**Czech Republic**

1. **Please provide any statistical indicators regarding the health, mortality and morbidity consequences of inadequate housing and homelessness in your country, disaggregated by sex, race, immigration status, age and disability, or other grounds, if and where possible. Please also provide references to any documentation (written, visual or otherwise) of the lived experiences that lie behind these statistics.**

In 2015, the Ministry of Labour and Social Affairs conducted an online questionnaire survey in municipalities with extended competences and in administrative districts of the Capital City of Prague[[1]](#footnote-1). The aim of the survey was to map the current situation in municipalities with extended competences in terms of prevention, occurrence and solution of homelessness. The survey was sent to 227 municipalities with extended competences. The questionnaire was designed for social workers in municipalities, including social probation officers or other staff whose jobs include also activities focused on homelessness issues and housing affordability. Framework aim of the survey was to obtain data to reporting current municipality employees´ attitudes how to tackle homelessness. The survey resulted in findings that, according to estimates of social workers in municipalities, there are 68,500 homeless people in the Czech Republic. This number includes persons living in the streets as well as persons in various institutions without other housing (i.e. persons in prisons, hospitals, residential social services institutions, children's homes, etc.).

The survey also indicates that as many as 119,000 people in the Czech Republic are threatened by the loss of housing. This number includes persons living in unsuitable conditions (e.g. atypical, informal residential buildings) and legally insecure housing.

According to the survey, women represent 23.6%, persons under 18 years 11.9% and persons over 65 years 10.3% of homeless population. According to the estimates, the highest number of people without housing live in the Moravian-Silesian region - nearly 14,000 persons, and in the City of Prague – 9,500 persons.

However, most people without housing are citizens who have permanent residence in the place where they reside; only in cities Prague and Pilsen, estimates indicate the opposite. Social workers of municipal authorities consider among the most common root causes of homelessness to be debts, alcohol dependence, also unemployment and the lack of low cost housing. At the same time, over 90% of municipalities consider social work a primary tool for addressing homelessness which needs to be supported by cooperation of local authorities in the sphere of delegated power and strengthened housing policy instruments, as well as residential capacities.

To obtain empirical data, the Ministry of Labour and Social Affairs asked for a survey of users of shelters and homes for mothers with children of the Salvation Army, in order to get answers to questions about social situation of users of shelters and homes for mothers with children in terms of the options of provided services and what type of social (or similar) service would better suit the capabilities of these users. The survey brought characteristics of users of these services in terms of education, employment, and income situation, etc. as well as use of housing with different types of support.

In 2015, the Ministry of Labour and Social Affairs ordered the monitoring of unfavourable situations - an analytical material containing statistical and other information from the work of civil information centres run by the Association of Citizens Advice Centres, and information resulting from the investigation conducted among representatives of social departments of local authorities, and also city and non-profit organizations. This mapping of the problems of unfavourable life situations provided information on the most vulnerable groups of population, including in particular the people heavily indebted, socially excluded persons or persons at risk of social exclusion, the unemployed and families with disordered family relationships or incomplete families.

Studies show an increased percentage of young people under 25 years of age, persons with disabilities and women, as well as families with children among “hidden” homeless people. According to data from the research done by the non-profit organization “Naděje” performed between 2002–2004[[2]](#footnote-2), three out of ten clients of this organization were younger than 30 years of age. Among young people in the Czech Republic, the main group threatened with homelessness are young people leaving institutional care facilities. While there is no precise data, youth and young adults make up approximately up to 15% of the homeless persons. It is mostly young men with no or low professional qualification, without family support, with drug use and with low social skills[[3]](#footnote-3). Almost half of the homeless persons were single, 35% people were divorced. Over 57% of the homeless people had no children. Among homeless persons, number of women has increased considerably[[4]](#footnote-4). While in the early 1990s, “Naděje” had max. 5% of women clients; in 2009, homeless women constituted 17% of all homeless clients[[5]](#footnote-5). Clients over 60 years represented less than 4%. As for seniors, the situation was often associated with a combination of inability to meet the essential (mandatory) costs of living, because of income insufficiency, with loneliness and often with the inability to change the existing flat for a smaller one[[6]](#footnote-6).

Existing research confirms assumptions relating to the poor state of health compared to people with housing. Among the homeless people, there is higher incidence of chronic diseases, higher prevalence of infectious diseases and more frequent mental health problems[[7]](#footnote-7). The relation between the combination of alcohol or drug addiction and homelessness indicates that there exists the relation between addiction or other mental disorders and homelessness, in which it is not always easy to distinguish between a cause and a result. Mental illness in combination with socio-economic problems may trigger homelessness. And vice versa, homelessness can lead to mental problems, depression and addictive substance abuse[[8]](#footnote-8).

