



OHCHR REGISTRY

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The Permanent Mission of the Czech Republic to the United Nations Office and international organizations in Geneva presents its compliments to the Office of the High Commissioner for Human Rights and with reference to the Note of 5 August 2010 has the honor to forward information of the Czech Republic on Human Rights of Persons with Disabilities.

The Permanent Mission of the Czech Republic to the United Nations Office and international organizations in Geneva avails itself of this opportunity to renew to the Office of the High Commissioner for Human Rights the assurances of its highest consideration.

Geneva, 4 October 2010

Enclosure



Office of the High Commissioner for Human Rights
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Geneva

Human Rights Council resolution 13/11 – Human Rights of Persons with Disabilities: national implementation and monitoring and introducing as theme for 2011 the role of international cooperation in support of national effort for the realization of the rights of persons with disabilities

A) Key measure adopted at national level to implement the Convention on the Rights of Persons with Disabilities

The Czech Republic ratified the Convention on the Rights of Persons with Disabilities, in September 2009. That important event influenced the preparation and form of a new National Plan in the field of disability, i.e. National Plan for Promoting Equal Opportunities for Persons with Disabilities 2010–2014 approved by Resolution of the Government of the Czech Republic No 253 of 29 March 2010.

The basic format of the new National Plan, its content and structure, draw on the general principles on which the Convention is based. In the development of the document, only those articles of the Convention which are most important and relevant for the next five years in terms of promoting an equal and non-discriminatory environment for persons with disabilities were selected.

The National Plan is divided into separate chapters corresponding to the individual articles of the Convention. Each chapter, in addition to citing the relevant article of the Convention, also contains a brief description of the current status and goals to be achieved through action, and a set of measures, either with deadlines or ongoing, along with a specification of the ministry responsible for their implementation. Where multiple ministries are involved in the implementation of measures, they are jointly responsible for their implementation.

The fact that the preparation of National Plans has always actively involved representatives of persons with disabilities and their organizations has also been beneficial, as the final versions of measures are then a compromise between these representatives and the competent central government authority.

Key elements of the National Plan

1. Equal treatment and protection against discrimination

One of the basic and necessary prerequisites when fostering conditions for persons with disabilities to be able to participate in and integrate into society fully and equally is effective legal protection against any form of discrimination. An important step intended to help guarantee this protection was the adoption of Act No 198/2009 on equal treatment and on legal means of protection against discrimination (the Antidiscrimination Act), which came into effect on 1st September 2009. In the period ahead, it will be necessary to evaluate the experience and the benefits of this legislation from the perspective of persons with disabilities and, where necessary, to propose further changes in those laws where manifestations of discrimination on the basis of disability can be detected.

2. Equality before the law

To ensure the adequate implementation of this article of the Convention into the Czech legal system, new provisions will have to be enacted and enforced relating to legal capacity

of persons with disabilities, assisted decision-making etc. Some of these concepts and paradigms were incorporated into the draft of the new Civil Code.

3. Independent living

Social services play a vital role in ensuring that persons with disabilities have conditions where they can enjoy independent living and social inclusion. Act No 108/2006 on social services laid down the basic conditions and prerequisites for the reform of the whole social services system. The new legislation in this field has significantly strengthened the powers of social services users, who may, at their discretion, have a much greater say in the extent and form of the assistance and care provided to them.

The range of services designed to assist persons with disabilities remain in their natural environment and enable them to lead independent lives is being expanded. The aim of measures for the coming period is to continue the process of social services reform. Systematic assistance must be channeled into the institutional care reform. In the future, ensuring the economic balance and stability of the entire social services system will be equally important.

4. Training and education

The primary goal in the period covered by the National Plan is to apply the principle of inclusive education. At the primary and secondary levels of education, each child has the right to education in a mainstream school in the place where he or she lives.

Closely connected with this objective is the gradual transformation of the existing system of special schools established for children, pupils and students with disabilities and the extension of their competence towards that of mainstream schools, to whom they should provide an expert, methodological, didactic and technical background.

5. Employment

Special attention has long been given to improving the situation in the field of employment of persons with disabilities. Over the last few years, there have been many legislative changes in the field that have affected particular instruments and measures of both financial and non-financial nature. The current situation in the employment of this target group highlights the need for an overall review of the employment support system, including an evaluation of the impacts of related systems (social, fiscal).

