national minorities (Belarusian, Bulgarian, Croat,<sup>4</sup> Georgian, German, Greek, Hungarian, Polish, Roma, Russian, Ruthenian, Serb, Slovak, Ukrainian and Vietnamese minorities).

32. The Advisory Committee recalls that the inclusion of persons affiliating with an ethnic community in formal mechanisms of national minority protection and the granting of access to minority rights should be based on objective criteria and be organised in a transparent manner, starting with their free self-identification.<sup>5</sup>

33. The Advisory Committee welcomes the fact that a representative of the Georgian minority has joined the Government Council for National Minorities and looks forward to receiving information on the application of the Framework Convention to persons belonging to this minority in the next monitoring cycle. At the same time, the Advisory Committee notes that there is no publicly available information about how persons affiliating with an ethnic community can be represented in the Government Council for National Minorities and obtain access to minority rights. The Advisory Committee considers that such criteria should be established and published, and possible application procedures be organised in a transparent manner.

## Recommendation

34. The Advisory Committee encourages the authorities to continue to pursue an inclusive approach to the Framework Convention’s personal scope of application and to ensure a transparent and fair procedure for determining membership in the Government Council for National Minorities.

## Population census and data collection (Article 3)

35. In 2021, a population and housing census took place in Czechia.<sup>6</sup> The census form contained a question on “nationality” (*národnost*, meaning “ethnicity”) which was optional and open (no list to choose from). Furthermore, it contained a compulsory question on “mother tongue”. Respondents could indicate up to two “nationalities” and “mother tongues”, respectively. The census form indicated seven minority languages as response options and provided the possibility to mention other languages. The authorities acknowledge that the number of those not declaring any “nationality” increases every decade as many people consider the question either irrelevant or too sensitive to respond to.<sup>7</sup>

36. The Czech Statistical Office carried out awareness-raising measures before the census, involving representatives of national minorities. According to the authorities, the measures were mainly successful in encouraging younger and middle-aged persons belonging to the German and Roma minorities to identify as such. These are the two national minorities to which, for historical reasons, people have often not declared their affiliation in censuses.<sup>8</sup> Nevertheless, 31.6% of respondents (25.3% in 2011) did not declare any “nationality” and 7.2% did not state any “mother tongue” (4.4% in 2011).<sup>9</sup>

<sup>3</sup> Information provided by the authorities, 6 September 2024.

<sup>4</sup> The term ‘Croat minority’ covers both the Moravian Croats who have lived in South Moravia since the 16th century and Croats who subsequently immigrated to Czechia.

<sup>5</sup> See [ACFC Thematic Commentary No. 4, The Framework Convention: a key tool to managing diversity through minority rights. The scope of application of the Framework Convention for the Protection of National Minorities](#), adopted on 27 May 2016, para. 28.

<sup>6</sup> Census results concerning “nationality”: Belarusian (5 129), Bulgarian (7 679), Croat (2 414), German (24 632), Greek (4 077), Hungarian (11 253), Polish (38 218), Roma (21 691), Russian (34 506), Ruthenian (1 904), Serb (4 101), Slovak (162 578), Ukrainian (92 892), Vietnamese (38 723), see [Sixth report](#) submitted by the Czech Republic, p. 5.

<sup>7</sup> See [Sixth report](#) submitted by the Czech Republic, pp. 15, 16, 70.

<sup>8</sup> See [Fifth Opinion of the Advisory Committee on the Czech Republic](#), ACFC/OP/V(2021)3, para. 49.

<sup>9</sup> Information provided by the authorities, 6 September 2024.

37. As far as the alternative collection of data is concerned, the Research Institute for Labour and Social Affairs is continuing a project on the socio-economic situation of Roma, which has already existed in the fifth monitoring cycle and which will contribute, among other things, to estimating the number of Roma and Romani speakers. However, no research concerning the number of persons belonging to other national minorities has been commissioned.<sup>10</sup>

38. During the Advisory Committee's visit, representatives of national minorities pointed to the fact that a high proportion of census respondents had not answered the question on "nationality" and therefore questioned the meaningfulness of the respective census results. Minority representatives also considered the fact that the census question on "nationality" was optional and that there was no list to choose from as a reason why the number of people who do not declare any "nationality" is increasing.

39. The Advisory Committee reiterates that "[l]ists of possible responses to identity-related questions [in any data-collecting exercises including censuses] should be open not closed, and the opportunity to express multiple affiliations should be provided explicitly".<sup>11</sup> Furthermore, the Advisory Committee reiterates that the census cannot be considered the only source of data on the number of persons belonging to national minorities and speakers of minority languages. Therefore, it is necessary to collect data from a variety of sources, in addition to the census, including independent sociological, ethnographical and other types of research.<sup>12</sup>

40. Taking into account the reports of minority representatives, the Advisory Committee considers that specifying the names of the national minorities represented in the Government Council for National Minorities on the next census form, combined with the possibility of declaring multiple ethnic affiliations ("nationalities"), could draw the attention of respondents to this question and lead to more people indicating their ethnic affiliation. With regard to the census question on "mother tongue", the Advisory Committee notes that many persons belonging to national minorities do not speak the minority language as their first language. The reference to "mother tongue" could have considerably restricted the number of persons concerned. As a result, the respective census results may give an inaccurate impression of the number of persons speaking minority languages. The Advisory Committee considers that the next census should inquire about the minority languages that respondents know. Furthermore, the languages of at least all national minorities represented in the Government Council for National Minorities should be included as response options.

41. The Advisory Committee further observes that, despite the commendable measures taken by the authorities to raise awareness of the importance of the census, the long-standing trend of a significant number of respondents not declaring "nationality" has continued and intensified. This is also still due to the fact that many persons belonging to certain national minorities prefer not to declare their ethnic affiliation due to a history of past disadvantage, discrimination or persecution.<sup>13</sup> The Advisory Committee therefore considers it important that the authorities, in line with intentions expressed by them in the fifth monitoring cycle, commission research to estimate the numbers of persons belonging to all national minorities.

### Recommendations

42. The Advisory Committee encourages the authorities to specify the names of the national minorities represented in the Government Council for National Minorities and their languages on the next census form as response options, with the possibility of additionally indicating other "nationalities", multiple ethnic affiliations and other languages used by persons affiliating with national minorities.

43. The Advisory Committee encourages the authorities to commission independent research to estimate the number of persons belonging to national minorities and speakers of minority languages.

### Legal and institutional framework for the protection of national minority rights (Article 4)

44. The rights of persons belonging to national minorities are guaranteed at constitutional level by the (Czech) Charter of Fundamental Rights and Freedoms (Articles 24 and 25) and generally enshrined in the Minorities Act which follows in part the rights contained in the Framework Convention. The provisions of the Minorities Act refer to specific legal regulations for further elaboration of these rights. In accordance with specific legal regulations, certain rights of persons belonging to national minorities, for example concerning the establishment of a committee for national minorities, teaching in a minority

<sup>10</sup> See [Sixth report](#) submitted by the Czech Republic, pp. 5, 15-16.

<sup>11</sup> [ACFC Thematic Commentary No. 4](#), para. 16.

<sup>12</sup> See [ACFC Thematic Commentary No. 3, The Language Rights of Persons Belonging to National Minorities under the Framework Convention](#), adopted on 24 May 2012, ACFC/44DOC(2012)001 rev., para. 19.

<sup>13</sup> See [Fifth Opinion](#) on the Czech Republic, para. 52.

language<sup>14</sup> and topographical indications in a minority language, depend on the proportion of Czech citizens with a permanent residence (“municipality citizens”) in the given municipality (census-based 10% threshold of all “municipality citizens” in municipalities and 5% threshold in regions). To calculate whether a national minority reaches a threshold, the numbers of those who declared a single (minority) “nationality” (e.g. Polish) are added to those who declared two “nationalities” (e.g. Polish and Czech) in the area concerned. For the establishment of a committee for national minorities, the census results concerning several national minorities and persons affiliating with them can be cumulated to reach the 10% threshold. With regard to access to other minority rights (e.g. topographic indications), the 10% threshold must be reached by a single national minority and persons affiliating with it.

45. However, in accordance with the results of the 2021 census, only persons belonging to the Polish minority still reach the 10% threshold in municipalities. The number of persons declaring affiliation with the German and Slovak minorities, which had also reached the 10% threshold in some municipalities in the 2011 census, dropped below it in 2021. The 5% threshold at regional level is not reached by persons belonging to national minorities at all. The authorities have clarified that when granting access to minority rights, the census results cannot be supplemented by alternative data (see Article 3), as the method of calculating the number of persons belonging to a national minority in a municipality and region is laid down by law governing these entities.<sup>15</sup> Against this background, in 2024, the Committee of Ministers recommended that Czechia amend the relevant legislation with a view to replacing the 10% threshold concerning the use of the minority languages with a more flexible and less restrictive arrangement.<sup>16</sup>

46. During the Advisory Committee's visit, representatives of national minorities emphasised that the census is not an accurate indicator of where persons belonging to national minorities meet the thresholds, as almost a third of participants did not answer the question on “nationality”. They therefore argued that the enjoyment of certain rights should not be based on thresholds alone, but there should be an effort to take into consideration the actual situation. In response to this, the authorities referred to ongoing considerations to review the threshold-based system for granting access to minority rights without specifying details.<sup>17</sup>

47. The Advisory Committee reiterates that, while states have a margin of appreciation in determining the conditions for access to minority rights, this margin of appreciation must not be exercised in a way that constitutes a disproportionate obstacle for certain national minorities. For example, any numerical thresholds established as a precondition for the applicability of certain minority rights must be interpreted flexibly.<sup>18</sup> “Otherwise, an indirect obligation to self-identify would be placed on persons belonging to national minorities in order to ensure that access to a specific right is maintained.”<sup>19</sup>

48. The Advisory Committee welcomes the fact that the census results concerning single and double “nationality” are now more systematically added when calculating the number of persons belonging to a national minority in the context of the thresholds, which had not been consistently done in the past. At the same time, the Advisory Committee notes that even with the combination of single and dual “nationality”, only one of 15 national minorities reaches the 10% threshold at local level and none the 5% threshold at regional level. This means that several minority rights which, according to the wording of the respective laws, in principle apply to several national minorities and persons affiliating with them, in reality only apply to one national minority, and only at local level. The legal provisions concerned thus grant persons belonging to national minorities other than the Polish minority only fictitious rights. In addition, it needs to be kept in mind that the censuses have repeatedly failed to produce data accepted by minority representatives. In practice, the thresholds limit the application of provisions of the Framework Convention. Moreover, they constitute an insurmountable and hence disproportionate obstacle for persons belonging to most national minorities which is not in conformity with the right to equality before the law and of equal protection of the law enshrined in Article 4 of the Framework Convention. Bearing in mind the aforementioned Committee of Ministers recommendation,<sup>20</sup> the Advisory Committee considers it essential for the authorities not to further make rights of persons belonging to national minorities dependent on thresholds based on the census results (10% or 5%). Instead, it is important to ensure that those rights enshrined in the Framework Convention which are

<sup>14</sup> In conformity with Section 14(1) of Act No 561/2004 on Pre-school, Basic, Secondary, Tertiary Professional and other Education, a local committee for national minorities has to be established.

<sup>15</sup> Act No 128/2000 on Municipalities, Act No 129/2000 on Regions; see [Sixth report](#) submitted by the Czech Republic, p. 16.

<sup>16</sup> See [Recommendation CM/RecChL\(2024\)3 of the Committee of Ministers](#) on the application of the European Charter for Regional or Minority Languages by Czechia adopted on 1 July 2024.

<sup>17</sup> Information provided during the meeting with the Advisory Committee's delegation on 28 June 2024.

<sup>18</sup> See [ACFC Thematic Commentary No. 3](#), paras. 65-66.

<sup>19</sup> [ACFC Thematic Commentary No. 4](#), para. 12.

<sup>20</sup> See [Recommendation CM/RecChL\(2024\)3 of the Committee of Ministers](#) on the application of the European Charter for Regional or Minority Languages by Czechia adopted on 1 July 2024 (“The Committee of Ministers (...) [r]ecommends that the Czech authorities (...): 1. amend the relevant legislation with a view to replacing the 10% threshold concerning the use of the regional or minority languages with a more flexible and less restrictive arrangement”).

currently dependent on census results are implemented for persons belonging to the national minorities concerned on a sustainable basis. The authorities could, in co-operation with representatives of the national minorities concerned, determine policy measures for each national minority, taking into account its individual situation, its diverse needs and interest and the demographic structure of the area inhabited by persons belonging to this national minority over a longer period than the census intervals, and implement minority rights on a sustainable basis in these core areas. Such an approach would also respect the principle that every person belonging to a national minority has the right to free self-identification.

49. As regards the institutional set-up, the joint office of the Government Council for National Minorities, which has a staff of one officer and one assistant post, and the Government Council for Roma Minority Affairs (three officers and one assistant post) co-ordinates the minority policy within the Office of the Czech Government and the respective work of other national authorities. It has elaborated the Strategy of Roma equality, inclusion and participation (Roma Integration Strategy) 2021-2030, which was adopted in 2021, and is mainly in charge of its implementation (see Articles 6, 12 and 15).<sup>21</sup> In this capacity, it continuously monitors the implementation status of the strategy based on its indicators and reports on it to the government, the European Commission and the public. It also acts as the National Contact Point for Roma Integration.<sup>22</sup>

50. In 2022, the new institution of Government Commissioner for Roma Minority Affairs with a secretariat (2.5 posts) was set up, implementing a commitment contained in the Roma Integration Strategy 2021-2030. The establishment of this minority-specific institution was seen as necessary in light of the high number of planned measures relating to the protection of rights of persons belonging to the Roma minority and the responsibility of various state administration bodies.<sup>23</sup>

51. During the Advisory Committee's visit, minority representatives expressed concern over the fact that the office of the Government Council for National Minorities is severely understaffed, which means that many matters are only processed with delay or not at all.

52. The Advisory Committee recalls that governmental institutions dealing with minority issues must have the human and financial resources at their disposal to effectively perform these tasks. Furthermore, the Advisory Committee reiterates that "[i]t is essential that all relevant governmental institutions [are] aware of the needs of persons belonging to national minorities and that minority issues [are] mainstreamed in the work of [these] governmental services."<sup>24</sup>

53. The Advisory Committee welcomes the establishment of the institution of Government Commissioner for Roma Minority Affairs and notes that it provides, in conjunction with the Government Council for Roma Minority Affairs (see Article 15), a solid institutional and staff basis for the design, adoption and implementation of measures protecting the rights of persons belonging to the Roma minority. At the same time, the Advisory Committee regrets that less than a third of the staff of the Government Commissioner and the Government Council for Roma Minority Affairs is available to the Government Council for National Minorities. It is therefore of particular importance to also strengthen the staff capacity of the national authorities responsible for the matters of persons belonging to national minorities other than Roma.