As part of the Census 2011, in cooperation with the Association of asylum homes of the Czech Republic and the Association of social service providers, “hidden” homeless people were interviewed (i.e. people living in asylum homes, in dormitories, etc.). From the point of view of education, the largest group of the homeless were people with a vocational certificate or people with secondary education without final exam (47.2%). The second largest group consisted of homeless people with basic education (28.5%). The total number of economically active homeless people identified in the Census 2011 totalled 7,796 persons, which was 67.8% of all homeless people numbered; more than 57% of the economically active were unemployed homeless; 14.2% of the total consisted of non-working retired people.

As regards the citizenship of homeless people, a higher number of foreigners without home is specific for larger cities. According to statistics of the low-threshold day centres of the Salvation Army in Prague, its advisory services in the period from 1 January 2012 to 31 December 2012 were used by 2,158 persons in total, of which 67% of people were Czech nationality, 16% Slovak, 5% other, and 12% of people did not declare their nationality. In the city of Brno, there are about 12% foreigners among homeless persons.

The largest ethnic minority living in the Czech Republic, Roma people, are represented among homeless person less frequently than would correspond to the demographic ratio[[9]](#footnote-9). Especially in recent years, significantly increased segment of substandard housing with low quality (dormitories[[10]](#footnote-10)) was inhabited not only by Roma. Socially excluded localities produce other negative phenomena as usury and crimes against property, impact on security within and around the locality as well as the intergenerational transmission of poverty.

In the Czech Republic, according to available information, there were 297 towns and villages with 606 socially excluded localities in total in 2014. Between 95,000 and 115,000[[11]](#footnote-11) persons live in socially excluded localities.

Available data also indicate an existing problem of homeless LGBT youth. As the primary reasons for homeless members of this group, which brings other added risks, such as risks associated with drug addiction and sexual abuse of young persons without housing, were recognized serious family conflicts. 94% of subjects[[12]](#footnote-12) who participated in the survey conducted by the civic association PROUD in January 2013 had experience with LGBT homeless. 38% of subjects identified a correlation between sexual orientation of clients and their homelessness. However, detailed information about the relationship between homelessness and sexual orientation in the Czech Republic does not exist yet.

1. **Please refer to the provisions of your state's constitution or human rights legislation which guarantee the right to life and explain whether these apply to circumstances where homelessness or inadequate housing place health, security or life at risk and whether positive obligations of governments have been recognized in this context. Please provide references to any relevant cases or other examples, if available.**

The right to life and to adequate standard of living are explicitly anchored in international instruments to which the Czech Republic is a state party. At the same time, the right to life is included in the Czech Charter of the Fundamental Rights and Basic Freedoms (the Charter). Right to adequate standard of living as such is not included in the Charter except for the right to assistance in social need so as to ensure basic living standard.

According to the article 10 of the Constitution, ratified international human rights treaties are part of the national legal order and in case of non-compliance of a particular provision of national laws with them, the provisions of these treaties prevail.

At international level, the right to housing is part of the law commonly referred to as a right to adequate standard of living. The International Covenant on Economic, Social and Cultural Rights (CESCR) in its Article 11 says that “the right of everyone to an adequate standard of living for himself and his family, including adequate food, clothing and housing, and to the continuous improvement of living conditions”. The Czech Republic as a State Party to the CESCR undertakes to take appropriate steps to ensure the realization of this right.

The UN Committee on Economic, Social and Cultural Rights concluded that “the right to housing should be ensured to all, regardless of income or access to economic resources”. Disadvantaged groups “must be given full and sustainable access to adequate housing resources”, while for those disadvantaged groups, such as the “seniors [...], persons with disabilities [...], people with mental disabilities [...] and other groups should be ensured in housing certain degree of priority”. The commitments of individual states are to create such conditions that enable the implementation of this right.

The Charter of Fundamental Rights and Freedoms in relation to the housing explicitly mentions only the right to assistance in material need. The loss of housing can cause state of material need, which results in state obligation to provide assistance to anyone who finds herself or himself in such a situation - on the basis of Article 30 part 2 of the Charter of Fundamental Rights and Freedoms of the Czech Republic: “Everyone who suffers from material need has the right to such assistance as is necessary for ensuring a basic living standard”. The right to assistance in material need under Article 30 part 2 of the Charter of Fundamental Rights and Freedoms can be implemented only within the limits of acts which implement this provision.

In the Czech Republic, there is still no comprehensive legal regulation of social housing, which would regulate the role of the state and municipalities in the sphere of housing policy in relation to people threatened by social exclusion, including homeless persons. Legislation applies only to the individual aspects of this type of housing. In the “Housing Concept 2020”, approved by the Government Resolution dated July 13 2011, No. 524, there is a task to “propose a comprehensive solution for social housing using the so-called institute housing need”.