Financial requirements of implementing proposed measures of the National Plan

The National Plan covers the period from 2010 to 2014 as a set of basic tasks that need to be performed in relation to persons with disabilities. The implementation of the proposed measures will be funded within the expenditure limits assigned to the relevant budget headings and medium-term expenditure frameworks established for each heading. All budget headings involved in the implementation of the National Plan's measures will deliver expenditure related to such tasks within the scope of these expenditure limits and frameworks. These funding arrangements apply both to the legislative proposals and non legislative measures.

However, where tasks contained in the National Plan give rise to financial demands, the ministry or budget heading under whose remit the required measure falls must identify a specific source to cover such demands, e.g. by transferring funds within the scope of its budget heading.

B) Challenges and obstacles to the full implementation at national level of the Convention on the Rights of Persons with Disabilities

There are still a number of open and outstanding issues that directly affect the lives of persons with disabilities and need further attention.

In particular, these issues include:

- The persistent unfavorable situation in the employment of persons with disabilities. In the coming period, it will be necessary to overhaul the system used to support the employment of this group of persons, including an evaluation of the impacts of related systems (social, fiscal).
- The systematic continuation of the removal of barriers in public buildings and transport structures that were built before the entry into effect of the Building Act, which requires barrier-free construction.
- The consistent application of the principle of inclusive education for students with disabilities, and subsequently a systematic solution to address the conditions for the tertiary education of students with disabilities.

C) The existence, scope and content of policies and/or guidelines adopted at national level to guide international cooperation in support of the Convention

The Government of the Czech Republic adopted in its resolution n. 366 of 24th May 2010 the Development Cooperation Strategy of the Czech Republic for years 2010 – 2017. The document sets sectoral priorities that include “social development (including education, social and health services)”. At the same time, cross-cutting principle of development cooperation is a principle of non-discrimination and respect for the basic human, economic, social and labour rights of project beneficiaries.

D) Forms of international cooperation at bilateral and multilateral level that, as a complement to national efforts, can play a key role in assisting the realization of the Convention at national level.

In January 2008, the Czech Development Agency was established to support implementation of the Czech development cooperation. The Agency is responsible for identification and formulations of projects ideas and tendering procedures and therefore actively participates in the creation of development cooperations programs between the Czech Republic and priority countries. Projects themselves, are implemented by non-governmental organizations.

At bilateral level, the Czech Republic implements three projects (two in Kosovo and one in Moldova) aiming at supporting the rights of persons with disabilities. The projects are implemented for years 2010-2011. New project has been declared for Cambodia (for years 2010-2012).

E) Examples of engagement in international cooperation and assessment of their impact on promoting the realization of the Convention

KOSOVO

Project title: Integration of Handicapped with Hearing Impairment into Society, Kosovo
Project type: Bilateral
Sector: Health
Project location: Kosovo
Implementation period: 2010-2011
Supplier: People in Need
Total budget: 1 400 000 CZK

Project description: Project responds to demand of Kosovo Association of Handicapped with Hearing Impairment for special trainings focused on integration of handicapped people into society.

Project title: Integration of Visually Handicapped into Society, Kosovo
Project type: Bilateral
Sector: Health
Project location: Kosovo
Implementation period: 2010
Supplier: People in Need
Total budget: 1 300 000 CZK

Project description: Project provides the electronic IT equipment for School for Blind and Visually Handicapped in Peja. Project is based on success of former "small local project" implemented by Czech Embassy in Prishtina. People in Need Foundation will supply equipment in cooperation with Spektra cooperative.

MOLDOVA

Grant title: Development of Inclusive Pre-school Education of Children with Special Needs, Moldova

Project title: Path to inclusive pre-school education in Moldova
Project type: Bilateral
Sector: Social development/Education
Project location: Moldova, Orhei
Implementation period: 2010 - 2011
Implementing NNO: ADRA
Total budget: 6 974 368 CZK

Project description: The goal of this project is to promote educational inclusion of children with special needs by working out the mechanisms that will improve the educational access for children with special needs from Republic of Moldova. The project aims to promote preschool inclusion of children with special educational needs in the kindergartens, to develop capacities of kindergarten staff in working with disabled children and to support Ministry of Education in development of legal and normative framework for well functioning of Inclusive Kindergartens.