



OPEN SOCIETY INSTITUTE
NETWORK WOMEN'S PROGRAM
VAW MONITORING PROGRAM

V I O L E N C E
A G A I N S T
W O M E N

DOES THE GOVERNMENT CARE
IN THE
C Z E C H R E P U B L I C ?

Country Monitoring Reports
and Fact Sheets

from
Central and Eastern Europe,
the Commonwealth of
Independent States,
and Mongolia

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Preface

“...states have an obligation to exercise due diligence to prevent, investigate and punish acts of violence, whether those acts are perpetrated by the state or private persons, and provide protection to victims...”

(Recommendation No. R (2002) 5 of the Committee of Ministers of the Council of Europe to member states on the protection of women against violence)

Violence against women is a global epidemic, constituting the serious violation of women’s human rights and fundamental freedoms. Combating this phenomenon has been one of the main priority areas of the Network Women’s Program (NWP) of the Open Society Institute since its establishment in 1998.

NWP’s main activities in this field included initiating, managing and supporting several international projects,¹ by acquiring and transferring knowledge throughout the regions where OSI has traditionally worked.² The activities of NWP in the field of violence against women were transformed into a separate program, the Violence against Women (VAW) Monitoring Program, which operated until the end of 2006.

A main focus of the Program was introducing and managing the Stop Violence Against Women (STOPVAW) website,³ and establishing the National Violence against Women (VAW) Monitor Network. The website was developed by Minnesota Advocates for Human Rights in 2003, with the support of NWP and UNIFEM. Subsequently, in May 2004 NWP initiated the National VAW Monitor Program by

¹ Such as the “16 Days” Campaigns against Gender Violence, and the Coordinated Community Response to Violence against Women (Duluth Program). The “16 Days” Campaigns Against Gender Violence program supported NGOs in 19 countries of the Soros foundations network to organize national public awareness campaigns on violence against women. NWP and the OSI Network Media Program provided grants, along with training workshops, in order to build the capacity of women’s NGOs and media experts, and to improve the quality of the media campaigns. Grants were offered exclusively for cross-country cooperation in 2003.

In introducing the Duluth Model, an innovative community-coordinated strategy, NWP organized several training workshops for national teams from 16 countries as well as special training for police officers and other law enforcement professionals, and supported the adaptation of the model for several years.

² These are the countries of Central and Eastern Europe and the former Soviet Union.

³ See: www.stopvaw.org.

establishing a network of NGOs from 24 countries. Non-governmental organizations in the fields of violence against women and gender equality take on the role of National VAW Monitors and facilitate the continued development and maintenance of the English and national-language Country Pages of the STOPVAW website.

The responsibilities of the National Monitors include the monitoring of government compliance with international obligations and the distribution of information to the international community about the successes and failures of their governments in combating violence against women. The website and the Network are active forums for information sharing, knowledge transfer, and advocacy work.

At the end of 2005 a new, comprehensive Survey to Monitor Violence against Women was initiated by NWP, inviting the National VAW Monitors and other experts to map the situation on violence against women in their respective countries, with special regard to state responses. The survey methodology prepared for the Monitors and experts to follow built upon the Council of Europe Committee of Ministers' Recommendation No. R (2002) 5 on the protection of women against violence. The goal was to collect concise and comparative information from those who are in the field, as a basis for further analysis and update. Another aim was to contribute to the Council of Europe Campaign to Combat Violence against Women, including Domestic Violence.

By following the words and spirit of the Recommendation of the Council of Europe, the examined fields include, among others:

- responsible government bodies and their mandates regarding violence against women;
- action plans and their implementation;
- state budgets to combat violence against women, including support for NGOs;
- laws, regulations, and codes of conduct;
- services and assistance to victims (shelters, hotlines, crisis centers, legal aid, etc.);
- training and education at all levels;
- role of the media;
- awareness-raising activities; and
- research and statistics.

As a result of the monitoring survey, Country Fact Sheets and Country Monitoring Reports were prepared. These Fact Sheets and Country Reports issue a non-

governmental assessment of the countries' situation in the above fields, and formulate clear recommendations to the governments.⁴

Data collection for the monitoring survey was closed on December 1, 2006. Updated information on further developments in the efforts to combat violence against women in the countries concerned is available on the STOPVAW website.

We hope that both the Fact Sheets and Country Reports will be useful advocacy tools at the national and international levels, and that, by generating legal and policy changes, they will urge the states to fully meet their international commitments to combat violence against women.

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⁴ The reports are available online at www.soros.org/women and www.stopvaw.org/Country_Pages.

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1. STATE MECHANISMS OF COMBATING VIOLENCE AGAINST WOMEN

1.1 National institutions or government bodies responsible for policy coordination and implementation

The Government Council for Equal Opportunities for Men and Women and the Department of Equal Opportunities for Men and Women within the Ministry of Labor and Social Affairs are the two government bodies responsible for supervising all governmental decisions regarding gender equality. These institutions do not have their own budgets but they are financed from the standard operating budget of various ministries.

The tasks of the Ministry of Labor and Social Affairs regarding violence against women are specified in the yearly updated *Government Priorities and Procedures for the Enforcement of Equality of Men and Women*, which was first adopted by Government Resolution No. 236 of 1998. The fulfillment of *Government Priorities and Procedures* is annually monitored through regular reports elaborated by the Department of Equal Opportunities. The last report on the year 2005 concluded that there is increasing support to the issue of gender equality and to the tasks combating violence against women. The *Government Priorities and Procedures* determined concrete tasks for the Ministry of Labor and Social Affairs for the year 2006, and the focus this year was on domestic violence: the expansion of the network of shelters for women victims of domestic violence; the establishment of shelters with secret addresses; and the support to NGOs dealing with this phenomenon. At the time of writing this report, it is not clear if the new government will continue in work on these priorities or not.

The work of the Government Council for Equal Opportunities for Men and Women was suspended when the outgoing government completed its mandate, but it is not clear yet if the new government will nominate a new council.⁵ Currently, none of the government offices or bodies in the Czech Republic is in charge of implementing measures to combat violence against women (responsible for regular monitoring and evaluation, as well as regular consultation among the relevant state institutions, NGOs and experts).

⁵ As of October 31, 2006, according to the website of MLSA, certain ministries have not yet nominated their representatives to the Council. See www.mpsv.cz/files/clanky/2025/composition311006.pdf (the Editor's note).

1.2 National action plans and other policy documents

The Czech Republic does not have a specific national action plan for combating violence against women. Part Six, “Repression of Violence against Women” of the *Government Priorities and Procedures for the Enforcement of Equality of Men and Women*, however, does contain measures to be taken in a particular year. The concrete measures for 2006 are as follows:

- Public information campaign should be launched to raise awareness of domestic violence against women that should allow for the participation of NGOs within the committees preparing this campaign. (Responsible ministries: Ministry of Labor and Social Affairs, Ministry of Interior, and Ministry of Education).
- Legislation should be adopted to suppress occurrences of domestic violence and to ensure a better protection of victims (Responsible ministries: Ministry of Justice, Ministry of Interior, and Ministry of Labor and Social Affairs).
- The progress of government actions combating domestic violence should be continuously monitored. This should help foster multi-agency cooperation against domestic violence and to establish an integrated system of help for victims. The results of monitoring should be presented to the government regularly (Responsible ministries: Ministry of Interior).

As mentioned above, the Department of Equal Opportunities for Men and Women produces an annual report on how the Ministry of Labor and Social Affairs fulfills the *Government Priorities and Procedures*. This report is considered and evaluated by the government and it is freely accessible on Internet.⁶ NGOs prepared a shadow report to *Government Priorities and Procedures for the Enforcement of Equality of Men and Women* which was criticized by the Government and the Committee of Ministry of Interior. Different NGOs offered their own analyses and reports which were distributed among state representatives and members of Parliament. Furthermore, a report on the accessibility of services for female victims of violence was released by the Ministry of Labor and Social Affairs in 2005.

In the field of trafficking the *National Strategy for Combating Trafficking in Human Beings (2005–2007)* was adopted in 2005.

There are no other special policy documents aiming to combat violence against women or its different forms except for the decision of the government to offer training programs for the employees of ministries on the issue of violence against women

⁶ See Summary Reports on the Fulfillment of the Government Priorities and Procedures for the Enforcement of Equality of Men and Women (published yearly). Available in English at www.mpsv.cz/en/2014.

during April 2006. Educational programming was held on the issue of gender equality in April but results of it are not yet known.

1.3 State monitoring of existing legislation and policies

The only systematic review mechanism is an annual evaluation report on the fulfillment of *Government Priorities and Procedures for the Enforcement of Equality of Men and Women* mentioned above. NGOs have an opportunity to comment on the fulfillment of the *Government Priorities and Procedures* before the report is processed and presented to the government. The report, however, is limited to the discussion of the responsibilities and achievements of the particular ministries and the NGOs do not have the opportunity to include their comments on the work of the ministries or to promote their own work.

1.4 State budget earmarked for combating violence against women

There is no separate budget line earmarked for the tasks of fighting violence against women in the state or municipality budgets. There is not a budget line in the central budget of the National Police Headquarters, Prosecutors' Office, Court System, National Social, Family and Child Protection Services and well as Health Care System for the tasks of fighting violence against women or its different forms. Spending on grants focused on combating violence against women in these institutions is a part of an amount which is set apart from the amount for grants in general. It means that there are no specific budgets for combating violence against women but there is some general amount allocated for grants.

None of the state authorities specifies an annual amount for the support of NGOs working in the field of violence against women. Spending in support of particular NGOs combating violence against women is a component of the annual amount of the total state and municipality budgets which is calculated for the support of all NGOs. That means that there is not an exact amount of money (e.g. in percent) calculated for support of the NGOs fighting violence against women. This is also true for projects cofinanced by the EU. Spending on these projects is not specified. 20,000,000 euros was the total amount allocated for all NGOs in 2004 in the Czech Republic.

1.5 State financing system to compensate victims

According to the Act No. 209 of 1997 Coll. on Providing Financial Compensation to Victims of Crime, victims who have been assaulted, raped, battered, or in some other way exposed to an act of violence and whose injuries have not been covered can obtain

a financial compensation from the state. In cases where the victim died, financial compensation could be obtained by a relative who was financially dependent on the victim. Victims, or their relatives, can get financial compensation for the following: loss of earnings; treatment expenses; funeral expenses; or alimony previously paid by the victim. Financial compensation is made in a single payment to repair a social situation as a result of crime. This compensation does not include compensation for pain, damaged property or monetary losses. Financial help is only available if the total level of points for pain is at least 100 points (there is not a point classification in cases of death). Victims do not qualify for financial help if they get money from any other institutions (e.g. an insurance company). To obtain the financial compensation, victims are required to report the crime immediately to the Police of the Czech Republic. The victim also must obtain a physician's report including a determination points for pain. The victim must then apply, either in person or in writing, to the Department of Indemnity of the Ministry of Justice. This one-time financial compensation should help in overcoming the social situation; the maximum amount is 150,000 korunas (appr. 5,000 euros). In case of murder, surviving relatives have the right to claim the refund.