## Recommendations

**54. The Advisory Committee urges the authorities to amend the relevant legislation with a view to regulating access to certain minority rights with a more flexible and less restrictive arrangement, ensuring that persons belonging to national minorities can enjoy the rights enshrined in the Framework Convention on a sustainable basis and taking into account the demographic situation of the national minority concerned over a longer period of time.**

55. The Advisory Committee encourages the authorities to increase human resources to enable the national authorities responsible for the matters of persons belonging to national minorities, in particular the Government Council for National Minorities, to fulfil their mandate.

<sup>21</sup> [Strategy of Roma equality, inclusion and participation \(Roma Integration Strategy\) 2021–2030](#).

<sup>22</sup> See on the [government website](#); information provided by the authorities on 6 September 2024.

<sup>23</sup> See [Sixth report](#) submitted by the Czech Republic, pp. 72-73; [press release](#) on the Government Commissioner for Roma Minority Affairs, 26 October 2023; information provided by the authorities on 6 September 2024.

<sup>24</sup> See [ACFC Thematic Commentary No. 2, Effective participation of persons belonging to national minorities in cultural, social and economic life and public affairs](#), adopted on 27 February 2008, para. 105.



## Legal and institutional framework for combating discrimination and promotion of full and effective equality (Article 4)

56. The Anti-Discrimination Act (Act No 198/2009) contains provisions prohibiting direct and indirect discrimination on the grounds of, *inter alia*, “ethnic origin” and “nationality” in the fields of employment, health care, education, welfare, access to goods, services and housing, and establishes courts’ jurisdiction in alleged cases of discrimination.<sup>25</sup> In 2024, the government adopted a legally non-binding definition of “antigypsyism” derived from the International Holocaust Remembrance Alliance, thereby fulfilling one of the objectives of the Roma Integration Strategy 2021-2030. “Antigypsyism” as a “specific form of racism” is defined as individual and institutional acts that lead to the exclusion or marginalisation of Roma, the devaluation of their culture and way of life, physical violence or expressions of hatred directed against them.<sup>26</sup>

57. The Public Defender of Rights (Ombudsperson) is the independent equal treatment and anti-discrimination body and has been designated as the equality body by the Anti-Discrimination Act. Its office is located in Brno and has no regional branches. The mandate of the Public Defender of Rights has not changed in the sixth monitoring cycle: the institution can conduct enquiries into the activities of specific authorities and other public institutions and may issue a report summarising the findings. The authorities are obliged to co-operate with the Public Defender of Rights and to inform her/him of their remedial measures. Moreover, the office-holder can assist victims of discrimination in submitting cases to courts, but cannot represent them in court or initiate court proceedings. With regard to alleged discrimination in the private sector, the Public Defender of Rights can only request a statement from the relevant private entities which are, however, not obliged to co-operate.<sup>27</sup> The Public Defender of Rights is a member of the Government Council for National Minorities and the Government Council for Roma Minority Affairs. The budget of the Public Defender of Rights has not been increased during the monitoring cycle.<sup>28</sup>

58. According to the Public Defender of Rights, the number of complaints of discrimination on grounds of “nationality” received by it has grown since 2021 (2021: 13 complaints, 2022: 41, 2023: 41, first half of 2024: 15). A number of complaints have concerned access of Roma to housing (see Article 15), and some information requests concerning national minority rights were also received.<sup>29</sup> The Public Defender of Rights has published several leaflets about its activities and individual topics in Ukrainian. Some leaflets have also been published in other minority languages such as Bulgarian, German, Romani (on discrimination and enrolment in school), Russian and Vietnamese. Several of these publications address *de facto* migrants, for example refugees from Ukraine. According to the Public Defender of Rights, applicants can use every language in contacts with its office, which will reply in the language of the request.

59. The Act on the Public Defender of Rights is being amended with a view to establishing the institution of an independent Children's Ombudsman. The new institution shall *inter alia* monitor the fulfilment of children's rights in different spheres of life, intervene in the event of a threat to such rights and raise awareness of children's rights. It will share staff and facilities with the Public Defender of Rights who has been involved in the preparation of the legislation. The joint office shall also perform the role of National Human Rights Institution (NHRI).<sup>30</sup>

60. In 2021, Act No 297/2021 was adopted to provide lump-sum payments of CZK 300 000/€ 11 928<sup>31</sup> to persons “sterilised in conflict with the law”, which was particularly relevant for Roma women sterilised in the period from 1966 to 2012.<sup>32</sup> Each application for the lump-sum payment is subject to an administrative proceeding where supporting evidence is assessed. By the end of the deadline for applications on 1 January 2025, the Ministry of Health had received 2 266 applications, of which 1 552 applications have been settled. In 720 cases, the applications were granted, and the lump-sum payment was made. In 576 cases, the applications were rejected.<sup>33</sup> The reason for rejection of applications is usually the applicants’ inability to provide evidence that the sterilisation was carried out in conflict with the law, for example because hospitals have destroyed the medical reports. An appeal can be lodged

<sup>25</sup> The Anti-Discrimination Act transposed into Czech legislation *inter alia* the European Council Directive on Racial Equality (2000/43/EC) and the European Council Directive on Employment Equality (2000/78/EC).

<sup>26</sup> See [Czech Govt adopts definition of antigypsyism](#), says there is no place in the Czech Republic for anti-Roma attitudes, [romea.cz](#), 10 April 2024.

<sup>27</sup> See European Commission against racism and intolerance (ECRI) [Report on the Czech Republic](#), 6<sup>th</sup> monitoring cycle, adopted on 1 October 2020, para. 2.

<sup>28</sup> See [Sixth report](#) submitted by the Czech Republic, p. 35.

<sup>29</sup> See Public Defender of Rights, [annual report](#) 2023, p. 120, and additional data provided by the Public Defender of Rights.

<sup>30</sup> See Public Defender of Rights, [annual report](#) 2023, p. 44.

<sup>31</sup> Exchange rate of 13 September 2024.

<sup>32</sup> European Roma Rights Centre: [Coercive and cruel. Sterilisation and its Consequences for Romani Women in the Czech Republic \(1966-2016\)](#), November 2016. See also [Parliamentary Assembly of the Council of Europe, Resolution 1945 \(2013\)](#) adopted on 26 June 2013 and the [Report on “Putting an end to coerced sterilisations and castrations”](#), [Doc. 13215](#) of 28 May 2013.

<sup>33</sup> Situation on 2 January 2025, see [Over 2,200 women request compensation for illegal sterilisation](#), ČTK, 7 January 2025.

against the decision of the ministry, and an action may be brought before the administrative courts against the decision of the Ministry of Health on the appeal.<sup>34</sup>

61. During the Advisory Committee's visit, representatives of the Public Defender of Rights stated that its activities relating to national minorities concern primarily Roma. In particular, the office had received complaints about the way in which applications for compensation of Roma women for unlawful sterilisations were processed and carried out related enquiries in 2023 and 2024. It found that the Ministry of Health does not process the applications within the timeframe established by the law, partly due to lack of administrative staff combined with a higher number of applications than expected, and that the ministry provides inadequate information to those affected about their rights, does not communicate sufficiently with applicants and insists too much on evidence such as medical reports. The Public Defender of Rights recommended to raise awareness of the compensation mechanism among Roma women, shorten the procedure and accept additional forms of evidence permitted by the law, such as testimonies and diary entries.<sup>35</sup>

62. In July 2024, the Supreme Administrative Court found that the approach by the Ministry of Health disregards the meaning and purpose of the legislation, which is to ensure effective redress for sterilisations unlawfully carried out in the past.<sup>36</sup> If the applicant's medical records do not exist or are manifestly unreliable, it is sufficient if the applicant at least puts forward a *prima facie* case that she was unlawfully sterilised during the relevant period. In such a case, the administrative authorities will have to consider that the conditions for the award of compensation are satisfied unless they themselves prove that the facts alleged by the applicant could not have occurred. In December 2024, the Commissioner for Human Rights of the Council of Europe called on the Czech authorities to extend the deadline for submitting applications for compensation in order to, among other things, give applicants who have unsuccessfully applied for compensation at an earlier stage the opportunity to reapply and benefit from the case law developed by the courts.<sup>37</sup> In 2025, the parliament adopted a law extending the deadline for applying for compensation until 2 January 2027.<sup>38</sup>

63. The interlocutors of the Advisory Committee acknowledged a lack of awareness of the Public Defender of Rights' work among persons belonging to national minorities while also stating that the institution does not address them with specific awareness raising measures. The co-operation with authorities is considered good, even if the pace of implementation of recommendations of the Public Defender of Rights is slow, partly due to understaffing of authorities.

64. The Advisory Committee was also informed that there exists strong political opposition to Czechia ratifying the Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention).<sup>39</sup>

65. The Advisory Committee reiterates that full and effective equality of persons belonging to national minorities as enshrined in Article 4 of the Framework Convention requires a functioning anti-discrimination framework with institutions that are adequately resourced and have a sufficiently broad mandate and competencies to effectively support victims in achieving legal remedy. It further underlines the importance of awareness-raising among persons belonging to minorities in general, and in particular those communities most exposed to discrimination such as the Roma, on the legal remedies available to them in case of alleged discrimination.<sup>40</sup>

66. The Advisory Committee notes that certain limitations in the mandate of the Public Defender of Rights continue to weaken its ability to combat discrimination. In particular, the Public Defender of Rights does not have the mandate to monitor legislation.<sup>41</sup> The Advisory Committee considers that the

<sup>34</sup> See [Sixth report](#) submitted by the Czech Republic, p. 35.

<sup>35</sup> These aspects were also raised by the Commissioner for Human Rights of the Council of Europe: Report following her visit to the Czech Republic from 20 to 24 February 2023, [CommHR\(2023\)26](#), p. 5. See also [Czech ombudsman sharply criticizes Health Minister over poor implementation of the compensation process for forcibly sterilized women](#), [romea.cz](#), 2 October 2024.

<sup>36</sup> Supreme Administrative Court of the Czech Republic, [Case No. 9 As 61/2023](#), 4 July 2024.

<sup>37</sup> See the letters addressed to the presidents of both chambers of parliament and the Prime Minister of 3 December 2024 at [Czech Republic: the authorities should extend the law on compensation for victims of forced sterilizations](#).

<sup>38</sup> See [Czech President signs law extending opportunity to apply for compensation for forced sterilizations until 2 January 2027](#), [romea.cz](#), 27 June 2025.

<sup>39</sup> In January 2024, the Senate rejected by a very slim majority (two votes) the ratification of the Istanbul Convention. See [Czech Senate fails to ratify European treaty on violence against women](#), Reuters, 25 January 2024; [Women's rights in Poland and Czechia: seeing past the Istanbul Convention](#), [BalkanInsight](#), 7 February 2024; [Why is Czechia reluctant to ratify the Istanbul Convention?](#), [Czech Radio](#), 25 May 2023.

<sup>40</sup> See [Fifth Opinion](#) on the Czech Republic, paras. 60-61.

<sup>41</sup> The Committee of Ministers has recommended to Member States to ensure that ombudsman institutions can propose changes to legislation and propose legislative reforms, see [Recommendation CM/Rec\(2019\)6 of the Committee of Ministers to member States on the development of the Ombudsman institution](#), paras. 8 b, c, adopted by the Committee of Ministers on 16 October 2019. See also [ECRI General Policy Recommendation No. 2 revised on Equality Bodies to combat racism and intolerance at national level](#), adopted on 13 June 1997 and revised on 7 December 2017; [Principles on the protection and promotion of the Ombudsman institution \(the "Venice Principles"\)](#), adopted by the European Commission for Democracy through Law (Venice Commission) in March 2019 and endorsed by the Committee of Ministers on 2 May 2019, paras. 18-19.



commendable establishment of the institution of a Children's Ombudsman is an opportunity to revisit the mandate of the Public Defender of Rights, as well as the budget and staffing of the joint office of both ombudsperson institutions in line with ECRI's General Policy Recommendation No. 2 revised in 2017.<sup>42</sup>

67. As regards persons affiliating with national minorities, the Advisory Committee welcomes the Public Defender of Rights' continued work to combat discrimination of Roma in different areas. It should be emphasised in particular that the Public Defender of Rights firmly demands that Roma women who have been victims of unlawful sterilisation be compensated more quickly. However, although the Public Defender of Rights is represented in the Government Council for National Minorities, it hardly deals with national minority issues other than those affecting Roma and does not carry out special awareness-raising measures for persons belonging to such national minorities.

68. The Advisory Committee welcomes the adoption of Act No 297/2021 allowing for the compensation of Roma women sterilised in conflict with the law and the payment of lump-sums, which implements recommendations it made during the previous monitoring cycles. Furthermore, the Advisory Committee welcomes the judgment by the Supreme Administrative Court calling for ensuring effective redress for sterilisations unlawfully carried out in the past. In this context, it considers that the extension of the deadline is indispensable to guarantee effective redress for victims, as previously rejected applicants will have the opportunity to submit a new application on a clearer legal basis. The Advisory Committee reiterates its view that considering the long period that most victims have been waiting for compensation, it is essential that pending applications are resolved without further delay and that the compensation measures are implemented as a matter of priority. The Advisory Committee refers in this context also to the case law of the European Court of Human Rights which has determined that states have a positive obligation to ensure effective legal safeguards to protect women from non-consensual sterilisation, in particular Roma women, which may in some circumstances require the adoption of special measures and safeguards.<sup>43</sup>

69. The Advisory Committee notes with regret that Czechia has not yet ratified the Istanbul Convention and considers that ratification would permit the authorities to consolidate their legal framework relating to the prevention, prosecution and elimination of violence against women and domestic violence.

### Recommendations

**70. The Advisory Committee urges the authorities to ensure effective redress for sterilisations of women unlawfully carried out in the past and to compensate without further delay all victims.**

71. The Advisory Committee encourages the authorities to strengthen the mandate of the Public Defender of Rights and allocate the necessary resources to permit the institution to effectively fulfil its duties and also focus on national minority issues as they arise.

### Promotion of the culture of national minorities (Article 5)

72. The legal framework concerning the preservation and development of national minority cultures has not changed during the sixth monitoring cycle. Cultural activities of persons belonging to national minorities or concerning them are supported through annual grants. The national authorities announce grant procedures under the programmes "Support for cultural activities of persons belonging to national minorities" and "Support for the integration of persons belonging to the Roma minority". Both programmes also support educational activities, non-periodical publications and documentation in the field of culture. In the framework of the "Programme to support educational activities of national minorities", the authorities finance, among other things, literary competitions (e.g. the Ján Kollár Competition of the Slovak minority) and publications for children in minority languages (e.g. by the Association of Friends of the Polish Book). Furthermore, projects dedicated to notable persons belonging to the Slovak minority were supported under the grant programme "Support for Regional Cultural Traditions" and cultural activities concerning national minorities by the Ministry of Culture's "Separate Unit of Museums". Grants are also available to libraries for the purchase of literature in minority languages and for organising events presenting other cultures. The overall funding provided under the programme "Support for cultural activities of persons belonging to national minorities", from which persons affiliating with all national minorities except the Belarusian and Ruthenian have received grants, has decreased from CZK 10.2 million/€ 405 552 (2019) to CZK 10 million/€ 397 400 (2024).<sup>44</sup>

<sup>42</sup> ECRI General Policy Recommendation No.2 revised on Equality Bodies to combat racism and intolerance at national level - adopted on 13 June 1997 and revised on 7 December 2017.