On 12 October 2015, the Czech Government approved the “Strategy of Social Housing for 2015-2025”, which should serve as a basis for preparing the act on social housing, whose submission is planned for 2016.

Act No. 198/2009 Coll. – Anti-Discrimination Act – in its § 1 part 1 point j) prohibits discrimination in access to goods and services, including housing.

The unfavourable situation in housing has a negative effect especially on the education of children, who rotate between asylum homes and social dormitories. In the field of protection of children from families at risk of losing their housing, the amendment to Act no. 359/1999 Coll., on child protection, has improved the framework. Problems of legislative nature persist in the field of prevention from indebtedness and from loss of housing.

As regards the access of homeless people to health care, the right to health is in the Czech Republic generally guaranteed by the Charter of Fundamental Rights and Freedoms in Article 31: “Everyone has the right to the protection of his/her health. Citizens shall have the right, on the basis of public insurance, to free medical care and to medical aids under conditions provided for by law”.

According to the currently valid Act No. 48/1997 Coll. on public health insurance, health insurance originates by the date of birth, if it is a person with permanent residence in the Czech Republic.

Although some research (e.g. IKSP 2009) reported that 40% of surveyed users of asylum homes had a criminal history (at the same time almost 40% of them became a victim of crime or offence); statistics of the Czech Police do not confirm this.

1. **Please explain whether and in what ways courts or human rights bodies in your state have recognized the disproportionate effect of homelessness and inadequate housing on particular groups (such as persons with disabilities, Indigenous peoples, women experiencing violence, etc.) as an issue of discrimination. Please provide references to any relevant cases or other examples, if available.**

The Ministry of Justice and the Office of the Government Plenipotentiary representing the state before the European Court of Human Rights, consistently replied that this question cannot be answered, as the discrimination is monitored only in labour disputes, or according to the Anti-Discrimination Act.

1. Available at: <http://www.mpsv.cz/files/clanky/24488/Vyhodnoceni_pruzkumu_reseni_bezdomovectvi_v_obcich_s_rozsirenou_pusobnosti.pdf> [↑](#footnote-ref-1)
2. „*Kudy ke dnu, Analýza charakteristik klientů Naděje, o. s., středisko Praha, Bolzanova*“, Praha: 2010, SOCIOKLUB, ISBN: 978-80-86140-68-1. [↑](#footnote-ref-2)
3. Dizdarevič S. M., Šloufová R. *National Report on Youth Homelessness and Youth at Risk of Homelessness in the Czech Republic*. Praha: FHS UK, 2009. [↑](#footnote-ref-3)
4. „*Kudy ke dnu, Analýza charakteristik klientů Naděje, o. s., středisko Praha, Bolzanova*“, Praha: 2010, SOCIOKLUB, ISBN: 978-80-86140-68-1. [↑](#footnote-ref-4)
5. According to data on homeless persons (mainly hidden ones – i.e. living out of streets and being clients of social services) women represented in Census 2011 21.5% of total 11,496 homeless people. [↑](#footnote-ref-5)
6. *„Kudy ke dnu, Analýza charakteristik klientů Naděje, o. s., středisko Praha, Bolzanova.* Praha: 2010, SOCIOKLUB, ISBN: 978-80-86140-68-1. [↑](#footnote-ref-6)
7. Barták, M. *Zdravotní stav populace bezdomovců v ČR a jeho determinanty.* II. vyd. Kostelec nad Černými lesy: IZPE, 2005. [↑](#footnote-ref-7)
8. Šupková, D. *Závislost jako jeden z aspektů života bezdomovců.* Adiktologie č. 8, str. 45-51, 2008. [↑](#footnote-ref-8)
9. Hradecký et al. *Souhrnný materiál pro tvorbu Koncepce práce s bezdomovci v ČR na období do roku 2020*. Praha: 2012. Dostupné na [www.esfcr.cz](http://www.esfcr.cz). [↑](#footnote-ref-9)
10. Dormitories are „other forms of housing“ and include subletting, residential social services, or social homes. In 2012 total 18,845 persons received social allowance to housing in other forms of housing; from which in dormitories, 11,899 beneficiaries lived. [↑](#footnote-ref-10)
11. GAC spol. s. r. o. *Analýza sociálně vyloučených lokalit.* Praha: MPSV, 2015. [↑](#footnote-ref-11)
12. Survey was conducted in 50 institutions of providers of social services in the region Central Bohemia and in Prague: half-way homes, asylum homes, dormitories for persons without housing, people living in charity homes, etc. [↑](#footnote-ref-12)