Compensation for injuries suffered may be claimed in an independent civil case.

An NGO called *Bílý kruh bezpečí* (White circle of safety, BKB) cooperates with the endowment fund of Filip Venclík in the Czech Republic. From 1999 to 2004, this fund provided 14,000 euros in financial support for victims of crime. It is not possible to specify the amount distributed to victims of violence against women, there are no statistics about it.

1.6 Recommendations of the UN CEDAW Committee to the state and their implementation

The last accessible Concluding Comments of the UN CEDAW Committee for the Czech Republic is from May 15, 2002 and the primary concerns in connection with violence against women are: The Committee is alarmed about the increasing rate of unemployment, particularly among women, the Roma and other vulnerable groups. The Committee notes with concern that the problem of domestic violence against women is not being sufficiently addressed and that the Penal Code of the Czech Republic does not contain any specific provision protecting women against domestic violence. The Committee is concerned about the increasing rate of trafficking in women as well as the sexual exploitation of children. The Committee calls upon the state to enact specific legislation on domestic violence. The Committee urges the state to adopt effective measures against trafficking in women as well as the sexual exploitation of children.

The only steps taken by the government to implement the above is the amendment of the Criminal Code that enacted the new Section 215/A on the abuse of person living in the same residence (2004) and the government bill on the expulsion order and prohibition to enter the home (2005).

2. LAWS FOR THE PROTECTION OF WOMEN FROM ALL FORMS OF VIOLENCE

2.1 Laws addressing violence against women or its different forms. Restraining or protection orders

In the Czech Republic protection of victims of all forms of violence is provided through various acts of criminal law, or more precisely constitutional law, where the rights to human dignity, personal honor, good reputation and the right to life are stated.

A significant development was made in the protection of victims of domestic violence when the Parliament adopted the Act No. 135 of 2006 Coll. on Combating Domestic Violence on March 14, 2006 (entering into force on January 1, 2007). This act follows the Austrian model and amends a number of other acts applicable in the field of combating domestic violence. Based on these changes, the police will have the right to evict from the home a perpetrator of domestic violence for ten days if there is a risk of a dangerous attack against life, health, freedom or peril of very severe humiliation. The decision to evict the perpetrator will be based on evidence of violence, with weight given to previous attacks. Eviction may also include the surroundings of the house. The period of ten days cannot be reduced, even if the victim agrees. The police, however, should inform the victim about the possibility to file a proposal to prolong the period of expulsion. The police will have to report the eviction to the Intervention Center within 24 hours. An amendment to the Act on Social Provisions prescribes that local governments shall establish Intervention Centers, which will be responsible for multi-agency cooperation and providing assistance to the victims.

The police will also have a discretionary right to issue a restraining order. The court will have the authority to extend the ten-day eviction period by issuing an order within

48 hours following the first ten days. Despite this progressive step, experts claim shortcomings and uncertainties in the new legislation.⁷

2.2 Applicable provisions in criminal law

2.2.1 Criminal offences

The Criminal Code (as amended in 2004) lists the following offences that may be applied in cases of violence against women:

- Section 215/A on “Abuse of person living in the same residence.” If someone maltreats a person, who is in close relationship with him/her or who is living in the same premises. Abuse is defined as a bad treatment of a person in close relationship. Bad treatment is conceived in terms of excessive and continuous roughness and heartlessness, and is punishable if causing grave injuries as a result of sexual and psychological violence, such as beating or other form of bodily harm, blackmailing, threatening or forcing to do degrading acts. The punishment is 0–3 years in a basic case and 2–8 years in the case that the violence is committed in the long term or on more persons. This provision came into force in 2004.
- Section 219 on “Murder.” The intentional killing of another person is punishable by 10–15 years of imprisonment.
- Section 221–224 on “Bodily harm.” Causing bodily injury to another person intentionally or by negligence is punishable by 2–8 years of imprisonment.
- Section 241 on “Rape.” Forcing another person by violence or by threat of immediate violence to a sexual intercourse or similar form of carnal knowledge, or abuse of someone else’s defenselessness to submit to such act is punishable by 2–8 years of imprisonment. If the victim is under the age of 18, the term is 3–10 years, if the victim is under the age of 15, the term is 5–12 years.
- Section 242 on “Sexual abuse of person under the age of 15.” Having sexual intercourse (coitus) with a person under the age of fifteen years, or sexual abuse of such person in another manner is punishable by 1–8 years of imprisonment.

⁷ See *Shadow Report to the Committee on the Elimination of All Forms of Discrimination against Women for the Czech Republic*. Joint submission of the European Roma Rights Center, League of Human Rights, and Gender Studies in 2006. See www.llp.cz/subdomains/en/images/stories/files/finaljointcedawsubmission.pdf at p. 24.

- Section 215 on “Abuse of person who was consigned to custody.” Battering or maltreating a person in his/her care or upbringing is punishable by 0–3 or 2–8 years of imprisonment.
- Section 216/A on “Trafficking in Children.” Obtaining financial remuneration for transferring a child to another person (another person’s power) for the purpose of adoption, child labor or for some other purpose is punishable by 0–3 or 2–8 years of imprisonment.
- Section 217 on “Endangering moral upbringing of youth.” Exposing a person under eighteen years of age, intentionally or by negligence, to the danger of depravity by (i) making it possible for such person to lead an idle or immoral life; or (ii) luring such person into leading an idle or immoral life; or (iii) enabling such person to gamble on gaming machines equipped with a technical device which influences the result of the game and offers the possibility of a pecuniary winning is punishable by 2–5 years of imprisonment.
- Section 217/A on “Seduction of a person under the age of 18 into sexual intercourse.” Offering, promising or providing remuneration or other benefit or advantage to a person under eighteen years of age for performing sexual intercourse (with such person); for watching such acts for the perpetrator’s own sexual satisfaction; for denudation (stripping off of clothing) or other comparable behavior is punishable by 1–5 years of imprisonment or financial penalty.
- Section 197/A on “Violence against the group of inhabitants or an individual.” Threatening another person with death, a serious bodily injury or other serious detriment in a manner giving rise to reasonable fear is punishable by up to one year of imprisonment or financial penalty.
- Section 204 on “Soliciting/Pandering.” Procuring, inducing or enticing someone to practice prostitution or exploiting prostitution practiced by another person is punishable by up to three years of imprisonment.
- Section 231 on “Restraining of personal freedom.” Unlawful and unauthorized prevention of another person from enjoying his/her personal liberty (freedom) is punishable by up to two years of imprisonment.
- Section 235 on “Blackmail/Extortion.” Forcing another person by violence, the threat of violence or the threat of another serious detriment to do something, to desist from doing something or to tolerate something is punishable by up to three years of imprisonment.
- Section 232/A on “Trafficking in people, where the victim, who is forced to sexual services, is under the age of 18.” Inducing, forcing, hiring, transporting, hiding, detaining or delivering a person under 18 years in order that he/she is

abused by (i) sexual intercourse or other form of sexual abuse; (ii) slavery or servitude; or (iii) forced labor or other forms of exploitation is punishable by up to 2–10 years of imprisonment.

Violence perpetrated by State representatives or officials is penalized at the same way as the other crimes but there can be an aggravating factor (by Section 34 of the Criminal Code), when the victim was subordinated or dependent on the perpetrator. Then Section 158 of Criminal Code on “Breach of authority” can be used, which refers to criminal offences of state representatives.

2.2.2 Criminal procedures and prosecution

There are special procedures, which enable quick decision or resolution of the case. These procedures apply only in less serious instances especially in the event that the victim and the offender conclude an agreement on payment of damages, the offender pays the damages and does not dispute his/her guilt, etc.

Prosecutor or police are obliged to act after accepting the announcement of the crime except for crimes where it is necessary the victim’s request to start the procedure. A victim’s consent to the prosecution is necessary for the listed crimes (rape, bodily injury, blackmail, etc.) if the injured person and the offender are a married couple or partners. This does not apply in the event that the criminal offence causes death of the victim, the victim is under 15 years of age or due to insanity is unable to give consent.

The prosecutor is obliged to take a legal action in all reported cases. The prosecutor inspects the procedure of police and gives them instruction to clear up the case.

During prosecution, there is no difference made between male and female offenders (except for the instance when the offender is a pregnant woman – she may apply for postponement of the start of her imprisonment). The fact that the victim is female does not make any difference from a procedural law perspective.

The aggravating and mitigating circumstances are listed under Sections 33 and 34 of the Criminal Code. Neither one of these lists of circumstances is exhaustive and both are applicable to any criminal case. The fact that the victim of a crime is a woman is not an aggravating factor. What is considered is the fact that woman is under the age of 15 or 18 years. Then pregnancy of the victim is also considered as aggravating factor. It is an aggravating circumstance if the perpetrator commits the violent act taking advantage of a victim’s defenselessness, dependence or subordination or when perpetrator commits the crime for a long time or repeatedly. A further aggravating circumstance is the young age of the victim. Mitigating circumstances include: perpetration of the crime under the strong influence of alcohol, under the influence of

oppressive family situation, which were not caused by perpetrator, perpetrator has lived honest life or very truly regrets perpetration of the crime.

2.3 Applicable provisions in civil and family law for cases of violence against women

There are no special laws or provision concerning violence against women but anticipation in general. A special provision in defense of children is stated in the Act No. 359 of 1999 on the Social and Legal Protection of Children, as it is stated above. There are no special provisions in domestic violence cases concerning divorce, housing and child custody/visitation rights. While making decisions about child custody/visitation rights, the court is obligated to consider the main interests of the child. It is relatively simple in cases of abused children, but it is usually not considered when the child is “just” a witness of domestic violence.

Compensation for pecuniary and non-pecuniary damages is stated in civil law and it includes compensation of damage to health, financial compensation for survivors, costs on healing or lost on earnings. It is applicable to victims and family members. There are also general provisions referring to damages applicable to any kind of damages.

2.4 Victim protection and protection of witnesses

There is no special law on victim protection and protection of witnesses. The only special provision concerning violence against women is a possibility to hear the witness out of the main trial. The Code of Criminal Procedure enables witnesses, if necessary for her/his protection or protection of her/his relatives, to be protected by giving their witness statement under a pseudonym and without actually facing the offender (secret witness). For this measure to be applied, it is necessary that there is a certain serious danger threatening the witness and/or his/her relatives connected with the witness statement.

There are no special conditions prescribed for the hearing in order to avoid secondary victimization, repetition of testimony, unwarranted questioning. The victim of domestic violence is repeatedly examined by the police, by the advocate of the perpetrator and by the court. The only exception is a victim under the age of 15 years. The hearing of such a victim has to be conducted prudently and without repetition to avoid psychological and moral harm of the child.