<sup>43</sup> See *G.M. and others v. the Republic of Moldova*, no. 44394/15, para. 111, 22 November 2022.

<sup>44</sup> See [Sixth report](#) submitted by the Czech Republic, pp. 19-24.

73. As far as cultural facilities related to national minorities are concerned, the authorities continue to support the Museum of Romani Culture which regularly organises a variety of events (exhibitions, conferences, concerts) to raise awareness of Romani culture. During the monitoring cycle, the authorities also financed reconstruction works at the “Museum of Moravian Croats/Croatian House” in Jevišovka (CZK 29 286 233/€ 1 163 542), which had been bought by the Croatian authorities and put at the disposal of the Croat minority. The building hosts a collection of items about the history, culture and traditions of the Croat minority that was officially registered in the Central Register of Collections in 2024. The registration enables the minority association that runs the “Museum of Moravian Croats” to apply for grants from additional programmes of the Ministry of Culture. Collections registered under Act No. 122/2000 may receive institutional funding. In 2024/2025, the “Museum of Moravian Croats” was only open to the public upon request.<sup>45</sup> In addition, the city of Prague continues to support the House of National Minorities which provides national minority associations with space for exhibitions, performances and offices.

74. During the Advisory Committee’s visit, representatives of most national minorities expressed concern about reductions in funding in the field of national minority culture. Interlocutors mentioned that some national minorities depend on additional funding by their “kin-states”, for example the Croat minority. However, this possibility does not exist for certain national minorities such as Roma and, for political reasons, Belarusians. A persistent problem is seen in the fact that financial support is only project-based. Representatives of the Croat minority emphasised the great importance they attach to the “Museum of Moravian Croats/Croatian House”, which the Advisory Committee visited, for the preservation of the culture of the Croats in Moravia. However, they regretted that they have so far been unsuccessful in asking the national authorities to give this institution the status of a public museum and that they therefore lack the funds to cover its running costs. Furthermore, representatives of the Ukrainian minority expressed interest in the establishment of a centre devoted to their history and culture.

75. The Advisory Committee was also informed that no sustainable solution had yet been found to the long-standing<sup>46</sup> problem of preserving graves of the German minority (around 25-28% of all graves in Czechia),<sup>47</sup> of which a large number are in a poor and often disrespectful state. In 2016, the Government Council for National Minorities set up the “Working Group on the Situation of German (and Other) Graves in the Czech Republic”, which is now also dealing with the preservation of graves of persons belonging to the Russian and Ukrainian minorities at the Olšany Cemetery, its chapel and crypt as well as a crypt for Serbian war prisoners of the First World War. The preservation of graves of persons belonging to national minorities is according to interlocutors hampered by the fact that municipalities remain inactive, responsibilities are not clearly defined and financial resources have not been allocated.

76. The Advisory Committee recalls that the cultural institutions and activities of persons affiliating with national minorities, and the funding available for them, should be effective in promoting the conditions necessary for persons belonging to national minorities to develop their cultures, including languages, traditions and to protect their heritage. Making grants available solely on the basis of projects does not allow persons affiliating with national minorities to promote their national minority cultures on a regular and sustainable basis. Furthermore, the state party remains fully responsible for the implementation of its obligations under Article 5, regardless of possible additional support by other states.

77. The Advisory Committee welcomes that several grant programmes in different thematic fields allow to support cultural activities of persons affiliating with national minorities and in minority languages, including activities addressed to children. However, the overall funding granted to cultural activities of persons belonging to national minorities has decreased and reportedly limited the scope of activities organised. The Advisory Committee stresses the need for the authorities to ensure that their funding is sufficient to fully cover the needs and meet the interests of persons affiliating with the national minorities in the field of culture and that the national minorities do not have to rely only on financial support by their “kin-state”.

78. As regards cultural facilities related to national minorities, the Advisory Committee considers that the Museum of Romani Culture is an important institution that documents various aspects of Roma culture, raises awareness among the majority population and ensures the participation of persons belonging to the Roma minority in cultural life and the running of this institution. In addition, the fact that this museum receives long-term basic funding creates stable conditions necessary for persons belonging to the Roma minority to promote their culture, traditions and heritage. Persons affiliating with other national minorities lack comparable structures dealing with their cultures in a comprehensive manner and depend on project-based funding. However, project-based funding – if approved – does

<sup>45</sup> See [Sixth report](#) submitted by the Czech Republic, p. 34.

<sup>46</sup> Measures taken to preserve German graves are *inter alia* based on the 1992 German-Czechoslovak Treaty of Good Neighbourliness and Friendly Co-operation.

<sup>47</sup> See [“Deutsche Gräber sollen erhalten bleiben”](#) (German graves should be preserved), in: Landesecho, May 2023, pp. 18-19.

not support long-term activities and does not usually lead to the establishment of cultural structures (institutions or facilities) that are regularly dedicated to promoting national minority cultures. Consequently, the Advisory Committee is of the opinion that project-based funding alone does not create a sufficient and sustainable basis for the implementation of Article 5 of the Framework Convention.

79. Therefore, the Advisory Committee considers that in those areas which have been shaped by national minority cultures (e.g. the Croat minority), it would be in line with Article 5 if the national and relevant local authorities would provide support, including through long-term funding, for the establishment of institutional structures dedicated to promote and help develop national minority cultures. This would enable them to organise cultural activities and collect, present and publish their cultural works of that national minority and persons affiliating with it. In addition, it is important that mainstream cultural institutions in such areas, which are not dedicated to the respective national minority (e.g. museums, media and cultural centres, cinema), incorporate on a more regular basis the cultures of the locally present national minorities in their work (e.g. museum collections) and use the respective minority languages (e.g. on websites, in explanatory texts and audio-guides of museums). Mainstreaming the cultures of national minorities in the activities of general cultural institutions could have a positive impact on the quantity, sustainability, economic basis and reach of cultural activities related to national minorities. In addition, it could promote intercultural understanding with a view to enhancing the appreciation for national minorities in society at large and creating a climate where persons belonging to national minorities feel accepted as society's integral and valued part (see Article 6).

80. The Advisory Committee underlines that cemeteries and graves where persons belonging to national minorities are interred are part of the cultural heritage of these minorities and of the country as a whole. Not only do they bear witness to the often long presence of national minorities in the areas concerned, but their inscriptions in minority languages also increase the public visibility of these languages. In addition, it is a matter of piety and respect towards persons belonging to the national minorities to preserve such cemeteries and graves. The Advisory Committee therefore considers it necessary for the national authorities to adopt a comprehensive strategy that provides for documentation of the existing cemeteries and graves of persons belonging to the German minority as well as the Russian, Ukrainian and other minorities concerned, clarifies administrative responsibilities and provides the necessary support to the restoration measures.

### Recommendations

**81. The Advisory Committee calls on the authorities to support the creation of a sustainable structure for cultural activities for persons affiliating with individual national minorities requesting it, and in close consultation with them, and to provide these structures with the conditions, including long-term funding, for the collection, presentation and publication of cultural works, including in minority languages.**

82. The Advisory Committee encourages the authorities to adopt a comprehensive strategy for the preservation of cemeteries and graves where persons belonging to national minorities are interred, including the elaboration of an inventory of existing cemeteries and graves, the granting of monument status to them where appropriate, the establishment of a financial and technical support programme for local and other authorities carrying out the restoration measures, and the monitoring of progress at national level.

### Intercultural dialogue and mutual respect (Article 6)

83. Intercultural dialogue, mutual respect, understanding and co-operation among all persons living in Czechia are promoted through the Framework Educational Programme for Primary Education and the Framework Educational Programme for Secondary Education. The authorities are currently revising the framework educational programmes and, among other things, aim to include more teaching content about national minorities (see Article 12). In the cross-curricular subjects "A Citizen in a Democratic Society" and "Multicultural Education", pupils are, *inter alia*, acquainted with basic information on various ethnic and cultural communities living in Czechia and Europe.<sup>48</sup> In addition, projects aimed at combating ethnic intolerance, xenophobia and antisemitism are funded in the framework of the "Programme to support educational activities of national minorities".<sup>49</sup>

<sup>48</sup> With regard to references to Roma in curricula and textbooks, see Council of Europe (ed.), The Representation of Roma in European Curricula and Textbooks, report commissioned by the Council of Europe to the Georg Eckert Institute for International Textbook Research in partnership with the Roma Education Fund, 2020, pp. 11, 14, 15, 17, 18.

<sup>49</sup> See [Sixth report](#) submitted by the Czech Republic, p. 47.

84. In the field of culture, the authorities finance cultural programmes that aim to raise awareness of national minorities and persons affiliating with them, for example the Greek, Hungarian and Roma minorities.<sup>50</sup> In addition, several awareness-raising activities are carried out by museums, for example the Days of Jewish Culture (Art Museum Olomouc) which *inter alia* aim to contribute to eliminating antisemitism and religious intolerance.<sup>51</sup>

85. Museums have also taken action to commemorate historical persecution of persons belonging to national minorities. The Museum of Romani Culture is in charge of managing the site of the former (1939-1943) internment camp for Roma in Lety u Písku. In 2022, the buildings of the former pig farm built on this site in the 1970s were demolished, following a long-standing request by Roma representatives. The launch of the demolition works was attended by senior state representatives, including the President of the House of Deputies of Czech Parliament and the Minister of Culture, as well as Roma representatives. A memorial was opened in 2023, from where an educational trail leads to the former camp site. Moreover, a local information centre informs visitors about the former camp.<sup>52</sup>

86. In 2021, under the co-ordination of the Zubrnice Open-Air Museum and the Museum of Ústí nad Labem, gravestones from (pre-1945) German graves were rescued from a rubbish dump and exhibited in the city centre of Ústí nad Labem to address, as the authorities put it, the “problematic attitude of the current society to the issue of abandoned and dilapidating German cemeteries in general.”<sup>53</sup> The activities attracted nationwide media coverage and stimulated public debate. In addition, the Zubrnice Open-Air Museum has published a comic book for children that deals with the expulsion of Sudeten Germans.

87. As far as the media is concerned, the public broadcasters Czech Television and Czech Radio are obliged to create and disseminate programmes for all groups of people having regard, *inter alia*, to their freedom of religion and belief, culture, ethnic affiliation and identity with the aim of enhancing mutual understanding. In order to raise awareness of national minorities and persons affiliating with them, Czech Television broadcasts the programmes “Babylon” and “Sousedé” and Czech Radio broadcasts the programme “Mezi námi”, all in Czech. The authorities have also funded the production of television documentaries portraying personalities affiliating with national minorities.<sup>54</sup>

88. During the Advisory Committee’s visit, interlocutors from different national minorities pointed out that educational materials used in mainstream education pay insufficient attention to the increasingly diverse and multicultural society. With regard to the media, representatives of national minorities expressed general appreciation for the programmes “Babylon”, “Sousedé” (Czech Television) and “Mezi námi” (Czech Radio). At the same time, they noted that these programmes do not systematically focus on national minorities, which limits the impact of these broadcasts for awareness-raising about national minorities. Interlocutors suggested that the media should report more about national minorities and their activities with a view to raising awareness among the majority population and to opposing prejudices.

89. The Advisory Committee recalls that awareness-raising among the majority population about the national minorities and persons affiliating with them is of utmost importance and requires constant efforts in education, culture and the media. In the field of culture, national minorities should be reflected in the activities of appropriate mainstream cultural institutions (e.g. museums, theatres), by including topics related to them in state-supported films or by translating literary works of minority authors. With regard to media, the objectives of Article 6 mainly refer to awareness-raising in the mainstream media throughout the country.

90. The Advisory Committee welcomes that the authorities are aware of the importance of promoting intercultural dialogue and mutual respect among persons with different ethnic affiliations, which is reflected by the inclusion of these objectives in the curricula and funding for relevant projects. As regards the implementation of these curricula objectives, the Advisory Committee stresses again, as in the Fifth Opinion,<sup>55</sup> the importance of evaluating, in close co-operation with representatives of the national minorities, the effect of the cross-curricular subjects “A Citizen in a Democratic Society” and “Multicultural Education” for the promotion of intercultural dialogue. Regarding the revision of the framework educational programmes, the Advisory Committee refers to Article 12. With respect to the field of culture, the Advisory Committee appreciates that both cultural activities and intercultural facilities

<sup>50</sup> For example the festival for national minorities “Domovina” organised biannually as part of the International Folklore Festival, the World Roma Festival “Khamoro”, the Days of Hungarian Culture and the Greek Days, see [Sixth report](#) submitted by the Czech Republic, p. 35.

<sup>51</sup> Additional examples: Wallachian Open Air Museum: international festival “Roma Song”, international festival of Slovak folklore “Jánošík’s Ducat”; Moravian Museum: exhibition about the Greek minority; see [Sixth report](#) submitted by the Czech Republic, pp. 29-30, 32, 35.

<sup>52</sup> See [Sixth report](#) submitted by the Czech Republic, pp. 30-31, 33.

<sup>53</sup> [Sixth report](#) submitted by the Czech Republic, pp. 31-32.

<sup>54</sup> See [Sixth report](#) submitted by the Czech Republic, p. 40.

<sup>55</sup> See [Fifth Opinion](#) on the Czech Republic, para. 88.



(notably museums) raise awareness among the majority population of persons belonging to different national minorities and aim at eliminating ethnic intolerance.

91. The Advisory Committee welcomes that the buildings of the pig farm on the former internment camp for Roma in Lety u Písku have been demolished, in line with a long-standing request by Roma representatives, and that senior state representatives have demonstrated their support to this measure. The fact that the Museum of Romani Culture is in charge of managing the site, including local places of remembrance of the victims, is a commendable example of participation of persons belonging to the Roma minority.

92. The Advisory Committee also welcomes the initiatives of museums that use the example of dilapidated cemeteries to draw attention to the expulsion of most of the 3.3 million Sudeten Germans from 1945. However, there is a lack of a comprehensive national approach supported by leading state representatives for commemorating the expulsion. A central memorial would enhance this effort.

