

- ▶ consider ratifying ILO Convention No. 138 (minimum age of employment);
- ▶ strengthen efforts to provide social support to children living and/or working on the street;
- ▶ undertake a comprehensive reform of the system of juvenile justice with particular attention to access to legal assistance;
- ▶ organize training programmes on relevant international standards for all professionals involved with the juvenile justice system; and,
- ▶ establish special courts for juvenile justice.

COMMISSION ON HUMAN RIGHTS

At its 1997 session, the Commission on Human Rights considered the situation in the Czech Republic under the confidential 1503 procedure. The Commission decided to discontinue consideration; the situation is therefore not formally on the agenda for the Commission's 1998 session.

THEMATIC REPORTS

Mechanisms of the Commission on Human Rights

Racial Discrimination, Special Rapporteur on: (E/CN.4/1997/71, para. 30)

The report notes that, in 1995, there were 181 reported attacks on Romanies. The Special Rapporteur (SR) refers to the fact that the Roma are "at the bottom of the social ladder" and daily face discrimination in housing, education and employment, are often segregated in special schools, denied residency permits and refused jobs solely because of their ethnicity. The report also notes that, following the split of Czechoslovakia, the Czech citizenship law left a large number of Roma without citizenship even though they are long-term or life-long residents of the Republic; as a consequence, some of the Roma are now stateless, while others have been deported to Slovakia. The SR refers to evidence which suggests that the law was drafted with the specific intent of removing Roma from the country.

Religious intolerance, Special Rapporteur on: (A/52/477, paras. 25, 33, 37)

The Special Rapporteur's interim report to the General Assembly notes that cases have been transmitted to the government and states that in the Czech Republic there is a legal time limit within which conscientious objectors must declare their refusal to undertake military service or apply to do non-military national service.

Sale of children, child prostitution, child pornography, Special Rapporteur on: (E/CN.4/1997/95, para. 57; E/CN.4/1997/95/Add.1)

The Special Rapporteur (SR) visited the Czech Republic from 20 to 25 May 1996. The decision of the SR to visit the Republic was based in part on a recognition that the political and economic transition still underway there is having an impact on children, and that this impact is not always positive. The report refers to the substitution of a market economy for a rigidly planned economy, increased unemployment, substantial social adjustment, and economic and political transformations which have affected, more or less drastically,

health, education and social welfare systems as factors in making children more vulnerable and contributing to an increase in the number of street children.

The report outlines issues of concern which include: a gambling addiction — brought about by the opening of casinos and the proliferation of gambling machines, which has led to an increase in child prostitution, especially among boys, to sustain their gambling habit; criminality of children — which rose to 20 per cent in 1995, up from 12 per cent in 1989, and involves increased brutality and criminality in gangs; drug addiction — in part a consequence of greater freedom to abuse drugs, which may contribute to the rise in child prostitution in order to financially support the drug addiction; greater transborder freedom of movement — enabling children, especially boys, to enter the Czech Republic and possibly resort to prostitution as a means of securing an income; the free market economy — with greater involvement of parents in market activities intended to raise their standard of living, but leaving less time to supervise and attend to their children; changes in the educational system — which has reduced or eliminated planned activities after classroom hours, leaving children more free time without school or parental supervision and vulnerable to questionable influences; and sexual freedom — considered one of the new attractions offered by the market economy, with the result that boys and girls become more easily involved in prostitution and/or pornography, "most of the time without really knowing what it is all about".

The SR considers a number of constitutional and legal protections related to the situation of children and notes that prostitution is not a crime. Each region and municipality is left to determine its own policy. Note is made of the fact that, under Czech law, child prostitution refers to children under 15. At the age of 15, a child receives an identity card and becomes qualified for many things, including sexual consent. A consequence of this provision is that a prostitute between 15 and 18 years of age is not considered as a child prostitute under the law. The SR also notes that criminal culpability also attaches to a child from the age of 15.

Within the three areas of the mandate, the report provides commentary on issues such as legal adoptions, trans-border adoptions, trafficking in organs, transborder and internal trafficking in children, child prostitution, boy prostitution, child sexual exploitation, child sex tourism, prosecution of child sexual exploitation, self-regulation by the media in terms of programming likely to have a negative impact on children and child pornography. The report concludes with a number of recommendations arising from consideration of these subjects. The recommendations include that the government:

- ▶ create a focal point to coordinate the concerns of children, including ethnic minorities, with activities of various agencies in the country;
- ▶ revise national laws to eliminate any possibility of children belonging to minority groups being deprived of citizenship and thereby placed outside the protection of the law;
- ▶ amend national laws to adopt a non-punitive approach to children involved in prostitution, including children between the ages of 15 and 18;