There are no provisions in the data protection law specifically for cases of violence against women. Provisions within Act No. 101 of 2002 on the Protection of Personal Data (as well as in Act No. 40 of 1964, the Civil Code, as amended in 2002) state the

individual's right on protection of his/her personal data. Breach of data protection principles may even lead to a criminal punishment of the offender in certain instances.

There are no special provisions of professional confidentiality in cases of sexual violence against children.

There are no special provisions in the law in the defense of the professionals, service providers dealing with violence against women cases. This service can be safeguarded by NGOs.

2.5 Legal assistance and representation for the victims of violence against women

Victims of violence against women, who do not have enough money for financing the procedures, may utilize several opportunities within the Czech legal system:

- The victim may ask the Czech Bar Association to delegate an advocate according to Article 18 of the Act No. 85 of 1996 on Advocacy.
- According to Article 138 of Code of Civil Procedure, the victim has the right to have the court charges waived.
- During the criminal trial proceedings the victim can be represented by an attorney and the court can order that the defendant is obliged to pay all court costs.

There is also some legal assistance provided by NGOs. For example the program AdvoCats for Women of the proFem organization is available to women victims of domestic violence. It is financed through grants of proFem organization, both by the state or other donors.

2.6 Providing information for victims about their rights, obligations, and the services available

The legal requirement to provide information for the victims in the procedures is stated in the Act No. 283 of 1991 on the Police of the Czech Republic and Act No. 533 of 1991 on Municipal Police. The paramount duty of Police is not to cause an unreasonable damage to the victim. The Police are obliged to instruct the victim about her/his rights.

2.7 Mainstreaming women's safety in laws and regulations of the national, regional, and urban planning

The issue of violence against women and women's safety is not present in the laws, regulations and guidelines of the national, regional and urban planning. The only exception are the plans of particular social sectors in some cities or towns where they have programs for building asylum houses in which victims of violence against women can seek for help also, but there is usually not any specific assistance for victims of violence against women provided in these houses. The only service they can provide for victims of violence against women is accommodation and information where they can find specific help.

3. PROFESSIONAL GUIDELINES, PROTOCOLS, AND INTER-AGENCY COOPERATION

3.1 Professional guidelines and operational protocols for dealing with cases of violence against women

There are no special laws, compulsory codes or guidelines for professions for dealing of violence against women cases. Methodological guidelines for police were issued by the Police Presidium of the Czech Republic which explain how to act in the issues of domestic violence. Police are obliged to accept and document all reports from callers, provide security for all concerned and separate the victim and the perpetrator, document all information from the victim, the perpetrator and witnesses, document all damages to health and property, consider the risk of repeated violence after their leaving, provide all relevant information about the possibilities for help to the victim, offer the victim a possibility of a transfer to a safe place and inform her about the safety plan, inform the Department of Social and Legal Protection of Children about children growing in the surrounding of domestic violence. Police have the ability to arrest the perpetrator within 24 hours.

In 2004, a state-financed Model Interdisciplinary Project for creating of legal frame and methodical guidelines for introduction of interdisciplinary teams including health, social and police assistance during the detection of cases of domestic violence was completed. The Model Interdisciplinary Project was prepared by the Ministry of Interior in cooperation with other sections and NGOs (proFem, ROSA, BKB). The Ministry of Interior in cooperation with other sections and NGOs continues on data collection and mapping possibilities of help to victims of domestic violence. The Minister of Interior proposed the information about completion of the project to the government. Fulfillment of measures from the project is controlled by experts from the

Ministry of Interior, Ministry of Justice, Ministry of Labor and Social Affairs, Ministry of Health, and Ministry of Education. The first information was submitted to the government in April 2005 and contained information about the establishment of interdisciplinary teams connecting social, health and police assistance during detection and prosecution of domestic violence cases in 2004. The second report included information about the establishment of interdisciplinary teams connecting social, health and police assistance during detection and prosecution of domestic violence cases in 2005 and described the progress in the field of domestic violence and refers to some continuing problems in this field especially in the field of legislative measures.

The Ministry of Health prepared a draft of the *Guidelines of the Ministry of Health for Physicians on the Procedure of Providing Medical Treatment to Victims of Domestic Violence*.⁸

3.2 Legal regulations of inter-agency cooperation

In 2001 an interdepartmental working group for an interdisciplinary solution to domestic violence was established (consisting of representatives from the Ministry of Labor and Social Affairs, Ministry of Justice, Ministry of Education, Youth and Sports, Ministry of Interior, and Ministry of Health, as well as representatives of an NGO coalition, Koordona). Government Decree No. 794 of August 25, 2004 calls the Minister of Labor, Minister of Justice, Minister of Education, and Minister of Interior for adopting measures for establishing interdisciplinary teams which combine medical, social, and police aid to victims.

The new legislative act regarding domestic violence incorporates the establishment of intervention centers, which should coordinate multi-agency cooperation in domestic violence interventions. Intervention centers should be established and run by local authorities. In the Czech Republic, there are 14 regions including Prague region, and each of them should have one intervention center.

If the Police evict a perpetrator from a residence where minors (children under 18) live, the police are obliged to report this fact to the social welfare office. Police have to report eviction to the Intervention centre within 24 hours and these centers should contact the victim and offer her support services. Intervention centers are responsible

⁸ European Roma Rights Center, League of Human Rights, Gender Studies (2006) *Shadow Report to the Committee on the Elimination of all Forms of Discrimination against Women for the Czech Republic under Article 18 of the Convention on the Elimination of all Forms of Discrimination against Women for its Consideration at the 36th SESSION, 7 to 25 August 2006*, available at www.llp.cz/subdomains/en/images/stories/files/finaljointcedaws submission.pdf.

for coordination of multi-agency cooperation. The aim of the cooperation is to protect the victim from repeated violence and to prevent secondary victimization.

It is stated in the law that during the criminal trial proceeding all authorities involved in the proceeding should cooperate (Police, Prosecutor, the Penal Court).

3.2 Medium- and long-term coordinated action plans for the different professions

There are no medium- and long-term coordinated action plans for the different professions in the field of violence against women.

3.4 Involvement of NGOs and other agencies in drafting laws and shaping policies

There is no systematic mechanism to involve the NGOs working in the field to the drafting, designing, implementation and evaluation of laws and policies. However, NGOs representatives took part in the above mentioned Model Interdisciplinary Project and working group to combat domestic violence. Furthermore, the Ministry of Labor and Social Affairs and Ministry of Interior occasionally arranges roundtables with representatives of NGOs and state institutions (e.g. court, prosecution).

3.5 Leading NGOs working in the field of violence against women in the country

- *Acorus*: a psychological-social center for victims of domestic violence and their children providing crisis telephone line, e-mail counseling, outpatient help, crisis bed, residential program with possibility of social habitation;
- *Adra*, in the city of Hradec Králové: a counseling center for victims of violence and crimes, which provides legal and psychosocial assistance;
- *Bílý kruh bezpečí* (White Circle of Safety, BKB): a civic association that provides free and tactful help to victims of crimes, including moral support for relatives;
- *Český svaz žen* (Czech Women's Union): an NGO focused on the issue of position of women in society;
- *Elektra*: a center of help for women abused in childhood is focused on assistance to victims of sexual violence and to their relatives, spouses or friends;
- *Elpis*: a Christian organization providing help to victims of violence, abuse and torture;

- *La Strada*: an NGO specialized in dealing with the issue of trafficking in people;
- *Liga lidských práv – Poradna pro ženy v tísní* (League of Human Rights): an NGO providing complex and direct assistance to victims of domestic violence and some additional help for victims of rape and sexual abuse;
- *Magdalenium*: a civic association that provides psychical, social and legal assistance, as well as a temporary shelter for women victims of domestic violence;
- *Most k životu* (Bridge to Life): an NGO that runs asylum houses for women with children and provides psychosocial counseling and counseling for victims of domestic violence;
- *proFem*: an NGO that deals with women's human rights and provides free legal help to women who become victims of domestic violence;
- *ROSA*: an informational and counseling center for women victims of domestic violence provides free complex psychosocial and legal assistance for these women. ROSA also runs a shelter and two asylum flats with secret address.

The usual source of funding of these organizations comes from grants from state and other institutions and donors. The state has a share of about 50 to 70 percent in the funding of these NGOs. State support depends on the type of organization if it is just local or a part of some international network.

4. SPECIAL UNITS IN THE LAW ENFORCEMENT OFFICES

The Municipal Police Directorate in Brno established a Working Group on Domestic Violence in 2005 which is the only group of its kind in the country.

5. AVAILABLE SERVICES

5.1 Shelters

In the Czech Republic many organizations claim to work with victims of domestic violence, but only a few of them offers services specialized on this issue.

The Czech Republic has 10.2 million inhabitants; out of which 5.2 million are women. According to the representative research of the Academy of Sciences of the

Czech Republic (2004), 38 percent of women have had an experience with some form of violence from their (ex)partners during their lives.⁹

In the Czech Republic there are only four specialized shelters for female victims of violence. Three of them provide specialized services for female victims of domestic violence and their children and one shelter is offering specialized services for women who became victims of trafficking and/or sexual violence. All these shelters are operated by non-governmental, non-profit organizations.

Shelters for female victims of domestic violence are run by the following NGOs: Acorus, Magdalenium and ROSA. Acorus offers eight rooms for women and their children and one crisis room; Magdalenium runs five rooms for women and their children (including a crisis room); and ROSA operates one shelter with ten rooms for women and their children and two flats (for three women and their children). The addresses of all of these shelters and flats are kept secret. In total, there are 27 places for women victims of domestic violence offering not only a “roof over their heads,” but also specialized services such as specialized psychological, psychosocial and social counseling, secret address, legal support etc. These shelters do not have waiting lists; women are taken in the shelter according to their actual situation. The shelters of Acorus and ROSA are located in the Bohemian part of the Czech Republic and Magdalenium in the Moravian part. The accessibility of the specialized shelters is not sufficient. Placement in these shelters is not free of charge; women have to pay on monthly basis (the fee helps NGOs to cover the expenses such as energy, etc.). The fee for accommodation in the shelter varies, but it is approximately 100 euros per month.

Two of these shelters provide immediate help in sense of acute/crisis accommodation, all three provide a telephone line (two services operate 24 hours a day; one is available from 8.00 a.m. to 6.00 p.m.). Immigrant women are not excluded from obtaining these services, but it is dependent on the individual case (language barrier, status, etc.).