93. Regarding the media, the Advisory Committee notes that the programmes “Babylon”, “Sousedé” and “Mezi námi”, broadcast mainly in Czech and covering different national minorities and persons affiliating with them, have the potential to raise awareness about national minorities in society at large. However, there is a need to focus the topics covered by these broadcasts more on national minorities and persons affiliating with them as such, which could be achieved through extended consultation of representatives of the national minorities and involvement in the programme planning and production. In addition, it is beneficial to include awareness-raising of national minorities and persons affiliating with them and combating stereotypes and prejudice against persons affiliating with certain national minorities in the content and objectives of the training of media staff.

### Recommendation

94. The Advisory Committee encourages the authorities to evaluate, in close co-operation with representatives of the national minorities, the effect of the cross-curricular subjects “A Citizen in a Democratic Society” and “Multicultural Education” for awareness of national minorities as well as the promotion of intercultural dialogue, mutual co-operation and respect among all individuals in the society.

### Hate speech and hate crime (Article 6)

95. As regards the legal framework on hate speech and hate crime, Act No 40/2009 (Criminal Code) covers several crimes in the area of incitement to violence, instigation of hatred and discrimination, including defamation of a national, ethnic or other group of persons (Section 355). In 2022, Act No 220/2021 introduced into the Criminal Code a new crime of dissemination of a work that depicts, captures or otherwise portrays symbols, slogans or representatives of a movement aimed at the suppression of human rights and freedoms, or advocating, *inter alia*, ethnic, national or religious hatred (Section 403a). In some cases, the hate motive is also a circumstance that justifies the use of a higher penalty rate. If the hate motive is not a direct characteristic of the facts of the case, it is a general aggravating circumstance which allows a higher penalty to be imposed on the perpetrator of any crime. At all levels of public prosecution, there are public prosecutors specialised in crimes committed out of ethnic hatred. In addition, training on hate crime has been organised for judges and public prosecutors.<sup>56</sup>

96. In the media, Act No 231/2001 on the Operation of Television and Radio Broadcasting provides that a broadcaster must not include programmes that can reinforce stereotypical prejudices regarding persons belonging to minorities or incite hatred on the grounds of, *inter alia*, colour, language or affiliation with a national minority. This also applies to commercial messages.<sup>57</sup> Supervision of the duty not to incite hatred on these grounds is exercised by the Council for Radio and Television Broadcasting, which has not imposed sanctions for non-compliance during the sixth monitoring cycle. In 2022, Act No 242/2022 on Video-Sharing Platform Services was amended and now imposes a duty on video-sharing platform providers to take measures to protect the public from programmes, user-generated videos and commercial communications containing incitement to violence or hatred directed against a group of persons or a member of a group, *inter alia*, on grounds of colour, ethnic affiliation, language, religion or belief and affiliation with a national minority and containing racist and xenophobic content. It amended *mutatis mutandis* also Act No 231/2001 on the Operation of Television and Radio Broadcasting (non-extension of a broadcaster’s licence) and Act No 132/2010 on On-demand Audiovisual Media Services.<sup>58</sup>

<sup>56</sup> See [Sixth report](#) submitted by the Czech Republic, pp. 25-26.

<sup>57</sup> Act No 132/2010 on Audiovisual Media Services contains similar provisions.

<sup>58</sup> See [Sixth report](#) submitted by the Czech Republic, pp. 20, 25.

97. At policy level, the Concept for Combating Extremism and Prejudicial Hatred 2021-2026 seeks to improve the protection of potential victims of hate speech and emphasises the punishment of hate crimes on the internet. Several measures were taken to address specifically expression of intolerance towards Roma. The Roma Integration Strategy 2021-2030 includes a chapter dealing with antigypsyism. In addition, Roma are covered in the implementation plan of the Crime Prevention Strategy 2022-2027 as potential victims. The authorities also finance projects of regional and local authorities that deal with crime prevention and address mainly Roma, but also Ukrainian refugees as potential victims. During its visit, the Advisory Committee was informed that the Czech Police had implemented a campaign on employing Roma and appointed liaison officers who act as mediators in contacts with Roma. In addition, training for police officers on hate speech, minority cultures and the identification of ethnic stereotypes has been organised. The Czech Police has also carried out awareness-raising activities regarding expression of intolerance towards Ukrainian refugees. Every year, the authorities support multi-ethnic events aimed, *inter alia*, at combating manifestations of extremism, and ethnic intolerance and xenophobia under the programmes “Support for cultural activities of persons belonging to national minorities” and “Support for the integration of persons belonging to the Roma minority”. The authorities collect quantitative data on hate speech and crimes which are, *inter alia*, published in an Annual Report on Extremism.<sup>59</sup>

98. According to official statistics, in the period from 2021 to mid-2024, “offences of intolerance” were committed against Ukrainians (116 offences, with an increase from two in 2021 to 27 in 2022), Roma (51), Jews (38), Russians and Ruthenians (15, including 12 in 2022), Germans (three), Vietnamese (two) and other “nationalities” (37). Six offences were committed due to religious intolerance towards Judaism and two towards Islam.<sup>60</sup>

99. During the Advisory Committee’s visit, representatives of the Russian minority reported an increase in hate speech targeting Russians on the internet due to the war of aggression of the Russian Federation against Ukraine. Interlocutors from the Belarusian minority stated that they have not had the same experience. Representatives of the German minority stated that underlying historical resentments in parts of society against the German minority continue to occur.

100. The Advisory Committee reiterates that it is an obligation of states parties to undertake appropriate measures to protect persons who may be subject to threats or acts of discrimination, hostility or violence as a result of their ethnic or religious identity. In this context, it is essential to limit the dissemination of intolerance through social media. “[T]he promotion of tolerance and openness towards diversity in society is (...) a central precondition for persons belonging to national minorities to self-identify as such without hesitation and proactively claim the rights contained in the Framework Convention.”<sup>61</sup>

101. The Advisory Committee welcomes that the authorities have developed further and updated the legal framework relating to hate speech and hate crime, including incitement to violence or hatred on grounds of affiliation with a national minority. The training organised for the judiciary helps to put in practice the new legal norms. Given that expression of intolerance towards Roma persists, the Advisory Committee appreciates the inclusion of measures preventing antigypsyism not only in the Roma Integration Strategy 2021-2030, but also in general policy documents. Furthermore, the recruitment and training measures organised by the Czech Police contribute to building trust between Roma and the police.

102. In comparison to the fifth monitoring cycle, the Advisory Committee notes that the number of “offences of intolerance” against Ukrainians and, to a lesser extent, Russians has increased. The increase in 2022 suggests that this development was triggered by the war of aggression of the Russian Federation against Ukraine, including by the arrival of large numbers of refugees from Ukraine in Czechia. While the number of “offences of intolerance” against Russians decreased again in 2023 and in the first half of 2024, it continued to rise in the case of Ukrainians. Against this background, the Advisory Committee welcomes that the national, regional and local authorities as well as the Czech Police, respectively, have carried out crime prevention projects and awareness-raising measures addressing Ukrainian refugees.

103. The Advisory Committee observes that expressions of negative attitudes against persons affiliating with certain national minorities such as Roma as well as migrants can have spillover effects on persons affiliating with those national minorities who at present are generally treated with respect. Therefore, the Advisory Committee reiterates its observation made in the Fifth Opinion<sup>62</sup> that there is a need to organise minority-specific awareness-raising campaigns, including in (social) media, that directly contradict existing stereotypes and promote positive images of persons affiliating with those national minorities particularly concerned by such stereotypes in society (see also under Articles 6 and 12). It is

<sup>59</sup> See [Sixth report](#) submitted by the Czech Republic, pp. 19, 21, 35.

<sup>60</sup> Information provided by the authorities, 6 September 2024.

<sup>61</sup> [ACFC Thematic Commentary No. 4](#), para. 53.

<sup>62</sup> See [Fifth Opinion](#) on the Czech Republic, paras. 96-97.

also essential to ensure that the legal standards, especially those recently introduced, and the legal remedies against hate speech and hate crime are widely known to the public, in particular amongst persons affiliating with national minorities that are most exposed to such behaviour. In addition, training for law enforcement agents and the judiciary need to be pursued and the effects of this training be evaluated, in co-operation with representatives of national minorities. The Advisory Committee refers to the relevant Council of Europe recommendations that offer guidance on combating hate speech and hate crime.<sup>63</sup>

### Recommendation

**104. The Advisory Committee calls on the authorities to pursue their efforts to combat stereotypes and prejudice against persons affiliating with minorities, including through minority-specific awareness-raising campaigns (e.g. in social media). Furthermore, the Advisory Committee calls on the authorities to publicly condemn and, in cases of criminal relevance, effectively prosecute and sanction all instances of hate speech and anti-minority rhetoric in the public discourse.**

### Minority broadcast, print and digital media (Article 9)

105. The right to distribute and receive information in a minority language is guaranteed by Act No 46/2000 on Rights and Obligations for the Publishing of Periodicals.<sup>64</sup> Act No 231/2001 on the Operation of Television and Radio Broadcasting (Section 17.1g) provides that the granting of broadcasting licences takes into account the contribution of the applicant to the development of the culture of national, ethnic and other minorities. At present, the authorities are preparing an amendment to Government Regulation No 98/2002 with a view to enabling the financing of new digital media. The production of radio and television shows can be supported through a grant programme (“Support for the dissemination and receipt of information in the languages of national minorities”) whose budget has decreased from CZK 24 850 000/€ 988 036 (2021) to CZK 21 150 000/€ 840 400 (2024).<sup>65</sup>

106. In practice, the public broadcast media provide for a weekly programme in Polish on Czech Television (8-10 minutes) where also Slovak is used to a limited extent in a programme (“Objektiv”). Czech Radio offers a programme in German (called “Nachbarn”, weekly, 12-15 minutes), Polish (“Wydarzenia”, five days/week, 26 minutes) and Slovak (“Stretnutie”, three times/week, 15-55 minutes). In addition, programmes in Romani are broadcast on “Radiožurnál” and on Czech Radio Region three times per week (55 minutes in total). In the private media, a radio programme in Slovak is broadcast on “Radio Prostor” at irregular intervals. In 2024, the authorities undertook to launch public and private television and radio programmes in German.<sup>66</sup>

107. As far as print media are concerned, the newspaper “Głos” addresses persons belonging to the Polish minority in Polish and is published two days a week with financial support from the state. Furthermore, in 2024 the authorities undertook to support the creation of a newspaper in German. Almost all national minorities<sup>67</sup> publish at least one state-funded magazine or bulletin in their languages at biweekly, monthly or less frequent intervals. For example, the Roma minority produces the biweekly magazine “Romano hangos” and the youth magazine “Kereka”. “Roden glas”, the periodical of the Bulgarian minority, appears five to six times per year. An amendment to Government Decree No 98/2002, which had been planned to enter into force in the first half of 2025, shall enable the financing of digital media in minority languages.<sup>68</sup>

108. During the Advisory Committee’s visit, representatives of the Slovak minority regretted that no action had been taken by Czech Radio to extend the duration of the programme in Slovak. Representatives of the Belarusian, Hungarian and Vietnamese minorities noted that the authorities focus their support for national minority media on print media, especially magazines, but do not support digital media. In this context, representatives of the Belarusian minority mentioned that they had raised the Advisory Committee’s recommendation from the Fifth Opinion on digital media<sup>69</sup> with the authorities in order to obtain funding for a podcast for language learning. Representatives of the Hungarian minority observed that the magazines of national minorities would have a wider reach if they were all published

<sup>63</sup> Recommendation [CM/Rec\(2024\)4](#) of the Committee of Ministers to member States on combating hate crime; Recommendation [CM/Rec\(2022\)161](#) of the Committee of Ministers to member States on combating hate speech.

<sup>64</sup> Act No 231/2001 on the Operation of Television and Radio Broadcasting, Act No 483/1991 on Czech Television, Act No 484/1991 on Czech Radio and Act No 132/2010 on Audiovisual Media Services contain provisions relevant, *inter alia* for the content of broadcasts for and about national minorities.

<sup>65</sup> See [Sixth report](#) submitted by the Czech Republic, pp. 38-41; information provided by the authorities on 6 September 2024.

<sup>66</sup> In 2024, Czechia [notified](#) the Council of Europe that it will apply additional undertakings of the European Charter for Regional or Minority Languages (Part III) to German in eight districts located in six regions.

<sup>67</sup> Bulgarian, German, Greek, Hungarian, Polish, Roma, Russian, Ruthenian, Serb, Slovak, Ukrainian and Vietnamese minorities.

<sup>68</sup> See [Sixth report](#) submitted by the Czech Republic, pp. 39-40; information provided by the authorities on 6 September 2024.

<sup>69</sup> See [Fifth Opinion](#) on the Czech Republic, para. 109.



online. Representatives of the German minority stated that they had submitted proposals to the authorities for the introduction of television and radio programmes and a daily online news portal of the magazine "Landesecho" in German. These issues were discussed during the follow-up meeting in 2022 but remain pending at the time the opinion was drafted.

109. The Advisory Committee reiterates that in order for public service broadcasting to reflect the cultural and linguistic diversity existing within society, it must guarantee an adequate presence of persons belonging to minorities and their languages, including numerically smaller national minorities. The availability of broadcast, print and digital media for national minorities and in minority languages is essential in different respects. "[T]he possibility [for persons belonging to national minorities] to receive (...) information in [their] language (...) is a precondition for equal and effective participation in public, economic, social and cultural life."<sup>70</sup> Minority media raise the visibility and awareness of the national minorities as well as the prestige of the minority language as an active tool of communication in the society. These aspects also encourage persons belonging to national minorities to self-identify as such and to use the minority language in daily life. In order to reach out to the national minority as a whole, media in minority languages should cover content from various genres (e.g. local and national news, entertainment, culture) and address different generations. The regularity and duration of such broadcasts and the publication intervals of print or digital media in minority languages should be adequate to achieve the aforementioned objectives and contribute to the development of the minority language.<sup>71</sup>

110. With regard to the broadcast media, the Advisory Committee notes that of the 15 national minorities, only one is addressed by a dedicated public television programme in its language, four national minorities by public radio programmes and one by a (irregularly broadcast) programme in the private broadcast media. In addition, the Advisory Committee maintains its evaluation expressed in the Fifth Opinion<sup>72</sup> that the duration of the public radio programmes in German, Romani and Slovak is insufficient in terms of meeting the needs and interests of the relatively high number of speakers of these minority languages, in particular considering the fact that there is hardly any private radio broadcasting available in minority languages. Against this background, the Advisory Committee considers that there is a need to allocate dedicated time slots for television programmes to be broadcast for individual national minorities at regular intervals in their languages and extend the duration of the radio programmes in minority languages. In addition to public broadcasting, private radio and television programmes in these minority languages could diversify the general media offer. As far as the numerically smaller national minorities are concerned, the Advisory Committee considers that it would be important for the authorities to consult their representatives about existing needs and interests regarding the creation of media broadcast for them, by them and in their languages.

