

ECRI's Round Table in the Czech Republic, 3 November 2016

Conclusions by Christian Ahlund, ECRI's Chair

First of all, let me say how impressed I am by the energetic and dynamic discussions here today and by the capacity, talents and motivation of the people in this room.

As far as concrete steps for the future are concerned, I will express a few ideas. These concrete steps should be aimed at a longer-term effect, over obvious direct effects. They should also be combined with making better use of the judicial system.

I would like to emphasise the need to give more powers to the Public Defender of Rights, especially the power to litigate and to bring cases before the courts. This morning we have heard about the difficulties lawyers face in handling discrimination cases on a pro bono basis. Financial resources are needed to collect evidence, to interview witnesses and for an effective representation. If the Public Defender of Rights was given the ability to litigate, as well as greater resources, this could help develop the case-law on discrimination. In the meantime, it is clear that more effective legislation on legal aid is required.

In this context, another important point is the burden of proof and how it is applied in discrimination cases. Currently, the legal provisions are inadequate and limited and an overhaul is needed. If the sharing of the burden of proof is properly applied in all fields and on all grounds, this would open up the way for more discrimination cases to be brought before the courts and the development of a richer case-law.

Steps also need to be taken to train judges and lawyers on what constitutes discrimination and on how to handle discrimination cases. Such training is an essential element for combating discrimination effectively.

Next, I will concentrate on Roma, whose situation is obviously of very serious concern. For solutions to have a long-term effect, particular attention should be paid to Roma children. The current situation of disproportionate numbers of Roma children in practical schools is something which must be changed. Further action must be taken to integrate more Roma children into mainstream inclusive education.

Closely related to this is ECRI's interim follow-up recommendation to make the last year of pre-school compulsory for all children, including Roma children. This would help to close the gap between Roma and non-Roma pupils and give Roma children a fair start in life.

Regarding the NGO idea which was raised here today to organise a Europe-wide round table in Strasbourg on Roma, I believe that this could be a very useful tool in order to share and develop cross-border methods.

Last but not least, on behalf of the ECRI delegation, I would like to thank all the participants who were here today, the panellists, the Office of the Government and the Office of the Public Defender of Rights which helped to organise this event, as well as all the other participants including the Czech authorities, academics and NGO representatives, for today's frank and open discussions.