All organizations and institutions providing social services in the Czech Republic have to fulfill the Standards of Quality in Social Services, produced by the Ministry of Labor and Social Affairs. The Standards describe what quality of social services should be. These Standards are universal, applicable for any social service regardless of its character, the size or legal status of the facility. Standards formulated in such a way expect that social service providers will define important criteria in their own documentation themselves – e.g. goals of services, mission, target group of users,

⁹ For information on the research project titled *Violence against Women in International Perspective*, see www.soc.cas.cz/projects/cz/16/75/Mezinarodni-vyzkum-nasili-na-zenach.html (in Czech only).

capacity, procedures, how to secure respecting the rights of service users, ways and principles of services delivery and other internal rules.¹⁰

In shelters specialized for women victims of domestic violence (Acorus, Magdalenum, ROSA) there are internal guidelines for treatment of victims and multi-agency work (e.g. to be on side of women victims of violence, no cooperation with a violent partner, professional secrecy, cooperation with key institutions such as Police, health care providers, social departments and other NGOs dealing with the issue of violence on women). As for the children, there are some special conditions for treating children (for example, in the shelter of ROSA there is a policy to accept boys up to 14 years). All these shelters provide some kind of treatment for children, for example therapeutic groups, hobby groups, individual counseling with a child psychologist and so on. ROSA was running a pilot project “Groupwork with children” based on experience with group work from Domestic Abuse Project, Duluth. If the shelter cannot provide consultations with a child psychologist from their staff, they cooperate with some local expert. There is no rule to have a child expert during the acceptance of women and children to the shelter.

In 2005 Ministry of Labor and Social Affairs accomplished a research on the quality and accessibility of services for victims of domestic violence.¹¹ Here are some of the main findings: social services for victims of violence are concentrated in big cities, this kind of service is almost inaccessible for women in the countryside. There is a lack of accommodation for victims of domestic violence who left the shelters (social flats etc.), lack of crisis centers and legal counseling for victims free of charge, lack of shelters with secret address.

ROSA published a brochure titled *Shelter – More than a Roof over Your Head*, which addresses the area of recommendations and standards for foundation of shelters for women victims of domestic violence and their children.

The NGO La Strada provides the possibility of accommodation with secret addresses. They run one flat, where they can accommodate four women for a short time period, three women victims of trafficking for a long term period.

Beside the specialized shelters (whose number is insufficient) there is a possibility to use services offered by other asylum houses. Most of them are operated by Charities, some of them by local municipalities. The Czech Catholic Charity (CCCH) runs the program Magdala, which offers services also for victims of domestic violence and

¹⁰ Standards are available in English at www.mpsv.cz/files/clanky/2057/standards.pdf.

¹¹ Ministry of Labor and Social Affairs (2005) *Kvalita a dostupnost služeb pro oběti domácího násilí* (Quality and Accessibility of Services for Victims of Domestic Violence), available at www.mpsv.cz.

trafficking. Within CCCH there exist 33 asylum houses for women and their children. They accept women in different difficult and crisis situation. They accept also women victims of domestic violence and their children. In total, CCCH has 350 places for women and 600 places for children in different parts of the Czech Republic. They can offer crisis support, but the specialized counseling for victims is still not developed very well. According to the manual of CCCH they are able to keep the identity of the women staying there hidden, but the addresses of all their asylum houses are public.

NGO providers of shelter accommodation may apply for funding from the state; there is a budget set aside for this purposes, which is distributed through particular ministries. However, the operational budget of the specialized shelters is usually very uncertain and every year it has to be put together from different sources (ministries, local government, foundations, etc.). Data about the approximate proportion of state funding is not available.

5.2 Hotlines

In the Czech Republic there is no hotline for victims of violence available free of charge. Almost all NGOs working in the field operate lines offering counseling for victims. Hotlines operating 24 hours a day are DONA (run by the organization Bílý kruh bezpečí), Acorus, Magdalenium. Several lines offer services for limited time period: Poradna pro ženy v tísní (between 7.00 a.m and 10.00 p.m.) and ROSA (between 8.00 a.m. and 6.00 p.m.), both operated by a person with a training on crisis intervention and domestic violence on women (WAVE) voluntarily. ROSA's line has been in operation since 1998, and through the end of 2005 there had been 6,268 calls from women victims of domestic violence from all around the Czech Republic. All these lines cover social, psychological, crisis and basic legal counseling and are accessible all around the country.

Bílý kruh bezpečí (BKB) has operated the DONA line since September 11, 2001. The line is staffed by 31 consultants – eight men and 23 women (ten lawyers, three psychologists, two psychiatrists, as well as social workers and university students). BKB trains their staff within their own training program within the scope of 63 hours. DONA hotline is supported by international company Philip Morris and offers their services not only for women, but also for men. DONA published statistic findings concerning domestic violence from the first 1000 calls. Ninety-five percent of the domestic violence victims are women, five percent are men. The average length of domestic violence in the sample is one to three years. They also come across with the relationships where the violence has been present for more than 20 years. The majority of the violence occurs within marriage (59 percent), less often between parents and their children (11 percent). From September 11, 2001 to January 31, 2005 11,321 calls were registered by the DONA line, and out of which 6,873 calls concerned

domestic violence.¹² Eighty-seven percent of people who called the DONA line were women.

Two lines are specialized for women victims of sexual abuse and trafficking (La Strada and Elektra). La Strada operates the line on Tuesdays and Thursdays between 10:00 a.m. and 4:00 p.m., on Wednesdays between 12:00 noon and 6:00 p.m. and offers the possibility to call back. Elektra operates Mondays, Thursdays, and Fridays between 10:00 a.m. and 1:00 p.m., and Tuesdays between 2:00 p.m. and 6:00 p.m. Elektra's staff on lines is trained in telephone crisis intervention by organization Remedium.

proFem operates the Line of Legal Help for Women Victims of Domestic Violence. The line is operated on Wednesdays between 6:30 p.m. and 8:30 p.m. by a lawyer trained in the field of domestic violence.

Women victims of violence can also call to the non-stop crisis lines, which are not designed only for the victims of violence (e.g. Riaps). Staff of these lines are trained in telephonic crisis intervention. All lines have internal guidelines of operating, based on Standards of Quality in Social Services.

5.3 Crisis intervention centers

In the Czech Republic there is no crisis intervention center specialized exclusively in assisting female victims of violence. In crisis situations, women can seek help in crisis centers, which are not specialized in assisting women victims of violence, but can be helpful in immediate crisis intervention or in NGOs which are specialized in assisting women victims of violence (eight centers). These organizations provide psychological, social and legal help and can arrange medical and/or psychiatric treatment. The staff usually consist of psychologists, social workers and lawyers. Organizations provide mostly their own internal trainings.

NGOs dealing with the issue of violence against women are starting programs built in multidisciplinary approach (cooperation with governmental and local institutions and other providers of social services).

The organization Bílý kruh bezpečí is focused on victims of all types of crime and it is not gender based. BKB had a pilot project on the interdisciplinary approach to combat domestic violence on community level. This project was implemented in the city of Ostrava during 2003–2004.

¹² See: www.donalinka.cz/dona_aj.html.

5.4 Intervention programs for the perpetrators

Although the Criminal Code provides the possibility for ordering the perpetrators to take part in therapeutic programs, in the Czech Republic there are no intervention programs for the perpetrators. The Probation and Mediation Service, responsible to the Ministry of Justice, was assigned the task to prepare the accreditation of therapeutic programs for adult perpetrators of domestic violence as well as programs for victims with a deadline of December 31, 2005. However, it has not been implemented yet.

5.5 Other victim support services

ROSA provides group therapy for women, some organizations offer self-defense courses, some works on base of systemic-therapy, some organizations have the possibility to move women from flat by car etc. Usually it is funded partly by state, partly by donors and partly by different grants.

6. EDUCATION AND TRAINING

6.1 The prevalence of violence against women, prejudices, and stereotyped sex roles in school curricula and the availability of sex education programs

As far as the information available there are no special items or topics in the school curricula (elementary and secondary schools) about violence against women. Dissemination of information about violence against women depends on particular schools and teachers and it is mostly in form of chats with students and people working in field of assisting women victims of violence.

According to available information the Ministry of Education is preparing recommendations for primary and secondary schools to incorporate the issue of violence (on children and domestic violence) into curriculum. The ministry and other relevant institutions have not provided any more specific information in that regard.

There are no sex education programs as a part of the school curricula in either the elementary or secondary schools. This topic can be covered in the *civic theory* classes but there is no particular curriculum for the sex education.

6.2 Mandatory and other training programs for future professionals

There are no mandatory training programs for future professionals on violence against women. Curriculum at some universities covers the area of violence on women or domestic violence, but these seminars are voluntary and not mandatory.

At the Department of Psychology at the Charles University, Prague, there is a course on *Domestic violence as a specific phenomenon*. This course is prepared with cooperation with the ROSA organization and is appointed for future psychologists and other helping professionals. The duration is for one semester (4 months, one hour per week) and the number of students in the seminar is 20. The content covers area of myths about domestic violence on women, cycle of violence, specifics and dynamics of violence, children, witnesses of domestic violence, treatment for victims, legal background etc.

The Department of Social Work at the Charles University offers a voluntary seminar *Domestic violence*. The capacity of the seminar is six students and duration is one semester (4 months). Seminar is for two hours once per two weeks.

The Department of Sociology, Faculty of Social Sciences of the Charles University offers a voluntary seminar *Violence on women* which is a semester-long course and the lecturers are women active in the civic organizations helping women victims of domestic violence.

The Law Faculty at the Charles University, Prague, offers the seminar *Domestic violence* for lawyers. The faculty offers the seminar *Domestic violence* also for university graduates. This seminar is structured into two two-day meetings (28 hours in common). The topics include general information about violence; violence from the legal point of view; limits of the Czech Criminal Code; profile of the perpetrator; the Civil Code and domestic violence; prevention; mediation and marital counseling; entitlements of victims of domestic violence; and the child as a witness of domestic violence. The participants have to pay 120 euros to attend.

6.3 Mandatory and other training programs for practicing professionals

There are no mandatory training programs for the practicing professionals. Most of available training programs are offered by non-governmental organizations which are dealing with the topic of violence against women.

ROSA provides trainings for police and social workers, healthcare providers and other helping professionals. The training is based on the WAVE Training manual and experience of trainers from the Netherlands, Austria, and Lithuania. With regard to the fact that the trainings are not mandatory for professionals, the length of the training is

depending on the will of employers to permit employees to participate. Usually it is a half day or one day training, containing general information about domestic violence; the cycle of violence; the impact of violence on victims; safety planning; the Stockholm syndrome; children as witnesses of violence; etc. ROSA is able to provide longer training programs which include role plays and further information about violence against women and they plan to offer this training also for lawyers and other professionals. ROSA provided three-day long trainings for workers from refugee camps. The number of participants is usually up to 20.

In 2005 ROSA finished a project funded by the Embassy of the United States of America in the Czech Republic. Within this project it provided training for police and social workers in ten cities in the Czech Republic. The training programs have been, up to now, organized irregularly, depending on grant funding. ROSA has published two training materials: one for the police and the other for healthcare providers.

The NGO Liga lidských práv (based in Brno) provides training seminars also for the general public and professionals. They do not have any special projects for training and they do not provide it on regular basis. They usually meet requests from professionals. In 2005 they implemented a project of trainings for health care providers with cooperation with the Municipality of the city Brno. Other trainings were provided for social workers. The structure of trainings is adapted according to the requirements of submitters and particular professions, but generally it has following structure: the legal part (criminal code, divorce proceedings, custody proceedings) is separated from the psychological part (treatment of victims of domestic violence, the Stockholm syndrome, children, witnesses of domestic violence, case study). The length is usually one day.