111. In the area of print media, the Advisory Committee observes that only one national minority newspaper ("Głos") exists. Although it is to be welcomed that all national minorities except for Belarusians and Croats publish at least one state-funded magazine or bulletin in their language, including a Roma youth magazine, these magazines do not contain news as such due to their irregular publication intervals, but have rather a cultural purpose. Furthermore, the Advisory Committee is concerned to learn that the Roma magazine "Romano hangos" is under threat of ceasing publication.

112. The Advisory Committee notes that digital and social media offer considerable potential to make audiovisual productions and news(paper) content relevant for persons affiliating with national minorities and available in minority languages at a lower cost than is incurred by traditional (including print) media and irrespective of broadcasting hours. Such media could complement the offer already available in some minority languages and facilitate the launch of media in minority languages with fewer speakers. The Advisory Committee therefore welcomes the authorities' continued intention to amend Government Regulation No 98/2002 with a view to enabling the financing of new digital media, as recommended by the Advisory Committee in its Fifth Opinion.<sup>73</sup>

## Recommendations

**113. The Advisory Committee calls on the authorities to allocate to interested national minorities time slots for television programmes to be broadcast at regular intervals in their languages, extend the duration of the radio programmes in minority languages and consult representatives of numerically smaller national minorities about their needs and interests regarding relevant media production in their languages.**

<sup>70</sup> [ACFC Thematic Commentary No. 3](#), para. 40.

<sup>71</sup> See also [ACFC Thematic Commentary No. 3](#), paras. 40-41; [ACFC Thematic Commentary No. 4](#), para. 69.

<sup>72</sup> See [Fifth Opinion](#) on the Czech Republic, para. 105.

<sup>73</sup> See [Fifth Opinion](#) on the Czech Republic, paras. 107, 109.

114. The Advisory Committee encourages the authorities to take the necessary legal and practical measures to extend funding to new digital media relevant for persons affiliating with national minorities and produced in minority languages, including news portals.

### Use of minority languages with administrative and judicial authorities (Article 10)

115. At the constitutional level, the Charter of Fundamental Rights and Freedoms guarantees to citizens belonging to national minorities the right to use their language in communication with authorities (Article 25).<sup>74</sup> The procedure of executive authorities, local and regional authorities as well as other bodies, legal and natural persons who exercise power in public administration is governed by the Code of Administrative Procedure (Act No 500/2004). In accordance with its Section 16(1), parties to an administrative procedure may communicate and file submissions in Slovak, which puts this language on an equal footing with Czech in this context.<sup>75</sup> According to its Section 16(4), a Czech citizen belonging to a national minority that has traditionally and for a long time<sup>76</sup> lived in the territory of Czechia has the right to address an administrative authority and proceed before it in the minority language. If the administrative authority does not have an official who knows the minority language, the applicant shall arrange for an interpreter from a list of interpreters. The costs of interpretation and translation shall be borne by the administrative authority. In practice, the Polish language is used in dealings with, and by, local authorities located in areas inhabited by persons belonging to the Polish minority traditionally in the Frýdek-Místek and Karviná districts. Travel information at railway stations can also be provided in a minority language if in the municipality concerned at least 10% of the population affiliated with the respective national minority in the last two censuses and this measure is requested by the representatives of this minority through a local committee for national minorities (which must support the request) or by an association representing the minority and which has been active in the municipality for at least five years.<sup>77</sup> Announcements in Polish are made at railway stations or stops in 14 municipalities located in the Frýdek-Místek and Karviná districts.<sup>78</sup> Contrary to the Advisory Committee's recommendation in the fifth monitoring cycle,<sup>79</sup> access to this right was not simplified during the sixth monitoring cycle.

116. Following an amendment to Act No 301/2000 on registry offices, name and surname (Registry Offices Act) in 2023, it is possible to make a declaration of marriage or registered partnership in a minority language if in the last two censuses at least 10% of the residents of the municipality where the declaration is being made declared their affiliation with the national minority concerned, both persons request it, and the official and the registrar have a command of the minority language.<sup>80</sup> However, the protocol on the conclusion of the marriage and the entry into registered partnership is always drawn up in Czech.

117. In accordance with the Code of Criminal Procedure (Section 2(14)), anyone who declares not having a command of Czech has a right to use their “mother tongue” or a language they indicate as one they have a command of before the law enforcement authorities. The authorities point out that the accused is not obliged to prove the lack of command of Czech in such cases, and that the law enforcement authority is not authorised to examine the level of knowledge of Czech. All documents strictly necessary to inform the accused of the facts on which the charge is based must be translated into the language of the accused if necessary to ensure a fair trial (Section 28(2), (4)). The expenses for the interpreter are borne by the state (Section 151(1)). Statements of the accused made in a minority language must be used by the court. A proposal for a new Code of Criminal Procedure shall grant an accused belonging to a national minority the right to file petitions and conduct proceedings in a minority language, if the person declares the wish to use that language. The accused will be able to use the minority language in criminal proceedings even if he/she has a command of Czech.<sup>81</sup>

118. During its visit, the Advisory Committee was informed by representatives of the Vietnamese minority that many interpreters used by them are not included in the official list of interpreters, which makes it difficult for persons belonging to this minority to use them in their contacts with the authorities. The matter has been brought to the attention of the authorities, but a resolution is pending. Furthermore, requests for the use of their minority languages in relations with national, regional and local administrative authorities have been made by representatives of the Polish, Slovak and German minorities, among other things to promote the use of their languages in public life.

<sup>74</sup> See Parliament of the Czech Republic, [Charter of Fundamental Rights and Freedoms](#).

<sup>75</sup> See [Sixth report](#) submitted by the Czech Republic, p. 42.

<sup>76</sup> The authorities define the Croat, German, Polish, Roma and Slovak minorities as traditional national minorities.

<sup>77</sup> Decree No 78/2017 of 3 March 2019.

<sup>78</sup> See [Sixth report](#) submitted by the Czech Republic, p. 69.

<sup>79</sup> See [Fifth Opinion](#) on the Czech Republic, para. 115.

<sup>80</sup> See [Sixth report](#) submitted by the Czech Republic, p. 43.

<sup>81</sup> See [Sixth report](#) submitted by the Czech Republic, pp. 17, 41.

119. The Advisory Committee reiterates that “the rights of Article 10(2) are triggered by one of the two main criteria (substantial number or area traditionally inhabited) [and therefore] apply also to areas where only a relatively small percentage of persons belonging to national minorities reside, provided that persons belonging to national minorities traditionally inhabit the areas concerned, that there is a request by these persons, and that such a request corresponds to a real need.”<sup>82</sup> Furthermore, the Advisory Committee reiterates that one of the preconditions for the preservation of a minority language as an essential element of the identity of a national minority and its transmission is that the given language remains fully functional in all areas of daily life, including the field of administration. “A threat to the functionality of the minority language as a communication tool in a given region is sufficient to constitute a ‘need’ in terms of Article 10.2 of the Framework Convention.”<sup>83</sup> Therefore, it is important that persons belonging to national minorities can effectively use their minority language in relations with administrative authorities. To this effect, the authorities should take practical measures enabling the use of minority languages. The recruitment of civil servants mastering the minority language, including persons belonging to the national minority concerned, is also a way of promoting national “minority participation in public administration.”<sup>84</sup>

120. The Advisory Committee welcomes that the Slovak language may be used in administrative proceedings in the same way as the Czech language. In addition, it notes that some aspects of Section 16(4) of the Code of Administrative Procedure may promote the use of other traditional minority languages in dealings with the authorities. In particular, this provision creates the right to address “an administrative authority” in a minority language, which applies to all levels (local, regional, national) of administration. In addition, the fact that this right is not made dependent on the 10% threshold enables the use of these minority languages in all areas, irrespective of whether they are inhabited by persons belonging to these national minorities traditionally or in substantial numbers. The absence of the 10% threshold in the Code of Administrative Procedure can serve as a model for several other laws containing provisions on persons belonging to national minorities. However, the right to use the minority language in dealings with the administrative authorities is significantly impaired by the fact that an applicant must provide an interpreter if no official speaks the minority language in question. In practice, those who make oral or written submissions to authorities are usually in contact with only one or a few specialised officials. Since the authorities have not taken specific measures to recruit officials able to work in minority languages, it may easily happen that the competent official does not master the minority language. In such a situation, it is unlikely that an applicant belonging to a national minority would undertake the effort to arrange herself/himself for the services of an interpreter, even if the authority provides a list of interpreters and covers the related expense, and accept a loss of time for processing the request. This cumbersome requirement thus discourages the use of minority languages in communication with authorities. Furthermore, the Advisory Committee notes that there is currently no legal basis allowing the use of non-traditional minority languages in areas inhabited by persons belonging to the national minorities concerned in substantial numbers, in accordance with Article 10(2) of the Framework Convention. At present, the practical application of Article 10(2) of the Framework Convention continues to be limited to persons belonging to the Polish minority as well as the level of local authorities and railway stations/stops in the Frýdek-Místek and Karviná districts.

121. The Advisory Committee considers it necessary that the authorities take steps to facilitate the implementation of Article 10(2) of the Framework Convention regarding persons belonging to national minorities other than the Polish minority and at all levels of administration (local, regional, national). The measures required concern notably human resources management (identification of existing staff able to communicate in a minority language, language training, recruitment of linguistically qualified staff, including persons belonging to the national minority concerned), provision for translation and interpretation, and financial assistance. Furthermore, there is a need for the authorities to carry out awareness-raising activities to make persons belonging to national minorities aware of the possibility to use their minority language, orally and in writing, in relations with authorities.

122. The Advisory Committee is pleased that the right to use a minority language has been extended to the procedure of concluding a marriage or registered partnership. However, implementation of this right depends on the 10% threshold, thereby following the Act on Municipalities (Section 29). The Advisory Committee considers it unfortunate that the 10% threshold requirement was included in a new legal provision at a time when it was known that only one national minority reaches this threshold. Considering that Article 10(2) of the Framework Convention applies in areas inhabited by persons belonging to national minorities traditionally or in substantial numbers, the Advisory Committee considers it important that the right to use a minority language in the procedure of concluding a marriage or registered partnership is not made dependent on the 10% threshold. In addition, the Advisory Committee notes that fulfilling the requirement that the official and the registrar have a command of the

<sup>82</sup> [ACFC Thematic Commentary No. 3](#), para. 56.

<sup>83</sup> [ACFC Thematic Commentary No. 3](#), para. 56.

<sup>84</sup> [ACFC Thematic Commentary No. 2](#), para. 160.

minority language is unrealistic for most national minorities as long as the authorities do not recruit persons able to work in minority languages (see preceding paragraph).

123. With regard to the right to the use of minority languages at railway stations and stops, the Advisory Committee regrets that the procedure determining the municipalities has not been simplified, which may discourage national minority representatives from making such a request. The Advisory Committee maintains its view that the simple nature of the travel information provided (e.g. departure time or travel direction) would justify extending access to it, including by simplifying the application procedure and by not making it dependent on compliance with the 10% threshold.<sup>85</sup>

124. As far as the use of minority languages before courts is concerned, it needs to be kept in mind that persons belonging to national minorities usually master Czech. However, in accordance with the Code of Criminal Procedure, the possibility to use a minority language is conditioned on the inability to speak Czech. Consequently, the Code of Criminal Procedure does not guarantee the right to use a minority language in criminal proceedings. This circumstance is not remedied by the fact that in practice the defendant's statements regarding her/his language skills are not checked for their truthfulness. The authorities are aware of this issue and have taken it into account in the preparation of the new Code of Criminal Procedure. While the Advisory Committee is not yet in a position to assess the new Code of Criminal Procedure, it nevertheless welcomes the authorities' intention to grant an accused the right to use a minority language in criminal proceedings even if he/she has a command of Czech.

### Recommendation

**125. The Advisory Committee calls on the authorities to facilitate the oral and written use of minority languages in contacts with the administrative authorities for persons belonging to national minorities, notably by identifying staff able to communicate in a minority language and recruiting linguistically qualified staff, and to raise awareness of this right among national minorities.**

### Use of personal names and display of topographical indications in minority languages (Article 11)

126. Following amendments to the Registry Offices Act, since 1 January 2022, women can request their surname to be used without the feminine ending of the Czech language and without the necessity to prove that they have an ethnic affiliation ("nationality") other than Czech. It is now also possible to change one's maiden name into a minority language name.<sup>86</sup>

127. During the Advisory Committee's visit, representatives of several national minorities stated that first names and surnames can be used in their minority language in conformity with the spelling of that language. According to representatives of the Hungarian minority, problems concerning the use of Hungarian diacritics have been solved. However, representatives of the Belarusian and Vietnamese minorities indicated recurring practical difficulties in the transliteration of names from Belarusian and Vietnamese. At the same time, the interlocutors from the Vietnamese minority confirmed that, contrary to the fifth monitoring cycle, it is now possible to use double surnames in Vietnamese.

128. The Advisory Committee recalls that the authorities need to take measures to remedy shortcomings relating to the transliteration of names and surnames of persons belonging to national minorities, including by making full use of contemporary technological facilities in the use of diacritics, so that the rights contained in Article 11 of the Framework Convention are fully guaranteed.

129. The Advisory Committee welcomes the extension of the right to use names and surnames in a minority language (use of surname without the feminine ending in Czech, change of maiden name into a minority language name) and that the right of women to use their surname in a minority language has been liberalised, as it is no longer necessary to prove one's affiliation with a national minority. As regards the spelling of personal names, the Advisory Committee appreciates the authorities' willingness to overcome practical shortcomings, as demonstrated in the case of the Hungarian language. With regard to persons affiliating with the Belarusian and Vietnamese minorities, the problems reported by their representatives are not of a legal or political nature. Rather, the authorities need to take practical measures, including the use of adequate text processing technology, to address the shortcomings in the transliteration of names from Belarusian and Vietnamese.

130. The legislation concerning the obligatory introduction of topographical indications in minority languages (Section 29(2) of the Act on Municipalities) has not changed during the sixth monitoring cycle. This obligation covers the name of the municipality, its districts, streets and other public spaces and the designation of state and local authority buildings and is dependent on whether at least 10% of

<sup>85</sup> See [Fifth Opinion](#) on the Czech Republic, para. 115.

<sup>86</sup> See [Sixth report](#) submitted by the Czech Republic, pp. 42-43.



the citizens of the municipality have declared their affiliation with the respective national minority in the last two censuses and on a request by representatives of the minority to the local authorities. A municipality may also voluntarily introduce topographical indications in a minority language irrespective of the local proportion of persons belonging to a national minority or other conditions. The grant programme “Support for the Implementation of the European Charter for Regional or Minority Languages” supports the production, installation and maintenance of signs and the production of related publications (e.g. digital or print maps with traditional place names).<sup>87</sup>

131. In practice, topographical and administrative signs in a minority language continue to exist only in Polish, namely in the 28 municipalities where the Polish minority meets the 10% threshold. In 2021, additional topographical indications in Polish were installed in the municipality of Hrádek/Gródek. In 2020, the umbrella association of the German minority applied for the introduction of signage in German to the two municipalities where persons belonging to this minority had reached the 10% threshold according to the 2001 and 2011 censuses (Horská Kvilda/Innergefild, Měděnec/Kupferberg), in accordance with the procedure laid down by law. The same application was submitted to the municipality of Kryštofovy Hamry/Christophhammer.<sup>88</sup> The minority representatives also applied to the state railway company České dráhy for the introduction of travel information (including place names) in German at local railway stops. However, the local authorities and České dráhy did not take the requested measures either before or after the 2021 census, according to which persons belonging to the German minority no longer reach the 10% threshold.<sup>89</sup>

132. During the Advisory Committee’s visit, representatives of the German minority complained that the municipalities of Horská Kvilda/Innergefild and Měděnec/Kupferberg had unlawfully refused to introduce signs in German before the 2021 census and that the latter municipality had even passed a corresponding local council resolution. In 2020, the minority representatives had asked the national authorities for support in enforcing their right, but they had not taken any action. At the follow-up seminar on the Framework Convention in 2022, the national authorities announced that they will encourage all municipalities located in the relevant areas traditionally inhabited by persons belonging to national minorities that do not meet the threshold to voluntarily introduce topographical indications. The German minority’s representatives would welcome that municipalities other than Horská Kvilda/Innergefild and Měděnec/Kupferberg voluntarily introduce signage in German if the national authorities actively support the identification of such municipalities and the negotiations with them.<sup>90</sup> Representatives of the Croat minority expressed general interest in signage in their language. However, they pointed out that the proportion of persons belonging to their minority in the municipalities in which they traditionally formed the majority population is now far below 10% due to the resettlement of Croats within Moravia in 1948. No application for the introduction of signage in Croatian has been made so far. Persons belonging to other national minorities do not traditionally use different names for places in Czechia in their minority languages and have not expressed any interest in (non-topographical) administrative signage in their language.

133. The Advisory Committee reiterates that topographical indications in minority languages contribute to the maintenance of the local linguistic and cultural heritage and raise awareness of local national minorities, conveying the message that a given territory is shared in harmony by different ethnic groups. If such indications depend on a threshold, the latter must not constitute a disproportionate obstacle with respect to certain national minorities, take due account of the specific conditions and consider the demographic structure of the area in question over a certain period.<sup>91</sup>

134. The Advisory Committee notes with satisfaction that topographical indications in Polish are displayed throughout the territory inhabited by persons belonging to the Polish minority traditionally and that the existing signposting is being extended, as in the municipality of Hrádek/Gródek. However, the Advisory Committee regrets that two municipalities did not comply with their obligation to introduce topographical indications in German before the 2021 census and that the national authorities did not enforce implementation. In view of its recommendation to this effect in the Fifth Opinion,<sup>92</sup> the Advisory Committee considers it essential that the national authorities implement their plan to contact all municipalities in which persons belonging to the German minority traditionally reside in substantial numbers and to encourage them effectively to introduce the topographical indications foreseen by Section 29(2) of the Act on Municipalities in German. In addition, travel information (including place names) in German should be provided at the railway stations or stops concerned. The Advisory

<sup>87</sup> See [Sixth report](#) submitted by the Czech Republic, pp. 43–44.

<sup>88</sup> In this municipality, persons belonging to the German minority reached the 10% threshold in the 2001 census, but fell one person short in the 2011 census.

<sup>89</sup> See [Sixth report](#) submitted by the Czech Republic, p. 45; [Fifth Opinion](#) on the Czech Republic, para. 119.

<sup>90</sup> As a first step, all municipalities in the regions of Carlsbad, Ústí nad Labem, Liberec, Pilsen, Hradec Kralove, Pardubice, Olomouc, South Bohemia and South Moravia shall be contacted; information by the authorities, 6 September 2024.

<sup>91</sup> See also [ACFC Thematic Commentary No. 3](#), para. 67.

<sup>92</sup> See [Fifth Opinion](#) on the Czech Republic, para. 124.

Committee also considers that other municipalities should be encouraged to introduce topographical signage in minority languages in areas traditionally inhabited by national minorities. Given the general interest of persons belonging to the Croat minority in signage in Croatian, it would be welcome if the national authorities and the municipalities traditionally inhabited by Croats in substantial numbers would consult their representatives on the type of signage that the municipalities could introduce voluntarily.

### Recommendations

135. The Advisory Committee strongly encourages the authorities to invite the municipalities in the areas traditionally inhabited by persons belonging to the German minority in substantial numbers to display their topographical names also in German and to provide for travel information (including place names) in German at the local railway stations or stops.

136. The Advisory Committee encourages the authorities to consult representatives of the Croat minority and other national minorities about the introduction of signage in their minority languages in the municipalities traditionally inhabited by persons belonging to such minorities in substantial numbers and to provide financial support.

137. The Advisory Committee asks the authorities to address the issues concerning the transliteration of personal names in the Belarusian and Vietnamese languages.

### Promoting knowledge about national minorities (Article 12)

138. According to the authorities, measures are taken in the fields of education and research to foster knowledge of the cultures, histories, languages and religions of national minorities. At present, the Framework Educational Programme for Primary Education and the Framework Educational Programme for Secondary Education are being revised to include, among other things, more teaching content about the histories, cultures and traditional settlement areas of national minorities. These topics are supposed to be taught from the fifth to the ninth grade of (upper) primary education. Each school adjusts the framework educational programmes and must ensure that competence goals (expected learning outcomes) are reached by pupils. The authorities told the Advisory Committee during its visit that they had invited experts on national minorities to contribute to the revision of the framework educational programmes, but none had participated. However, representatives of some national minorities, notably Roma, were consulted during the revision process. In the framework of the “Programme to support educational activities of national minorities”, the authorities finance, *inter alia*, publications for children and young people about cultural traditions and histories of national minorities.<sup>93</sup>

139. Support for research promoting knowledge of national minorities and persons affiliating with them is provided to specialised centres of higher education institutions (e.g. Law Faculty of Charles University, Prague) and the Czech Academy of Sciences. Furthermore, research on Roma culture, traditions and history can be funded through the grant programme “Support for the integration of persons belonging to the Roma minority”.<sup>94</sup> However, the Advisory Committee has not received a more detailed overview of research on different national minorities carried out by higher education institutions or through project funding during the monitoring cycle.

140. During the Advisory Committee’s visit, interlocutors representing several national minorities stated that educational materials used in mainstream education provide insufficient knowledge of the cultures and histories of individual national minorities. Representatives of the Slovak minority specified that the split up of Czechoslovakia and its consequences for national minorities are not well reflected in educational materials. Representatives of the German minority noted that educational materials provide little information about the expulsion of Sudeten Germans and the discrimination against persons belonging to the German minority in Czechoslovakia. There was a general impression among different minority interlocutors that educational materials do not present a picture of Czechia as a multicultural and integrative society.

141. The Advisory Committee reiterates that curricula and educational materials are key to raising awareness of national minorities and persons belonging to them. The absence of national minorities from curricula and educational materials contributes to their invisibilisation in public life, especially in situations where issues facing them do not occupy much space in societal discourse. While teaching basic information about national minorities to pupils belonging to the majority population will enhance intercultural dialogue (see Article 6), detailed information should be provided in educational institutions run by national minorities and/or attended by pupils from national minorities and in the mainstream schools of the regions where those minorities live. Curricula and educational materials should also be developed with the active participation of the representatives of the national minorities. This helps to

<sup>93</sup> See [Sixth report](#) submitted by the Czech Republic, pp. 48, 66-67.

<sup>94</sup> See [Sixth report](#) submitted by the Czech Republic, pp. 21, 46.

avoid the perpetuation of negative stereotypes while combating prejudice, superficial or oversimplified images and folklorisation of national minorities and persons who affiliate with them. Teachers at all relevant stages should also be trained regarding human rights, including minority rights.<sup>95</sup>

142. The Advisory Committee welcomes the authorities' intention to include more teaching content about the histories and cultures of national minorities in the revised framework educational programmes for primary and secondary education, which corresponds to a recommendation the Advisory Committee made in its Fifth Opinion.<sup>96</sup> At the same time, the Advisory Committee considers it unfortunate that it has not been possible to involve experts on national minorities in the revision of the framework educational programmes.

143. As far as the application of the framework educational programmes by schools is concerned, the Advisory Committee notes that schools are allowed to decide for themselves how to fulfil the conditions in the framework educational programmes and what they focus on in history lessons. However, the 'expected outcomes' are mainly focussed on the pupils' skills and not on their factual knowledge. The Advisory Committee is therefore of the opinion that the requirements of Article 12 to foster knowledge about the histories and cultures of the individual national minorities cannot be realised given the current leeway of individual schools and without guidelines on teaching content. Rather, it would be necessary to define mandatory requirements for schools regarding the factual knowledge to be taught, to monitor compliance with these requirements by the national authorities and to evaluate their effectiveness. As the comments from representatives of national minorities indicate, it is also necessary to include the teaching of the histories and cultures of individual national minorities in new educational materials and in teacher training programmes.<sup>97</sup> Moreover, the adoption by the authorities of a structured approach to research promoting knowledge of national minorities and persons who affiliate with them could strengthen the aforementioned measures in the field of education, but also support the implementation of the Framework Convention in other thematic fields.

### Recommendations

144. The Advisory Committee encourages the authorities to ensure, in close co-operation with the representatives of the national minorities, that curricula, teacher training and educational materials in mainstream education provide concrete information about the histories and cultures of the national minorities and persons who affiliate with them as well as their contribution to Czech society, taking into account the particular sensitivities associated with each case. Furthermore, the Advisory Committee encourages the authorities to ensure that detailed information about these topics is provided in educational institutions attended by pupils belonging to national minorities and in the mainstream schools attended by pupils affiliating with the Czech majority.

145. The Advisory Committee encourages the authorities to define mandatory requirements for schools concerning teaching about the cultures and histories of the individual national minorities, to monitor compliance with these requirements and to evaluate their effectiveness.

### Equal access to education for Roma (Article 12)

146. During the sixth monitoring cycle, the number of Roma children attending pre-school education has increased from 6 719 (school year 2020/2021) to 7 010 (2023/2024). In order to facilitate their inclusion in pre-school, "individual education" may be organised. Such education covers areas recommended by the kindergarten headteacher to the child's legal guardian, and the attainment of the goals by the child is verified during the school year. The legal guardian is obliged to bring the child to the verification, otherwise the headteacher will terminate individual education. Furthermore, the authorities have commissioned research to identify persistent obstacles to the implementation of compulsory pre-school education, including concerning the attitudes of legal guardians, the approach of kindergartens to education of children from socially disadvantaged backgrounds, financial support and the goals of pre-school education. Based on the results of the research, the authorities intend to take further measures to increase the share of Roma children in pre-school education.<sup>98</sup>

147. In the school years 2020/2021 and 2023/2024, approximately 98% of Roma pupils in primary schools were educated according to the "Framework Educational Programme for Primary Education". The share of those among the aforementioned Roma pupils who were educated under the "Framework

<sup>95</sup> See [ACFC Thematic Commentary No. 1 \(2024\) on education under the Framework Convention for the Protection of National Minorities, adopted on 31 May 2024, revising and replacing Thematic Commentary No. 1 \(2006\)](#), paras. 25, 26, 44; [ACFC Thematic Commentary No. 4](#), para. 60.

<sup>96</sup> See [Fifth Opinion](#) on the Czech Republic, para. 129.

<sup>97</sup> See also [Recommendation CM/Rec\(2020\)2 of the Committee of Ministers to member States on the inclusion of the history of Roma and/or Travellers in school curricula and teaching materials](#) adopted by the Committee of Ministers on 1 July 2020 at the 1380<sup>th</sup> meeting of the Ministers' Deputies.

<sup>98</sup> See [Sixth report](#) submitted by the Czech Republic, pp. 60-61.



Educational Programme for Primary Education *with modified outputs*<sup>99</sup> has increased from 11.9% (2020/2021) to 12.8% (2023/2024), and the share of these pupils among all pupils educated according to the latter framework educational programme has increased from 25.3% (2020/2021) to 29% (2023/2024). At the same time, the share of Roma pupils educated under that framework educational programme who were not educated in mainstream schools/classes has decreased from 75.7% in 2020/2021 to 74% in 2023/2024. The authorities consider this share “excessive”<sup>100</sup> and have commissioned a study to examine the causes of the ongoing segregation of Roma pupils with a view to designing a strategy on how to improve the situation.

148. The study, which was published by the Ministry of Education in 2023,<sup>101</sup> concludes that the segregation of Roma pupils has not diminished in the past five years. It draws attention to the fact that segregationist tendencies appear in the diagnostic practice of some school guidance centres and that even among their staff it is not uncommon to encounter beliefs about the usefulness of special education for Roma children. The study also calls for greater use of teaching assistants, psychologists and special educators to support disadvantaged pupils. In October 2024, the European Commission called upon Czechia to address the problem of the segregation of Roma children in schools and asked the authorities to address the shortcomings identified, in particular the fact that Roma children are still overrepresented in separate classes or schools for pupils with mental/physical impairments or severe developmental or behavioural disorders, and that many Roma children who attend mainstream education in Czechia are also segregated in separate classes or a separate school.<sup>102</sup>

149. The Advisory Committee was also informed that the parliament is considering an amendment to the Education Act to change the way the state pays for teaching assistants. While schools now receive funding based on the entitlement of a particular pupil, after the adoption of the amendment, schools will have to determine the number of assistants according to pre-determined parameters (“parametrisation”). The envisaged change primarily affects the rights of children with special educational needs and does not address situations when a school needs more teaching assistants for its pupils than it can employ on the basis of the parameters set, which has raised concerns among teachers and parents. According to human rights organisations, small schools or so-called inclusive schools will be particularly at risk.<sup>103</sup>

150. The National Pedagogical Institute of the Czech Republic has organised further education of teachers of all stages of education in how to support the inclusion of Roma pupils at school, including learning of Czech. As part of the Roma Integration Strategy 2021-2030, it is foreseen to evaluate whether the aim of inclusive teaching of Roma with non-Roma pupils is reached, including whether the assessments of the educational abilities of Roma children reflect their educational needs in a correct way.<sup>104</sup>

151. During the Advisory Committee's visit, kindergarten and primary school teachers emphasised that absenteeism of Roma children in compulsory pre-school education remains a problem. They highlighted the importance of raising parents' awareness of the benefits of pre-school, but also called for increased use of sanctions in case of persistent refusal of parents to comply with the legal obligation of bringing children to kindergarten. Moreover, they indicated that it is often difficult to familiarise Roma children with the regular day routine of a kindergarten. Teachers voiced a need for more training of teachers working at schools with many Roma pupils and for the adoption of policy recommendations on how to motivate Roma parents to send their children to pre-school.