NGO Nesehnutí provides seminars and lectures for the general public and schools. These seminars are not focused only on violence against women but also on gender equality (in 2005 they prepared 5 seminars). This NGO also provides seminars on above topics for teachers and social workers.

The National Institute for Professional Education offered pedagogues a one-day seminar *Gender equality in social sciences teaching*. According to the organizers there was almost no interest from the side of the pedagogues and they do not plan to repeat it. In March this Institute with cooperation with NGO La Strada offers the seminar about trafficking.

6.4 Gender equality issues in higher education curricula and human rights programs

Gender equality issues at some Universities are covered in specialized gender programs. The Faculty of Human Studies of the Charles University¹³ offers study program Gender Studies, which contains seminars about gender, feminism and violence on women. There are also Gender Studies Bachelor program at the Faculty of Social Studies of the Masaryk University in Brno, founded under the support of Open Society Fund Praha.¹⁴ It offers voluntary seminar *Violence on women*, with the duration of one semester. The lecturers are women active in the civic organizations helping women, victims of domestic violence.

The topic of human rights is incorporated into the curricula of the Civic Theory subject. The content of this subject is very wide and differs from one school to another. Generally speaking, there is no rule or regulation to build the gender perspective into the human rights education programs.

7. THE ROLE OF THE MEDIA

7.1 Media law provisions concerning violence against women and the portrayal of women

The Constitution of the Czech Republic or legislative acts in the Czech Republic (the Act No. 40 of 1995 Coll. on the Regulation of Advertising (Advertisement Act), the Act No. 46 of 2000 Coll. on Rights and Liabilities in the Publication of Periodical Press (Press Act), the Act No. 23 of 1991 Coll. enacting the Charter of Fundamental Rights and Freedoms in the Czech and Slovak Republic do not regulate the publication of information, articles and comments about violence against women by any legal measures and provisions of the press law. Laws restricting propagation of race or other discrimination, humiliation of human dignity, endangering of children's moral values or be in conflict with good manners provide an outline for publications. Interpretation of these laws is provided by the courts.

7.2 Guidelines and codes of conduct for media professionals

There are no guidelines, codes of conduct for media professionals, which would take the issue of violence against women into account, and would be aimed to promote a

¹³ See www.fss.cuni.cz/gs/.

¹⁴ See www.fss.muni.cz/gs/.

non-stereotyped image of women and men, or to avoid programs associating violence and sex. In the statutory media there are certain professional codices, which have general character but they do not include parts concerning violence against women. For example, the Ethics Code of Czech Broadcasting says that displaying of violence has to be in line with artistic or editing viewpoints and it is necessary to consider that the representation of violence must not raise apathy towards it and must not distort reality.

Private mass media companies (the majority of media in the Czech Republic) do not have general ethic codes for violence against women or other areas. Ethical control of broadcasting programs is based on the opinion of the lawyer who considers the potential of prosecution for slander, dissemination of ideas and movements leading to the human rights violation etc. Ways and styles of presentation of violence (violence against women) are decided upon by editors, authors of materials and the opinion of the publisher. Negative attitude of the editor towards the issue of domestic violence influences the reporting about the issue or results in publishing no materials condemning domestic violence on women or discussions about it. One particularity of the Czech media scene is apprehension of publishers that supporting actions against violence against women may irritate male readers – in the sense of decreasing interest.

7.3 Media watch organizations monitoring violence against women, sexism, and stereotyped portrayal of women

There are no media watch organizations in the Czech Republic. The Syndicate of the Journalists¹⁵ is a voluntary professional association of journalists, of which not all journalists are members. It has its own ethical commission which is defined as an independent professional institution. The commission should fulfill the Constitution of the International Federation of Journalists; therefore it publishes general recommendations and concrete statements as well as individual criticisms in cases of violation of journalist ethics.

Act No. 46 of 2000 on Rights and Liabilities in the Publication of Periodical Press (Press Act) regulates print media activities but it does not specifically address content limitations related to violence against women. This Act is based on the general law which provides security through: apology and correction of invalid data; protection of personality rights; protection of name and protection of good reputation. This Act is often misused by perpetrators of violence against women, who threaten editor's offices by lawsuit if they will publish information about their violent behavior. That is why many editors' offices do not disclose cases of domestic violence, except criminal reports.

¹⁵ See: www.syndikat-novinaru.cz.

In cases of prolonged custody trials, the media takes the side of the perpetrators, because of apprehension about accusations from their side.

This Act also establishes responsibility for the content of advertisement. A publisher is not responsible for the verity of data shown in the advertisement. Therefore they don't refuse advertising which exploits naked female bodies, because of an income from advertisement and no sanctions if the advert violates good manners. There are no special provisions regarding violence against women or the portrayal of women. Intervention into publishing and to the content can be done only by the Trades Licensing Office, registering particular advertising agency or author of advertisement. In cases of unsuitable advertisement the Trades Licensing Office may issue a penalty fee or withdraw the trade license.

Change of unsuitable advertisement can be requested by the Council for Advertisement, based on consideration of public initiative. However, the Council cannot ban the advertisement. It is an association of media representatives, advertising agencies and submitters of advertisement and doesn't have the legal status entitling to prohibition. The Council may only recommend withdrawing of the advertisement, which has happened in cases of showing or propagation violence on women only once since 1990 as reaction on massive protest of women NGOs.

7.4 Training programs for media professionals on violence against women

In the Czech Republic there are no training programs for the media professionals on violence against women (aimed to promote of a non-stereotyped image of women and men and to avoid programs associating violence and sex). Lecturers at schools preparing media professionals can appeal on them in sense of journalists' ethic. But these lectures are also focused mainly on the legal point of view and lawsuits between media and citizens. Programs focused on training media professionals are provided only by NGOs.¹⁶ These projects are usually financed by private donors. Journalists participate on these projects on voluntary base and the actual impact on media is minimal.

7.5 Media activity in raising the awareness of the general public of violence against women

Participation of media in information campaigns on violence against women is regulated by internal guidelines of so-called media partnerships of particular redactions.

¹⁶ E.g. organization Gender Studies: The Images of Women and Men in Media, study "How many women work at manager positions in media", supported by Heinrich Böll Stiftung.

All campaigns against violence against women except one were led by NGOs. Then there was signed a contract about the form and extent of the campaign between NGOs and the media. The media usually contribute to the campaign with free spaces.

Another form is paid participation; NGOs have to pay for media space, broadcast, billboards (usually under reduced prices). These costs are covered by donors (usually from non-state actors).

7.6 Analyses on violence against women in the media

There is no analysis about violence and the presentation of women in media conducted by the media itself or by state institutions. The only analysis “The Images of Women and Men in Media”, supported by a Heinrich Böll grant, was accomplished by the Gender Studies organization. Among the main findings it can be mentioned that there is no editor-in-chief in mainly dailies in the Czech Republic and in the management of the Czech Television, the ratio between men and women is 7:2. Women are presented in the media as usually connected with relationships to men, the family, and the household. Many expressions, and representations used in the media are reinforcing sexual stereotypes.

The civic association ROSA made its own study on style of referring to violence against women, especially domestic violence in Czech media. One of the main findings of ROSA is that domestic violence is referred mainly as a crime. There is a lack of articles an objective analysis exploring the roots of violence against women, impact of violence on (family) relationships and articles condemning violence against women. Very often violent fathers who want to achieve custody over their children are misrepresented. They are represented as loving, solicitous fathers; violence towards their partners is not taken into account. Professional analysis of the roots of violence is almost never represented, except some programs of the Czech Television, TV Nova and articles in newspapers like *Mladá Fronta Dnes*.

8. AWARENESS RAISING

8.1 Campaigns on violence against women

In the last few years, there were several media campaigns against violence against women. These campaigns were dealing mainly with trafficking in women and domestic violence and they were organized by NGOs. The La Strada Czech Republic was a very active organizer of campaigns. Concerning domestic violence, campaigns were mainly organized by ROSA and its partners (Acorus, proFem, Liga lidských práv and others –

see below) and Bílý kruh bezpečí. Campaigns of La Strada and ROSA and its partners were financed mainly by non-state donors (usually foundations), as well as the campaign of BKB (the main donor was Philip Morris in this case).

As for the frequency of the campaigns, there is at least one campaign against violence against women each year (but the reach of the campaigns is very different – sometimes it is nationwide, sometime regional).

All of the organizations mentioned above were also organizing conferences, public meetings etc. Just as in the case of media campaigns, the main issues were trafficking in women and domestic violence, other forms of violence are not discussed as often.

As for trafficking in women, the campaigns were organized by (or in a cooperation with) La Strada Czech Republic, a non-profit organization aiming at tackling the issue of trafficking in human beings by helping its victims and providing information about the issue.

In 2001, La Strada prepared postcards against violence against women (postcards were printed by a company Boomerang that distributes it in different restaurants and cafés). There were contacts on NGOs dealing with different forms of violence printed on the postcards.

In April 2005, La Strada participated on a campaign initiated by a television station MTV, “Exit”. It was an international project of MTV; partners for the Czech Republic were La Strada (expert partner) and TV Prima. During the campaign, aimed to inform the general public (and mainly young women endangered by the trafficking) on the issue, a television documentary on trafficking in women (Inhuman Traffic, presented by Angelina Jolie) as well as five documentaries from Parallel Lives series and TV spots were broadcasted by TV Prima. A special web page with information (on the campaign and on trafficking in human beings) in Czech language was created with the address: www.mtvexit.org. Thanks to a cooperation with the national TV station, the campaign was accessible by the public all over the Czech Republic.

In the end of 2005, La Strada came with their own campaign, aimed against exploitation of women in prostitution “Use your mouth” (Benutze den Mund). The campaign was bilingual in Czech and German. The aim of the campaign, realized with the support of the Slovak-Czech Women’s Fund, was to communicate the right of women working in sex-business to demand dignified working conditions and to stand up against exploitation and violence.

First, La Strada realized the campaign in September in the town of Cheb (close to the border with Germany). Then it was presented also in Prague in December (last fortnight of the year 2005) – there were city lights with the visual and information on

the hotline placed in the centre of the town (places, where the street or club prostitution is most often presented, were chosen).

Concerning domestic violence against women, the first campaign was organized by a non-profit organization Bílý kruh bezpečí. In 2001, BKB, which provides help to victims of crimes (not specialized to violence against women), started the first campaign towards domestic violence in the Czech Republic. It was another result of the cooperation between BKB and Philip Morris ČR Company (the first one was a survey on domestic violence run also in 2001). The campaign consisted of billboards, press advertisements and spots broadcasted in cinemas. Its aim was to inform about DONA hotline (run by BKB) and also to fight against myths on domestic violence rooted in Czech society. Meetings with professionals in different regions of the Czech Republic and press conferences also took place in the frame of the campaign (in about 20 cities).