<sup>99</sup> Modified outputs refer, among other aspects, to adjustments concerning methods and forms of teaching, see [Fifth Opinion](#) on the Czech Republic, para. 131.

<sup>100</sup> [Sixth report](#) submitted by the Czech Republic, p. 61.

<sup>101</sup> See Ministry of Education, Youth and Sports of the Czech Republic: [Výzkumná zpráva: Analýza příčin vyššího podílu romských žáků vzdělávajících se dle RVP ZV UV ve třídách zřízených podle § 16 odst. 9, školského zákona a návrh souboru opatření pro oblast vzdělávání a další relevantní oblasti](#) (Research report: Analysis of the causes of the higher proportion of Romani pupils educated according to the RVP ZV UV in classes established under Section 16 (9) of the Education Act and proposal of a set of measures for education and other relevant areas).

<sup>102</sup> See [European Commission warns Czechia: End the discrimination of Romani children in the schools](#), romea.cz, 3 October 2024. On 3 October 2024, the European Commission sent an additional letter of formal notice to Czechia (INFR(2014)2174) for failing to comply with the Racial Equality Directive (Council Directive 2000/43/EC). This follows the letter of formal notice sent by the European Commission to Czechia in September 2014 calling to address the disproportionate and systemic placement of Roma pupils in separate schools for children with disabilities. In the absence of a satisfactory response, the European Commission may decide to issue a reasoned opinion. See information on the [European Commission website](#).

<sup>103</sup> See the [statement](#) by Stálá konference asociací ve vzdělávání (Conference of Associations in Education), 12 September 2023.

<sup>104</sup> See [Sixth report](#) submitted by the Czech Republic, pp. 55-58, 62-63, 73. The approach of the authorities to ensuring equal access of Roma pupils to education is contained in the government [report](#) on execution of the judgement *D.H. and others v. the Czech Republic* of June 2022, submitted to the Committee of Ministers of the Council of Europe, based on an item of its decision of 3 December 2020 (CM/Del/Dec(2020)1390/H46-8). In this judgment, the European Court of Human Rights found that the Czech Republic violated the European Convention on Human Rights by placing a disproportionate number of Roma pupils into “special schools” in which they were subjected to a limited curriculum, preventing them from accessing higher educational levels, and segregated from mainstream education.

152. The Advisory Committee reiterates that segregation in education is a form of discrimination that prevents equal access to education and in particular to quality education for the child concerned. Classes predominantly composed of Roma pupils contribute to stigmatisation and negative stereotypes about this minority, acting as an obstacle to the integration of society as a whole. The Advisory Committee has found that, regardless of the manifold reasons for segregation, authorities have a positive obligation to adopt a comprehensive approach to end educational segregation and to regularly monitor progress. The Advisory Committee recognises that this comprehensive approach to ending segregation in education takes time, demands sustainable funding and requires the trust of persons identifying with national minorities and in particular children and parents. Trust can be built also by appointing and training Roma assistants who help teachers and parents.<sup>105</sup>

153. The Advisory Committee welcomes that the number of Roma children attending kindergarten has continued to grow, albeit at a slow pace. It considers compulsory pre-school education as an effective way of preparing children for primary education and improving their prospects of a successful school career. It therefore considers it important for the authorities to continue applying measures promoting the enrolment of Roma children in pre-schools among their families and to identify and eliminate the obstacles causing Roma children's absence from this level of education. The commissioned research may provide a good basis for the drafting of policy recommendations on how to motivate Roma parents to send their children to kindergarten. The Advisory Committee also stresses the value of individual education as it not only provides tailor-made support to a child, but involves parents in the definition of educational goals. In this way, individual education contributes to awareness-raising of the benefits of pre-school education among parents and increases their sense of responsibility.

154. The Advisory Committee further notes that almost all (98%) Roma pupils are educated according to the regular curriculum in primary education. At the same time, the share of Roma pupils to whom modified outputs (goals) are applied has slightly increased and their share among all pupils in this group is high (29%) compared to the share of Roma in the general population. On the other hand, the number of pupils whose inclusion within a mainstream class was not considered feasible remains very high (74%).

155. Overall, the process of securing access to inclusive education for Roma pupils in mainstream education is thus characterised by slight progress in kindergarten while in primary education the process is stagnant. In view of this, the Advisory Committee considers it essential that during the implementation of the Roma Integration Strategy 2021-2030, the authorities assess comprehensively, in co-operation with representatives of the Roma minority, which adjustment measures should be taken to reach the aim of ensuring effective access for Roma to inclusive education. Furthermore, the Advisory Committee considers it important to make teacher training organised by the National Pedagogical Institute concerning the inclusion of Roma pupils at school more widely accessible to support and motivate teachers in their challenging work. Given the importance of teaching assistants for inclusive education of Roma pupils, the Advisory Committee also considers it essential that possible amendments to the Education Act ensure that all children with special educational needs receive the necessary support for their educational development and that any shortage of teaching assistants and the resulting negative impact on inclusive education are avoided.

### Recommendation

**156. The Advisory Committee urges the authorities to intensify, in co-operation with Roma representatives, including women and the families concerned, measures promoting effective access for Roma children to inclusive quality education, including pre-school education, and to increase support for teaching assistants and other key support positions so that support measures and interventions for disadvantaged Roma pupils are effectively implemented.**

### Teaching in and of minority languages (Article 14)

157. Education in Polish or bilingually (Polish/Czech) continues to be organised for persons belonging to the Polish minority from pre-school to secondary education, with local continuity between the different stages of education in the area inhabited by this minority. Teaching of Polish is available in vocational education, and Polish can be studied at the Universities of Brno, Olomouc, Ostrava, Pardubice and Prague. In co-operation with the authorities, the Pedagogical Centre for Polish Minority Schools in Český Těšín/Czeski Cieszyn, among other things, trains teachers for Polish-language education, publishes methodological and teaching aids, and supports pupils with special educational needs. Further education of teachers is provided by the Association of Polish Teachers.<sup>106</sup>

<sup>105</sup> See [ACFC Thematic Commentary No. 1 \(2024\)](#), paras. 20, 59, 63.

<sup>106</sup> See [Sixth report](#) submitted by the Czech Republic, pp. 49-51.

158. German is mainly taught as a subject (foreign language). In co-operation with German authorities, extended teaching of German is offered in some municipalities, but not continuously from kindergarten through to secondary education. The authorities intend to make available bilingual education (German/Czech) from pre-school to technical and vocational education in eight districts.<sup>107</sup> This plan is to be implemented in accordance with Section 14(5) of the Education Act, which foresees that the headmaster of a school may, with the consent of the school's founder (municipality, region or Ministry of Education), determine in the school's educational programme the subjects which will be taught bilingually. German can also be studied at several universities.<sup>108</sup>

159. Other minority languages, namely Bulgarian, Croatian, Hungarian, Romani, Russian, Serbian, Slovak, Ukrainian and Vietnamese, are taught at university level. The authorities have no information as to whether these languages are taught at other levels of mainstream education and whether the Belarusian, Greek and Ruthenian languages are taught at all in mainstream education. Some national minorities such as the Hungarian minority organise informal teaching of their languages. In the framework of the "Programme to support educational activities of national minorities", the authorities finance, among other things, language courses for children (e.g. at the Vietnamese Language Centre) and the production of educational texts in minority languages.<sup>109</sup>

160. During the Advisory Committee's visit, representatives of the Slovak minority expressed strong interest in the introduction of teaching of Slovak in public education, in particular in kindergarten. They mentioned previous unsuccessful initiatives to introduce teaching of Slovak in public education and expressed dissatisfaction with the lack of proactivity by the authorities in this regard. In addition, they were worried about the possible discontinuation of Slovak studies at Charles University in Prague. Representatives of the German minority welcomed the intention to introduce bilingual education, which corresponds to a long-standing wish of this minority, and emphasised the need for the national authorities to ensure implementation through active co-ordination of the regional and local authorities and schools concerned. As far as the Roma minority is concerned, the Advisory Committee was informed that Roma parents are often of the opinion that their child should primarily learn Czech in order to easily participate in the majority society, while they consider Romani to be a language for family communication only. Moreover, they are concerned of a possible stigmatisation of pupils attending such classes.

161. The Advisory Committee reiterates that one of the purposes of minority language education is to maintain or lead to a degree of fluency and literacy which enables the learner to use the language in public and private life and transmit it to the next generation. The educational model (teaching in or of the language) must be chosen in such a way that the extent of use of the minority language in school is sufficient to achieve fluency and literacy. Teaching in minority languages promotes the revitalisation of minority languages. "The Advisory Committee encourages the inclusion of minority languages in the public school system and in the mandatory curriculum, including languages of numerically smaller minorities."<sup>110</sup> Furthermore, local "continuity in access to teaching and learning of and in minority languages at all levels of the education system, from pre-school to higher and adult education",<sup>111</sup> must be ensured. Given that pre-school is the first level of regular education, the Advisory Committee underlines the importance of pre-school education for learning a minority language, especially when that language is not the main one used in the family. Moreover, it is essential that the authorities do not take a purely passive approach, but actively stimulate the demands for education in a minority language through awareness raising among parents and young people.<sup>112</sup>

162. The Advisory Committee is pleased to see that pupils belonging to the Polish minority receive instruction in Polish from pre-school to secondary school level throughout the area inhabited by persons affiliating with this minority. However, the Advisory Committee observes that the Polish minority has remained the only national minority in Czechia whose pupils currently benefit from a comprehensive model of minority language education. Considering the demand for teaching of Slovak in public education and the Recommendation by the Committee of Ministers (2024)<sup>3</sup> to this effect,<sup>113</sup> it is necessary that the authorities approach the representatives of the Slovak minority and jointly identify pre-schools and primary schools where teaching of Slovak could be introduced. Moreover, the Advisory Committee underlines that the introduction of teaching Slovak at different stages of education requires

<sup>107</sup> Districts of Cheb, Carlsbad, Sokolov, Liberec, Ústí nad Labem, Český Krumlov, Opava and Svitavy (undertakings in accordance with the European Charter for Regional or Minority Languages).

<sup>108</sup> See [Sixth report](#) submitted by the Czech Republic, pp. 51-55.

<sup>109</sup> See [Sixth report](#) submitted by the Czech Republic, pp. 64-67; information provided by the authorities on 6 September 2024.

<sup>110</sup> [ACFC Thematic Commentary No. 3](#), para. 73.

<sup>111</sup> [ACFC Thematic Commentary No. 3](#), para. 75.

<sup>112</sup> See [ACFC Thematic Commentary No. 3](#), para. 71; [ACFC Thematic Commentary No. 1 \(2024\)](#), para. 108.

<sup>113</sup> [Recommendation CM/RecChL\(2024\)3 of the Committee of Ministers](#) on the application of the European Charter for Regional or Minority Languages by Czechia adopted on 1 July 2024.

training of teachers. Consequently, it is important to maintain the infrastructure of Slovak university studies.

163. The Advisory Committee welcomes the intention to introduce bilingual education in German and Czech. With regard to the procedure in accordance with Section 14(5) of the Education Act, the Advisory Committee notes nonetheless that implementation must not be left to the initiative of headmasters alone, but should be coordinated at the level of the national authorities. To this end, it is essential that the Ministry of Education, Youth and Sports, the municipalities and regions concerned approach the headmasters of the schools they have founded in the respective districts with the aim of introducing bilingual education there and that the Ministry of Education, Youth and Sports co-ordinates this process.

164. The Advisory Committee appreciates the support by the authorities to the organisation of informal teaching of languages used by national minorities, which should be pursued. At the same time, the Advisory Committee notes that teaching minority languages only in informal education or at university level is unlikely to maintain these languages as living languages used by persons belonging to national minorities. Therefore, it is essential the authorities consult representatives of the national minorities concerned (Belarusian, Bulgarian, Croat, Greek, Hungarian, Romani, Ruthenian, Russian, Serb, Ukrainian and Vietnamese minorities) as to whether there is demand for teaching in or of minority languages in mainstream education and, if so, offer such teaching. In order to be effective, it is important that these consultations are accompanied by information and awareness-raising measures concerning the benefits of teaching in or of minority languages, in particular in respect of the Roma minority.

### Recommendations

**165. The Advisory Committee calls on the authorities to introduce teaching of Slovak in public education at all appropriate stages, in particular pre-school, and to ensure that there is an offer of Slovak university studies which is sufficient to train teachers of Slovak.**

**166. The Advisory Committee calls on the authorities to introduce bilingual education in German and Czech by contacting the relevant schools together with the regional and local authorities concerned and co-ordinating this process at national level.**

167. The Advisory Committee encourages the authorities to raise awareness of the benefits of teaching in or of minority languages among persons belonging to the national minorities concerned, to regularly assess the demand, and where it exists, to offer such teaching.

### Effective participation in decision-making processes and public affairs (Article 15)

168. The Government Council for National Minorities is a permanent advisory and initiative body which is composed of representatives of the 15 national minorities (including Roma) and of ministries and other public bodies responsible for minority policies. It is tasked to monitor compliance with the domestic and international legal norms related to national minorities and minority rights and is the main structure at national level for the dialogue between representatives of national minorities and the authorities. Furthermore, the Government Council for Roma Minority Affairs is the permanent advisory and initiative body on policies aiming at Roma inclusion and is composed of representatives of the Roma minority and of national authorities. The government council's office has elaborated the Roma Integration Strategy 2021-2030 and is mainly responsible for its implementation and monitoring, involving civil society through committees, working groups and meetings, among other things, in its evaluation. It has also implemented projects supporting the participation of Roma representatives in the implementation of the Roma Integration Strategy 2021-2030.<sup>114</sup>

169. Several regions, statutory cities and municipalities have set up committees, commissions or working groups wholly or partly devoted to national minorities or specifically Roma, including in the context of the local implementation of the Roma Integration Strategy 2021-2030. In some cases, the mechanisms also cover diverse groups such as homeless persons, crime victims and immigrants as well as wider policy fields (e.g. social, health and family policies). Some of these mechanisms have been set up voluntarily in cases where the results of the 2021 census had not created an obligation for doing so (i.e. where the 10% and 5% thresholds were not met). Compared to the 2011 census, no region and a smaller number of statutory cities and municipalities have become obliged to set up a committee for national minorities after the last census.<sup>115</sup>

170. As far as participation in political life is concerned, measures to secure political representation in the parliament do not exist, nor did any national minority party or political movement participate in the elections to the Chamber of Deputies of the Parliament of the Czech Republic in 2021. However, persons belonging to national minorities participate as members of parliament representing mainstream

<sup>114</sup> See [Sixth report](#) submitted by the Czech Republic, pp. 67-73; information provided by the authorities on 6 September 2024.

<sup>115</sup> See [Sixth report](#) submitted by the Czech Republic, pp. 70-72; information provided by the authorities on 6 September 2024.



political parties or are members of the government (e.g. persons belonging to the Slovak minority). In the local elections in 2022, the “Coexistentia” political movement of the Polish minority obtained between 6.6% and 58.8% of the votes in 12 municipalities and won the elections in two of these. Two political movements representing the Roma minority (“Roma Luma” and “Roma Democratic Party”) were not successful in these elections.<sup>116</sup>

171. During the Advisory Committee’s visit, minority representatives recognised the work of the Government Council for National Minorities and the Government Council for Roma Minority Affairs in general. However, concerns were expressed that the Government Council for National Minorities was slow to make decisions, partly due to the understaffing of its secretariat and an insufficient number of meetings (four) per year, and that not all decisions were subsequently fully implemented by the authorities. In addition, there is dissatisfaction with the fact that the government council’s working group on graves has not yet developed a strategy on the preservation of graves and cemeteries of persons belonging to national minorities. They were also disappointed that the annual October meeting with the President no longer takes place. With regard to the Government Council for Roma Minority Affairs, representatives of the Roma minority stated that they had an effective influence on the drafting of the Roma Integration Strategy 2021-2030 through this body.

172. Representatives of the Slovak and German minorities complained that, as part of a harmonisation of statutes of all governmental consultative bodies, the authorities intend to reduce the number of seats of the German, Polish, Roma and Slovak minorities in the Government Council for National Minorities from two to one, which would grant these national minorities the same number of seats as reserved for the other national minorities. The representatives of the Slovak minority have put forward a counterproposal according to which those national minorities whose languages are covered by the European Charter for Regional or Minority Languages and with which a certain (to be determined) number of persons affiliate would maintain two seats in the government council. In view of a number of pending requests of the Slovak minority, particularly in the areas of education and media, they emphasised the importance that the government council becomes an effective advisory and initiative body.

173. The Advisory Committee reiterates that it is not sufficient for states parties to limit consultations with persons belonging to national minorities to a formal procedure. Rather, they should ensure that the consultation bodies effectively deal with the actual needs and interests of persons belonging to national minorities. The work of consultative bodies must also be of a regular and permanent nature, and the meetings of these bodies must be convened as frequently as necessary.<sup>117</sup>

174. The Advisory Committee observes that both the Government Council for National Minorities and the Government Council for Roma Minority Affairs facilitate regular contacts between the national authorities and representatives of the national minorities at the central state level, with the exception of the visits to the President that no longer take place. In addition, their secretariat is the central administrative structure in Czechia that serves as an interface for matters related to the Framework Convention and the monitoring recommendations and can initiate implementation measures in this regard, while the individual ministries pursue sectoral matters and are guided mainly by domestic policies, legislation and practice. The Advisory Committee notes in particular that the Government Council for Roma Minority Affairs not only ensures the representation of various Roma associations, but also their involvement in the design of the policy measures concerning them. Through the Government Council for Roma Minority Affairs, Roma representatives were involved in the drafting of the Strategy of Roma Integration 2021-2030 and have had an effective influence on its content. In addition, the fact that the Government Council for Roma Minority Affairs is dedicated to a specific national minority enables the design, implementation and monitoring of a comprehensive and tailored policy regarding this minority within a reasonable timeframe. The Advisory Committee regrets that the Government Council for National Minorities, which represents 15 national minorities, has less staff and is not in a position to deal with individual national minorities to a similar extent.

175. The Advisory Committee notes that the main objective for which the authorities established the Government Council for Roma Minority Affairs, namely the coordination of authorities and minority representatives to develop minority-specific policies, also applies to other national minorities to varying degrees and in relation to different policy areas. One of these areas is the implementation of the Framework Convention and the monitoring recommendations concerning persons belonging to different national minorities. During the sixth monitoring cycle, the Government Council for National Minorities was only able to deal with these issues to a limited extent and, given the aforementioned structural obstacles, it cannot be expected that this will change in the medium to long term. Following the example of the Government Council for Roma Minority Affairs, it would therefore be important that the authorities consult representatives of other national minorities regarding their needs and interests concerning the

<sup>116</sup> See [Sixth report](#) submitted by the Czech Republic, p. 37.

<sup>117</sup> See [ACFC Thematic Commentary No. 2](#), paras. 19, 71, 107, 117.

establishment of similar bodies or structures that are specifically responsible for the respective minority. Such structures should design, implement and monitor measures to protect the rights of persons belonging to that minority and ensure that they meet on a regular basis.

176. As far as the local and regional levels are concerned, the Advisory Committee maintains its view expressed in the Fifth Opinion that the committees for national minorities deal with only a limited number of fields of national minority policies.<sup>118</sup> In order to ensure the consultation of persons belonging to national minorities, it is important that committees for national minorities or, where more appropriate, special representatives for minority issues are automatically appointed in municipalities and regions where persons belonging to national minorities reside. These bodies or offices should be specifically devoted to national minorities. The Advisory Committee also considers that the authorities should clearly define by law the competences of local committees for national minorities and the procedure for nomination as well as the eligibility of their members in the same manner as competences are defined for other committees. Furthermore, it would be necessary that committees for national minorities (or alternative structures) cover all fields of relevance to national minorities as well as initiate and monitor the implementation of minority legislation and policies at the local and regional levels. This should include matters related to the implementation of the Framework Convention.

### Recommendations

177. The Advisory Committee encourages the authorities to consult representatives of national minorities regarding their needs and interests to establish national bodies or structures specifically dealing with the minority concerned, which design, implement and monitor measures to protect persons belonging to that minority, and which will meet on a regular basis.

178. The Advisory Committee encourages the authorities to ensure the effective participation of representatives of national minorities in public affairs at the local level by establishing committees for national minorities in municipalities and regions and to review, in consultation with representatives of the national minorities, the functioning of such committees.

179. The Advisory Committee encourages the authorities to consider initiating dialogue with representatives of national minorities regarding proper guaranteed political representation in the parliament.

### Effective participation in socio-economic life/access to housing (Article 15)

180. Improving the socio-economic conditions of Roma through housing is one of the priorities of the Roma Integration Strategy 2021-2030. In the period from 2021 to 2024, 80 Roma households that previously lived in “residential hostels” have moved into social housing. In 2022, the authorities announced a call under the “Operational Programme Employment+” to increase access to quality housing in the period 2022-2025 with a total allocation of CZK 500 million/€ 19.9 million. Based on experience from the preceding call, it is expected that the share of Roma households in the total number of supported households will range between 30% and 50%.<sup>119</sup> In 2023, the government adopted a draft Act on Support in Housing which is expected to be adopted by the parliament and enter into force in 2025. The act shall regulate and support housing and aims *inter alia* at reducing the number of people in need of housing (154 000 at present) by at least 30% over ten years and slowing the increase in the number of children in state care. In particular, the draft act encourages an increased offer of rental housing available to vulnerable groups. It foresees the payment of compensation to municipalities that rent flats to people in need of housing and of housing assistance to tenants. In addition, it shall guarantee to real estate owners the payment of rent, utility costs and damages. To support the implementation, it is planned to establish contact points for housing in municipalities; these will be in charge of needs assessment, monitoring and data collection.<sup>120</sup>

181. According to civil society reports, municipalities often lack adequate data on families in need of housing, with many municipalities failing to allocate social housing effectively. Roma reportedly continue to be disproportionately affected by poor living conditions and overcrowded housing. Approximately 9 000 Roma are still living in “residential hostels”.<sup>121</sup> The European Committee of Social Rights, in a decision published in January 2025, concluded that there was a violation of the European Social Charter related to inadequate access to housing for communities and persons belonging to them in a

<sup>118</sup> See [Fifth Opinion](#) on the Czech Republic, para. 166.

<sup>119</sup> See [Sixth report](#) submitted by the Czech Republic, pp. 36-37.

<sup>120</sup> Additional information received from the authorities on 9 July 2024.

<sup>121</sup> Information and estimates from the [Platform for Social Housing](#) (research, advocacy and advisory platform) and [Lumos](#) (charity organisation).

vulnerable situation. Among other things, it found that the barriers faced by hostel residents in accessing housing benefits disproportionately affect Roma.<sup>122</sup>

182. The Advisory Committee is aware that, in June 2024, the government approved the Draft Act on Social Assistance which is being debated in parliament in early 2025.<sup>123</sup> It is expected to enter into force in July 2025. Several of its provisions provide that support to families increases gradually for families with one, two, three and four members, but does not increase any further for families with five or more family members. This would have an indirect discriminatory effect on a large number of Roma women who are mothers of three or more children.

183. The Advisory Committee reiterates that the placement of Roma in housing units outside the main residential areas increases their isolation and contributes to the stigmatisation of this minority. “States parties [should] remove barriers which prevent persons belonging to national minorities from having equal access [...] to [...] public services, including social housing.”<sup>124</sup>

184. The Advisory Committee welcomes the fact that the draft Act on Support in Housing addresses several structural barriers that Roma have faced in the housing sector.<sup>125</sup> It provides for the establishment of housing contact points in municipalities to provide local authorities with data that will enable them to target the allocation of social housing. In conjunction with the financial incentives for municipalities to rent flats to people in need of housing (including under existing subsidy programmes), this is expected to benefit Roma in particular, who are faced with an insufficient supply of available housing. Moreover, the state guarantee for the payment of rent, utility costs and compensation to property owners has the potential to reduce the long-standing unwillingness of landlords to rent flats to Roma families. Furthermore, the payment of housing assistance to tenants responds to the fact that Roma are often required to pay high (refundable) deposits and rents. In addition, the overall objective of limiting the increase in the number of children in state care could increase children’s chances of completing their education (see Article 12).

185. However, the Advisory Committee also notes that only a limited number of Roma have moved from “residential hostels” to adequate social housing during the sixth monitoring cycle and that, despite some progress, many Roma still live in inadequate conditions. It therefore considers that the authorities need to continue taking steps to improve the living conditions of Roma and to decrease their segregation in marginalised communities, which is also a precondition for improving prospects for access to mainstream education.

186. Bearing in mind that a large number of Roma women are mothers of more than two children, the Advisory Committee observes that the Draft Act on Social Assistance, if adopted, could disproportionately affect Roma families. Therefore, the Advisory Committee considers it important that the authorities avoid potential indirect discrimination in the area of social assistance.

### Recommendation

**187. The Advisory Committee urges the authorities to intensify their efforts to improve the living conditions of Roma in order to prevent and combat all forms of inequality affecting them in access to socio-economic rights, especially housing.** Particular attention should be paid to people in a vulnerable situation, especially families with young children and older people.

### Bilateral and multilateral co-operation (Article 18)

188. Czechia takes measures to protect the rights of persons affiliating with national minorities within the framework both of bilateral agreements and cross-border co-operation. In 2022, Czechia and Croatia signed a new Programme of Cultural Co-operation which provides for ensuring the conditions for the preservation of the culture and heritage, including language, literature and religion, of persons belonging to the Croat minority in Czechia and the Czech minority in Croatia. Furthermore, the German-Czechoslovak Treaty of Good Neighbourliness and Friendly Co-operation (1992) confirms rights of persons belonging to the German minority in several areas and provides for the promotion of education in German and the preservation of German graves. In accordance with the Agreement on Co-operation in the Field of Culture, Education, Science, Sport and Youth concluded with Hungary (2005), the identity, traditions and cultural heritage of persons belonging to the Hungarian minority shall be preserved. As far as the Polish minority is concerned, the Pedagogical Centre for Polish Nationality

<sup>122</sup> Collective complaint European Federation of National Organisations working with the Homeless (FEANTSA) v. the Czech Republic (Complaint No. 191/2020).

<sup>123</sup> This Draft Act has raised a number of concerns in Czechia as it would result in a decrease of benefits for many recipients. See Romea.cz, [Czech Government approves welfare revision, Platform for Social Housing criticizes it](#), 23 September 2024.

<sup>124</sup> See [ACFC Thematic Commentary No. 2](#), para. 26.

<sup>125</sup> See European Commission (ed.): European network of legal experts in gender equality and non-discrimination, [Country report non-discrimination Czechia 2023](#), pp. 41-42.



Education in Český Těšín/Czeski Cieszyn has been involved in the programme INTERREG V-A Czech Republic-Poland, under which projects have been organised aiming to increase the language competences (Polish, Czech) of future school-leavers on the cross-border labour market and raise awareness of Polish and Czech cultures, traditions and customs. Teaching of Russian in Czechia shall be promoted in conformity with the Agreement on Co-operation in Culture, Science and Education concluded with the Russian Federation (1996). Czechia has also concluded cultural agreements and implementing programmes with Slovakia containing provisions on support to the cultural activities of the Slovak minority in Czechia and the Czech minority in Slovakia. Representatives of the Slovak minority participate in these exchanges.<sup>126</sup>

189. The Advisory Committee reiterates that the co-operation of a state party with neighbouring and other interested states can effectively complement the protection measures it takes at the national level and support the development of the infrastructure of national minorities, for example in fields such as the production of educational materials or teacher training. This does not relieve the state party of its obligation to ensure access to minority rights.

190. The Advisory Committee welcomes that the authorities use bilateral relations with other states to further the protection of the rights of persons belonging to several national minorities in Czechia. However, the protection of persons belonging to the Belarusian, Bulgarian, Greek, Ukrainian and Vietnamese minorities does not yet benefit from bilateral agreements. The conclusion, where appropriate, of additional bilateral and multilateral agreements and the full implementation, where current conditions allow, of the existing agreements could support access to rights for persons belonging to national minorities, including the right to family visits through liberalised visa regulations. Furthermore, the Advisory Committee considers that it would be beneficial for areas where persons belonging to national minorities reside to co-operate with local or regional authorities in other states in the framework of town twinnings or other partnerships.

#### **Recommendation**

191. The Advisory Committee encourages the authorities to conclude, where appropriate, bilateral and multilateral agreements with other states to support the protection of rights of persons belonging to the respective national minority in Czechia and to implement the existing agreements where current conditions allow. Furthermore, the Advisory Committee encourages the authorities to promote cross-border co-operation between local authorities located in Czechia and the relevant states for this purpose.

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<sup>126</sup> See [Sixth report](#) submitted by the Czech Republic, pp. 74-75; information provided by the authorities on 6 September 2024.

The Advisory Committee on the Framework Convention for the Protection of National Minorities is an independent body that assists the Committee of Ministers of the Council of Europe in evaluating the adequacy of the measures taken by the Parties to the Framework Convention to give effect to the principles set out therein.

The Framework Convention for the Protection of National Minorities, adopted by the Committee of Ministers of the Council of Europe on 10 November 1994 and entered into force on 1 February 1998, sets out principles to be respected as well as goals to be achieved by the states, in order to ensure the protection of national minorities. The text of the Framework Convention is available, among other languages, in Bulgarian, Croatian, Czech, German, Greek, Hungarian, Polish, Romani, Russian, Serbian, Slovak and Ukrainian.

This opinion contains the evaluation of the Advisory Committee following its 6<sup>th</sup> country visit to Czechia.

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