The campaign continued also in 2002, when stories on concrete cases of domestic violence were published in the newspapers of Vltava Labe Press publishing house and the spot was broadcasted in some multiplex cinemas. In 2003, the exhibition of an American photographer, Donna Ferrato, was shown in Prague. Furthermore, the spot was broadcasted by TV Prima and there were also posters, billboards and postcards presented to public. The campaign was accessible to the public all over the Czech Republic.

Then in 2003, Campaign against domestic violence against women (www.stopnasili.cz), was launched by ten Czech NGOs that work with domestic violence: ROSA (coordinator of the campaign), Acorus, Český svaz žen, Magdalenium, Most k životu, NESEHNUTÍ Brno, Poradna pro ženy v tísní, profem, Slezská diakonie – poradna ELPIS; and Ženy bez násilí.

The campaign was realized under the support of Open Society Fund Prague (there was no financial support from the state institutions) and it was the first campaign connecting wide range of NGOs from different parts of the Czech Republic. It was also the most extensive campaign.

Its aim was to raise the awareness about domestic violence and also about the unacceptability of this phenomenon; the campaign also wanted to point out some concrete issues connected with domestic violence: e.g. position of victim of domestic violence, children-witnesses of domestic violence, needed legislative measures and other.

In 2003, the campaign consisted of four TV spots and print advertisement (prepared in cooperation with McCann Erickson agency and broadcasted by Czech Television) and some BTL materials (posters, leaflets, stickers) and it was supported by strong public relations. The print advertisements were published in national media thanks to a

partnership with McCann Erickson agency and also thanks to a media partnership with Vltava Labe Press publishing house. The whole campaign was accessible all over the Czech Republic (the leaflets and posters were also distributed via participating NGO to the whole Czech Republic). Web pages www.stopnasili.cz with information on domestic violence and help to its victims were also prepared.

In the campaign, there was also a documentary movie on domestic violence “That All from Love...” made (it was broadcasted by Czech Television). The campaign culminated by a conjoint event, organized on the International Day against Violence against Women, November 25, 2004 (reading of texts of battered women in a highly respected Prague theatre) and also by events organized by individual organizations.

In 2004, another documentary movie *Just Watch* was made, dealing especially with the influence of domestic violence on children, its witnesses. Other public events of the participating organizations took place in November 2004: a presentation of the project Silent Witnesses by ROSA; an action titled “With a Chanson against Violence” organized by proFem; public information days titled “Woman even with a flower...” (referring to the Czech proverb “You cannot hit the woman even with a flower”) organized by NESEHNUTÍ Brno, Poradna pro ženy v tísní and Ženy bez násilí; and so on.)

There were no measurements of the effectiveness made on the national level (due to the financial resources); only ROSA, the coordinator of the campaign, collected statistical data from its clients. In a yearly comparison to 2002, the number of women calling to ROSA’s hotline increased in 2003 by 82 percent to 1583 women, the number of new clients increased by 20 percent to 156 clients (this number shows just new clients, not those who were continuing from previous year).

As for the results of the campaign, a free association of NGOs dealing with domestic violence against women, Koordona, was founded (www.koordona.cz). The original organizations cooperating on the campaign and some other NGOs are its members at present.

In sequence to the campaign, ROSA also ran a smaller campaign in district cities of the Czech Republic in 2004 and 2005 – it was supported by the Embassy of the United States and it consisted of trainings in ten cities and of publishing press releases and an informational bulletin.

In 2003, a campaign against domestic violence was also led by the Government of the Czech Republic. The campaign was organized by the Ministry of Labor and Social Affairs, Ministry of Interior and the Deputy of the Government for Human Rights; it was financed from the state budget. It started at the same time as the NGO Campaign against Domestic Violence against Women, therefore both subjects co-operated quite closely to correlate the timing as close as possible. The campaign of the Government of

the Czech Republic (<http://wtd.vlada.cz/domacinasili/>) aimed at young people from 15 to 25 took the form of a computer game. The game called “Domestic violence – Game over” is placed on the pages mentioned below, but it was possible to download it also from pages www.domacinasili.cz, as well as from the server bonusweb.idnes.cz (specialized on computer games).

The aim of the campaign was to inform young people that the first signs of violence already may not be tolerated. The campaign was supported by a TV spot (finally broadcasted in cinemas), a radio spot and print advertisements. There were also postcards prepared (the postcards, printed by Boomerang, are distributed usually in different cafés and restaurants). The campaign was accessible throughout the Czech Republic, but it was not as visible as other media campaigns on the subject.

In 2004, Amnesty International in the Czech Republic joined the worldwide campaign against violence against women. The campaign (financed from non-state sources) started on March 8th by a march in Prague, then some smaller activities were organized: discussions and informational desks. The aim of the activities was to inform general public on violence against women. In 2005 Amnesty International Czech Republic focused more on women in armed conflicts (issue outside the Czech Republic). There were some discussions organized, as well as a broadcasting of a specialized documentary “Trafficking Cinderella”. Web pages on violence against women were also prepared in 2005.¹⁷

The effectiveness of the campaigns mentioned above was not measured (mainly for financial reasons).

8.2 Conferences and other awareness raising, information, and prevention programs

Conferences on violence against women have been organized regularly since the mid-1990s by different NGOs. The first international conference on domestic violence was run by the Co-ordination Circle of Prevention of Violence against Women in 1995, entitled “Domestic Violence – Not a Private Matter”. Among the firsts of its kind, a Czech-Ukrainian conference Trafficking in Women in Post-communist Europe in 1997 should be mentioned; and a conference “Domestic Violence – Old Problems, New Solutions” in 2001, that was organized in the Parliament by NGOs profFem and ROSA under the support of Friedrich Ebert Stiftung).

Concerning domestic violence and activities organized since 2003: six roundtables were organized by the Ministry of Interior in 2003. Representatives of the state institutions

¹⁷ See: www.amnesty.cz/svaw.

(and sometimes of the Parliament), police, justice, NGOs (mainly from proFem, ROSA and Bílý kruh bezpečí) and other guests (always chosen according to the subject of the table) discussed many points of views on domestic violence – prevention of violence, legislature, media activities, main problems of the victims etc. Its aim was to discuss the problem and to prepare recommendations for the strategies of the government towards the domestic violence.

In 2004, NGO Bílý kruh bezpečí founded the Alliance against Domestic Violence (Aliance proti domácímu násilí), an expert group that organized its National Congress in October that year. It was donated by Philip Morris ČR with the aim to discuss new legislative proposals and to share experience with foreign experts (e.g. from Austria, that has a law inspiring Czech NGOs).

In April 2004, a panel discussion “Domestic Violence – Shared Experience and Joint Search for a Solution” also took place in the Senate of the Parliament. Its aim was to point out the main problems connected with domestic violence at the ground of the Parliament. Activities of different NGOs were also presented (e.g., the Campaign against Domestic Violence against Women run by ten NGOs or another campaign of Bílý kruh bezpečí). The organization of the event was done and paid by NGOs; the Senate of the Parliament provided the space, copying works, refreshment etc.

A conference “Domestic Violence – Public Matter” was organized in June 2005 in Valašské Meziříčí by a Charity Valašské Meziříčí and its aim was to discuss concrete possibilities of help to victims of domestic violence. Experts from different NGOs (e.g. ROSA, proFem, Slezská diakonie – Elpis) participated it. The conference was financed by Charity.

In September 2005, Liga lidských práv in Brno organized a conference “Safe Life Together – Therapy for Domestic Violence Perpetrators.” Its intention was to show the necessity of taking a complex approach to domestic violence solutions, informing about foreign experience with a therapy for domestic violence perpetrators and starting a discussion on the issue.

In November 2005, NGO’s Acorus and proFem presented a conference “Bridges for Women” to inform about a project focused on women, victims of long-term violence and their possibilities on the labor market. Guests from abroad also participated in the conference. The project was financed by European Social Fund and Municipal Office of Prague.

A nation-wide conference “Domestic Violence and the Handicapped” was organized in December 2005 at the Pedagogical Faculty of the University of Hradec Králové. It was held by Orfeus, SPRS and Sexological company. It had three panels: domestic violence in the Czech Republic, tasks of the society in the prevention of domestic violence and work and aims of NGOs.

As for other preventive activities, there are no preventive programs on domestic violence organized by state institutions or in a cooperation of different NGOs on a nation-wide basis – preventive activities are done by individual NGOs, in dependence on their financial situation, projects, grants received.

Concerning some concrete activities, ROSA prepared ten discussions with professionals in different cities of the Czech Republic in 2004 and 2005 (as mentioned above, it was a part of the informational campaign supported by the Embassy of the United States). Its aim was to inform social workers, policemen, health care providers and other professionals on the issue and possible ways of help to victims of violence.

Nearly every organization working with domestic violence is organizing trainings for professionals, although they are not prepared on a national basis but usually on a local level. For example, organizations Acorus and proFem organized in 2005 a roundtable “Domestic Violence and Interaction of Organization in Prague 2 in its Solution”, organized under the support of Prague 2 District. In the same year, NESEHNUTÍ Brno, Liga lidských práv, o. s. Magdalenium and the Amnesty International held public discussions on domestic violence in frame of its Week against Violence against Women, called “East, West, Home...”. Many trainings and meetings in regions are also run by Bílý kruh bezpečí.

Furthermore, NGO NESEHNUTÍ Brno prepares regularly the series of specialized educational seminars “Women Rights are Human Rights”. They took place in Brno, are usually two-days and are free of charge (the project was supported by Ministry of Labor and Social Affairs).

Concerning trafficking in women, in 2003 a “Workshop on Trafficking in Human Beings” was organized by La Strada, as well as round table “Trafficking in Human Beings in the Czech Republic”. Other preventive programs of La Strada in 2003 involved e.g. a detailed mapping of the situation in trafficking in human beings in several regions of the Czech Republic (it was organized in 2003 under the support of the Embassy of the United States).

In 2003–2004 La Strada organized a prevention project (thanks to a support of Open Society Foundation and Open Society Institute Budapest), *Trafficking in Women in Roma Communities*. Its objectives was to seek and test possible effective new ways of providing information on trafficking risks and possibilities of assisting victims with focus on this target group.

In 2004, La Strada prepared (in cooperation with Radio Free Europe) two roundtable discussions on trafficking in human beings. Furthermore, in a cooperation of the Ministry of Interior of the Czech Republic, British Ministry of Interior and Dutch National Centre for International Police Cooperation, a project “Strengthening the Fight against Trafficking in Women” started. Within the scope of the project, five

roundtables were prepared in different cities of the Czech Republic for social and police workers and for workers of municipal (or district) authorities. The aim of the meetings was to bring the information on trafficking in human beings to the local level.

On the international level, an intensive cooperation among the member organizations of the La Strada network continued. A close Czech–Polish–Slovak cooperation was also strengthened in a project supported by the EU Daphne Programme. Among the results of the project, information material was published on CD-ROM. It contains information for experts and the general public and preventive materials and could be obtained from the La Strada center. This project also continued in 2005.

8.3 Information materials for the victims about their rights and the services they can seek help

Every NGO in the Czech Republic dealing with some form of violence against women publishes leaflets and other informational materials for victims of violence. But they are usually printed in small amounts (in the range of several hundred issues, but less than 2,000 issues) and distributed on occasional basis in crisis centers, centers of social help (at municipal offices), sometimes at health care facilities and sometimes at other public places.

As for brochures with concrete information on laws and police intervention, the organization proFem published a brochure titled *Your Right – Legal Help to Women Victims of Domestic Violence*. It should help victims of domestic violence in assisting them to solve their own situation. The brochure describes concrete steps at a police station, a doctor's office, as well as law or a process of a divorce. The brochure was published for the first time in 2002 (4,000 copies), then in 2003 (4,000 copies, with a support of the Ministry of Interior), 2004 (1,500 copies, with a support of European Union funds) and 2005 (5,000 copies, with a support of the Ministry of Health). It is written in Czech in an easy-to-understand language and is possible to be obtained at different counseling centers or to order it directly from proFem (www.profem.cz) or from www.feminismus.cz.

As for other leaflets, a leaflet with information for women victims of domestic violence was printed as part of the Campaign against Domestic Violence against Women (supported by Open Society Foundation–Prague). There were 2,000 copies prepared and it was distributed via participating NGOs to social, crisis and counseling centers in different cities in the Czech Republic. The leaflet contains basic information on domestic violence, advice for victims and contacts to different centers.

In 2005, ROSA published its own leaflet for women victims of domestic violence *Domestic Violence – A Help Exists* (there were 2,000 copies; the publishing was financed by the grant of the Embassy of the United States). The leaflet contains information on what domestic violence is, safety plans and contacts to different centers and hotlines.

Bílý kruh bezpečí prepares leaflets for victims of violence from its foundation, as ROSA. In 2005 it prepared a “container program”: boxes with leaflets were placed in women toilets in cinemas, shopping malls as well as in some well accessible places of regional offices. The leaflets contain basic information on domestic violence, fundamental pieces of advice for victims and contacts to different centers.

Other NGOs like Acorus, Poradna pro ženy v tísní also have leaflets with information on domestic violence and on concrete services of the NGO.

La Strada regularly publishes its leaflets, posters and postcards. Leaflets “Tvé tělo patří jenom tobě” (“Your Body Belongs Just to You”) were reprinted in 2005 (in Czech, Russian, Ukrainian, and Bulgarian) to provide basic information and a contact to a hotline, as well as postcards and posters (with a title Border is not a game, trade in human beings is not trade; it could be downloaded also from www.lastrada.cz). The materials (cosmetic bags, mirrors) with a title “Tvé tělo patří jenom tobě” (“Your Body Belongs Just to You”) and a short offer of services (in Czech and Russian) were prepared also in 2004. In this year, 7,429 information brochures on prevention were distributed by La Strada.

The non-profit organization Élektra, which provides help to raped women and women sexually abused in childhood, regularly publishes brochures on sexual violence. They have already published the following brochures: *Sexual Violence and Children I* (basic information on the subject), *Sexual Violence and Children II* (methodical instructions for pedagogues) and *Even I Have a Right to Refuse Touches* (a brochure in Braille and a sound book, informing blind children on the issue of sexual abuse).

Concerning rape, there is a book *It Is Not Your Fault: How to Survive Sexual Assault for Women* (in original the book name is *Recovery: How to Survive Sexual Assault for Women, Men, Teenagers, and their Families*) by Helen Benedict published by the One Woman Press publishing house. The book uncovers myths connected to rape, provides psychosocial help and in the Czech version it also has appendixes with addresses to local contact centers and hotlines.

9. RESEARCH AND SURVEYS ON VIOLENCE AGAINST WOMEN

9.1 Research programs and surveys

There has been no research dealing with the costs, causes, consequences of violence against women organized in the Czech Republic in the last five years. As for other research, there was one survey aimed at public opinion on domestic violence; organized by Bílý kruh bezpečí and the agency STEM with a support of Phillip Morris Company in 2001. The survey shown 16 percent of people in the Czech Republic have had experience with domestic violence (respondents were both men and women). (*Domestic Violence in the Czech Republic*, STEM, 2001).

A more precise survey on violence against women (mainly domestic violence against women) was conducted in the International Violence against Women Survey, IVAWS, organized by the Institute of Sociology of the Academy of Sciences of the Czech Republic and the Department of Sociology at Philosophical Faculty of Charles University in 2003. The survey shows 59 percent of women have faced at least one form of aggression during their lives, around 38 percent of women experienced physical or sexual violence from their partner (present or former), 37 percent from an other man.

There was one survey on efficiency of judiciary and legal system prepared by proFem in the frame of the project AdvoCats for Women.

As for trafficking in women, in 2004 the Institute for Criminology has published a study *Trafficking in Women: The Czech Republic Perspective*. The research is part of the UNODC/UNICRI project Criminal Justice Response to Trafficking in Human Beings in the CR and Poland (www.ok.cz/iksp/publikace.html). The research shows that the principal source of Czech victims of trafficking are the areas with high unemployment rates and tourism cities with an increased demand for (and supply of) all kinds of sexual services. According to the experts, Northern Bohemia, Western Bohemia, Northern Moravia, Southern Moravia, Prague and Brno are the main origin localities. Potential victims are sought among women dissatisfied with their income, those being in difficult life situations or already engaging in prostitution. In cases of minors, their mental immaturity and social naiveté are often exploited. Concerning the routes of trafficking, as with other forms of organized crime, the patterns and routes of trafficking in women are very flexible and change rapidly. The research also shows factors influencing trafficking in women in the Czech Republic (social as well as legal factors).

9.2 Violence against women on the agenda of research centers dealing with equality issues

Gender Studies is the main organization addressing equality issues.¹⁸ It is a non-governmental organization, supported by different funds, that works mainly as an informational, consultation and educational center. Its aim is to gather and to provide information related to gender issues. It also runs a library. In its own projects, Gender Studies tries to influence changes dealing with equal opportunities on different levels.

At the Institute of Sociology of the Academy of Sciences of the Czech Republic, there is a Department of Gender and Sociology.¹⁹

The department theoretically and empirically advances a concept of gender-oriented sociology extending to feminist sociology. Over the course of the 1990s, the research team gradually expanded and today is one of the key scientific institutions in the Czech Republic that focuses on the position of men and women in society. The center belongs to the Academy of Sciences of the Czech Republic.

10. STATISTICS AND DATA COLLECTION ON VIOLENCE AGAINST WOMEN

10.1 Official statistics, data collection, and specific indicators on violence against women

There are no common indicators developed by the state to evaluate the scale of violence against women at present.

Concerning domestic violence, official statistics are not kept; the data is not collected, because until half-way through 2005, domestic violence was not mentioned in Czech legislation. That's why you cannot, for example, find out how many women were murdered by their husbands in the Czech Republic. (The only way would be an analysis of all court cases and an analysis of reasons stated in investigatory files – which are inaccessible). The analysis and statistics of the number of convicted murders is not informative, because it contains the murder as it is (186 cases in the last year), and it states only general reasons (e.g. 100 of these murders were motivated by personal relationships).

¹⁸ See: www.genderstudies.cz.

¹⁹ See: www.soc.cas.cz/departments/en/4/42/Gender-Sociology.html.

State institutions have kept statistics only since 2005, when a new paragraph of abuse of a person living in the same residence was added to Czech legislation (Section 215/A of the Criminal Code). Since then a report of the Ministry of Interior has tracked the abuse of a person living in the same residence: there were 546 reported cases, out of which 505 were investigated and cleared, and 421 persons were prosecuted.

There is no official statistics on domestic violence, apart the statistic of cases prosecuted under Section 215/A. These numbers are very low compared to the real situation. The statistics do not consider the relationship between victim and perpetrator; they monitor only the sex of perpetrator and victim. The situation is the same in cases of other relevant crimes. The statistics on rape or on procurement mention only the numbers of convicted perpetrators – they do not refer to the relationship between the victim and the offender, and the previous acts.

From January 2006 through July 2006, the police investigated 329 cases of domestic violence according to the Section 215/A of the Criminal Code on “Abuse of person living in the same residence.” From this number eight women were investigated as perpetrators and 321 men. The sex of victims is not monitored.

For the same period of year 2006 the Police investigated 315 cases of rape, two of these cases involved women investigated as perpetrators. The sex of victims is not monitored. These statistics are compiled by the Police Presidium and are available on web page of Ministry of Interior.²⁰ In 2005 there were 596 reported cases, out of which 475 were investigated and cleared, and 422 persons were prosecuted.

Concerning trafficking in people, in 2004, the Czech Criminal Code was amended to forbid all forms of trafficking in people. In 2004, Czech institutions investigated 30 individuals suspected of trafficking in people, 19 were prosecuted. The courts found 12 perpetrators guilty (for a comparison, in 2003 it was five perpetrators found guilty in the Czech Republic). From these 12 perpetrators, three were sentenced unconditioned imprisonment (from three to five years), other nine received suspension of sentences.

Court statistics, showing the number of domestic violence cases, are not kept; there are just cases that could relate domestic violence registered (e.g. battery, and from 2005 abuse of a person living in the same residence etc).

The data on other crimes are not available. Gender-disaggregated data are also not available. There are no national reports from the different professions about their statistics on cases of violence against women or its different forms.

A genetic data bank of registered, prosecuted or open cases exists with the police and it is strictly confidential. But a suspected person can refuse to provide the data for the

²⁰ See: www.mvcr.cz/statistiky/krim_stat/2006/07_00_1.xls.

genetic bank (under a penalty of 50 thousands korunas) and e.g. in a case of murder in some village, a police can ask inhabitants to provide the DNA data voluntarily, according to their free decision. This ruling should change soon.

10.2 NGO statistics on violence against women

The only representative research was the above mentioned project done by Institute of Sociology of the Academy of Sciences of the Czech Republic and Department of sociology at Philosophical Faculty of Charles University in 2003 (IVAWS). The results of the research of the Institute of Sociology of the Academy of Sciences of the Czech Republic and the surveys made by NGOs are accessible to the general public. NGOs collect data on their clients (e.g. ROSA collect not just number of clients, but also the reasons, forms of violence etc.), and calls on hotlines (ROSA, Bílý kruh bezpečí).²¹

11. CASE LAW ON VIOLENCE AGAINST WOMEN

11.1 Cases on violence against women before the national and international bodies dealing with human rights issues

Currently there is no information about any cases on violence against women before the Ombudsman and it is not possible to find out the total number of such cases because the Ombudsman office does not release specific statistics about particular cases of domestic violence or violence against women. All cases are involved in the chapter about *Child, youth and family protection*. In 2004 78 cases were accepted. Most of the cases were complaints about the procedures of the Department of Social and Legal Protection of Children.

Rosa has one client's complaint before the Constitutional Court. She (a victim of domestic violence) is complaining about the decision of the Municipal Court which ordered rotational custody for one of her two daughters. The second one, a 13 year-old girl is obliged to go to her father in spite of the fact that she did not want to go.

There is a group of fathers who formed an organization called Spravedlnost dětem (Justice for Children). They sent a couple of complaints to the European Court for Human Rights in Strasbourg where they denounced the Czech Republic because of delays in decisions in their custody cases. On July 18, 2006 the European Court for

²¹ E.g. a survey of Bílý kruh bezpečí, see Section 9.

Human Rights stated that the Czech Republic violated the rights of one of these fathers regarding family life and right to trial.²²

11.2 Published court decisions, case studies, and analyses of case law

There are two notable case studies published by proFem that analyze case law in the Czech Republic, both regarding cases of domestic violence.²³ Their main findings are as follows: “In the resolution of cases of domestic violence we meet uncommitted civil, criminal and family law. Official data about victims of domestic violence is missing. Police and justice statistics do not include the sex of the victim. We get data about victims of domestic violence from internal statistics of NGOs dealing with domestic violence. Results from these statistics show that 80 percent of cases of domestic violence include child witnesses. There is a predominate idea in the legal consciousness of the Czech Republic that domestic violence is not a public issue, where there are fulfilled factums of particular crimes. The concept of *domestic violence* is missing in our legal system. On June 1, 2004 Section 215/A on ‘Abuse of person living in the same residence’ was incorporated into the Criminal Code. According to our legal system domestic violence is a private matter which should be resolved within the family, which is confirmed in Section 163 which states all crimes where the victim’s request is necessary to start the procedure (exception makes Section 215/A). Present activities of NGOs focused on helping victims of domestic violence include legal proposals calling for legislative change which have not received a response from executive bodies.”

The following three cases of domestic violence are from the records of ROSA.

Woman A works as a shop assistant; she has two daughters (nine and three years). The younger one was born in the marriage with perpetrator and the second one was adopted by him. In 2003 Woman A was taken into the shelter of ROSA, because she was physically assaulted by her husband. He knocked her down the stairs and her leg was broken. Her sick leave took six weeks and then she had to go into a rehabilitation center. The police tried to investigate the case but they decided that she was unable to prove that all injuries were caused by her husband and so the police stated that she caused them herself. Before she escaped, she had suffered psychological and physical violence from her husband (calling her names, beating with fists into her head and all her body). She prosecuted her husband but the case was rejected and it was qualified as an offence. The only thing the court addressed was the alimony. The income of

²² See: www.iustin.cz.

²³ Jiřina Voňková, Markéta Huňková, Iva Čacká-Pavlíková (2002) *Domestic Violence in the Czech Republic in 2002 from a Legal Perspective* (Prague: proFem – AdvoCats for women); and Jiřina Voňková, Markéta Huňková, et al. (2004) *Domestic Violence in the Czech Law from the Perspective of Women* (Prague: proFem – AdvoCats for women).

Woman A was 233 euros and the income of perpetrator in total was 1000 euros. While living in the shelter Woman A took only 150 euros and was obliged to pay all costs on the flat where her husband continued to live. Therefore she gained some money from the Office of Social Welfare.

In spite of the 2003 court order obligating the perpetrator to pay alimony money for his wife (60 euros), he did not pay anything, even for children. In spring of 2005 the Court decided about the alimony money for children and in autumn of 2005 the marriage was terminated. All the alimony money is distrainable. The perpetrator is prosecuted according to Article 213 on “Desertion” of the Criminal Code.

Woman B works as a technician and her husband as a bus driver. Their marriage was the second for her and the third for him. They had a son. She has one more son from previous marriage. By 2003 they lived in a small flat with one room and a kitchen which belong to Woman B. In 2001 she asked for divorce and arrangement of custody issue. The precaution dated March 14, 2002 stated that their son is left in mother’s custody. There was also stated the alimony but the husband did not pay it and he also did not contribute on costs on the flat. In May 2002 the son was left in mother’s custody by the court, but the father appealed the judgment. In 2003 the divorce was granted but the husband appealed this judgment as well because he did not agree with divorce. The reason for his denying of the judgment was the fact that he loved his wife and he even cried (at that time he had already lived with his lover).

The first assault came in 1994 when the husband hit the wife and knocked out her teeth. In 1999 Woman B tried to file for divorce for the first time. She also repeatedly tried to have her husband prosecuted but five times it was qualified as an offence. In 2001, the husband raped Woman B. He gave her some sedatives and after raping her, he took pictures of her, naked, in various sexual positions. The children woke up and witnessed the assault. He was sentenced to two years probation. The two last assaults, on March 12 and 21, 2002, were also qualified as offences, but Woman B did not file the proposal necessary for the negotiation of the assault charge and the proceedings were stopped.

During the marriage Woman B was the victim of physical (smashed lips, knocked out teeth, concussion of the brain, bruises) and psychological (prying, destroying personal belongings of the victim, calling her names, locking her in the bathroom or WC, inhibiting her from leaving the house). In the beginning of the year 2003, Woman B asked for a precaution concerning restraining order for her husband. As recently as after the divorce in 2004 the perpetrator was displaced from the flat, but according to the court she was obliged to find some substitute flat for her ex-husband in spite of the fact that the law stated that the man lost his rights to the flat automatically with the decision on the divorce.

Woman C is 45 years old and her marriage to the perpetrator had lasted for 25 years. They have two children: a boy (21 years old) and a girl (10 years old). Woman C works as a teacher and her ex-husband works as a security guard. Beginning in 2000, Woman C has been a victim of psychological violence. Her ex-husband called her names, lowered her, ridiculed her, and controlled her even before their children. In 2001, he started to act aggressive. Initially it was a verbal aggression: the perpetrator threatened the victim that he was going to hurt her and then he threatened her with a gun. The perpetrator also psychologically abused his daughter; he told her to come with him next door to show her how he beats her mother. Woman C left during the night with her daughter, staying at a motel to ensure safety for them. After that the perpetrator left the flat and stopped paying the mortgage, the payments on loans and alimony. Several times, he went back to the flat and one time he choked Woman C with a cord extension set in front of her daughter. Further, it was also proved that the perpetrator created some websites offering sexual services where he put the name, phone, and e-mail of Woman C. Because of this the perpetrator was sentenced to two years probation for blackmailing and breaching of someone else's rights. He asked for custody of the daughter. In 2004, the daughter ordered into custody of the mother and since that time the perpetrator has been obliged to pay alimony. Woman C has to pay mortgage now and she would not be able to pay it without her son's support.

12. RECOMMENDATIONS TO THE GOVERNMENT

- Earmark a specific amount in the state budget to the tasks of combating violence against women, including adequate financial support for NGOs working in the field;
- Draft and adopt a *National Action Plan on Violence against Women* the implementation of which would be independent from the political situation and changes in government;
- Adopt standards of services for specialized shelters for women victims of domestic violence;
- Implement better and more effective protection of children, witnesses of violence in the family (to stop forcing child witnesses of violence to have visitation with their violent fathers);
- Introduce mandatory and ongoing training programs in key institutions (police, courts, social welfare, health care providers, etc.);
- Establish countrywide 24-hour, free of charge hotlines for victims of domestic violence;

- Follow the EU recommendation of a minimum standard of one place in the specialized shelter for victims per 10,000 inhabitants;
- Introduce guidelines for all key institutions which would facilitate implementation of the new Act No. 135 of 2006 Coll. on Combating Domestic Violence;
- Draft and implement standards for the Intervention Centers;
- Establish perpetrator programs which would be sensitive to the safety of victim and gender-based violence;
- Provide adequate help for specific groups of women, members of ethnic minorities, women with special needs, etc.;
- Provide comprehensive help for child victims;
- Initiate efficient housing programs for victims;
- Conduct systematic data collection within key institutions;
- Support – with financial and other means – interdisciplinary and multi-agency cooperation;
- Integrate gender mainstreaming and information about violence against women into school curricula; and
- Stop diagnosing Parental Alienation Syndrome in cases of domestic violence.

ANNEXES

Annex A. List of laws and regulations screened

Act No. 40 of 1964, the Civil Code, as amended in 2002

Act No. 23 of 1991 Coll. enacting the Charter of Fundamental Rights and Freedoms in the Czech and Slovak Republic

Act No. 283 of 1991 Coll. on the Police of the Czech Republic

Act No. 483 of 1991 Coll. on the Czech Television

Act No. 533 of 1991 Coll. on Municipal Police

Act No. 40 of 1995 Coll. on the Regulation of Advertising and Amending Act No. 468 of 1991 on the Operation of Radio and Television Broadcasting (Advertisement Act)

Act No. 85 of 1996 Coll. on Advocacy, as amended

Act No. 209 of 1997 Coll. on Providing Financial Compensation to Victims of Crime

Act No. 359 of 1999 Coll. on the Social and Legal Protection of Children

Act No. 46 of 2000 Coll. on Rights and Liabilities in the Publication of Periodical Press and on Amending Certain Acts (Press Act)

Act No. 231 of May 17, 2001 Coll. on the Operation of Radio and Television Broadcasting, as subsequently amended (Media Act)

Act No. 101 of 2002 Coll. on the Protection of Personal Data

Act No. 135 of March 14, 2006 Coll. on Combating Domestic Violence (Domestic Violence Act)

Government Resolution No. 236 of 1998 on Setting Government Priorities and Procedures for the Promotion of Gender Equality

Government Decree No. 794 of August 25, 2004 on Calling the Minister of Labor, Minister of Justice, Minister of Education, and Minister of Interior for Adopting Measures for Establishing Interdisciplinary Teams which Combine Medical, Social, and Police Aid to Victims

Annex B. List of documents and books consulted

Government Priorities and Procedures for the Enforcement of Equality of Men and Women (published yearly).

Summary Reports on the Fulfillment of the Government Priorities and Procedures for the Enforcement of Equality of Men and Women (published yearly).
Available in English at www.mpsv.cz/en/2014.

European Roma Rights Center, League of Human Rights, Gender Studies (2006) *Shadow Report to the Committee on the Elimination of all Forms of Discrimination against Women for the Czech Republic under Article 18 of the Convention on the Elimination of all Forms of Discrimination against Women for its Consideration at the 36th SESSION, August 7–25, 2006*, available at www.llp.cz/subdomains/en/images/stories/files/finaljointcedawsubmission.pdf.

Ministry of Labor and Social Affairs (2005) *Kvalita a dostupnost služeb pro oběti domácího násilí* (Quality and Accessibility of Services for Victims of Domestic Violence).
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Voňková, Jiřina, Markéta Huňková, Iva Čacká-Pavlíková (2002) *Domestic Violence in the Czech Republic in 2002 from a Legal Perspective*. Prague: proFem – AdvoCats for Women.

Voňková, Jiřina, Markéta Huňková, et al (2004) *Domestic Violence in the Czech Law from the Perspective of Women*. Prague: proFem – AdvoCats for Women.