Pers-51-1

This supporting document includes the following attachments:

1. …………………………………………………………………………………………………………………………………………………

2. …………………………………………………………………………………………………………………………………………………

3. …………………………………………………………………………………………………………………………………………………
This supporting service document intends to provide a uniform understanding of the Order of the Minister of Defence of the Czech Republic (hereinafter MoD Order) No. 29/2002 of the Bulletin *Promoting the Principal of Equality of Men and Women within the Scope of Authority of the Ministry of Defence* regarding terminology as well as implementing procedures in cases of gender discrimination in the specific conditions of the Ministry of Defence and the Armed Forces of the Czech Republic.

The supporting service document focuses primarily on clarifying the right of the employee not to be discriminated on the grounds of gender (discrimination related to pregnancy, maternity or paternity and gender identity is also understood as gender discrimination), equal treatment of men and women and possible procedures if gender-related cases of discrimination are ascertained. It informs of the rights of persons subject to discrimination and of possible consequences in cases of infringement of the rights and duties resulting from the principle equal treatment of men and women who perform their service duty or tasks within employment relations.

The supporting service document is meant for all staff of the Ministry of Defence and the Armed Forces of the Czech Republic, i.e. civil employees, soldiers and workers of trade unions who are active within the scope of authority of the Ministry of Defence (hereinafter “employee”).

The right to be equally treated is one of the basic human rights of every person, while the right to be equally treated means the right not to be discriminated for the reasons given by Section § 2 Act No. 198/2009 Sb., on Equal Approach and Legal Instruments of Protection against Discrimination and the Amendment of Some Other Acts (Anti-Discrimination Act).

This supporting service document includes extracts from relevant provisions of the concerned legal regulations (Attachment 1) and a list of contacts (Attachment 2).
CHAPTER 1
DEFINITION OF TERMS

1. The principle of equal treatment of men and women within the scope of authority of the Ministry of Defence and the Armed Forces of the Czech Republic means eliminating every direct or indirect discriminating action by one person towards another on the grounds of gender, marital or family status or family-related responsibilities, with regard to any work and service position, aspects of recruitment, specialised preparation, working or service conditions as well as promotion in work or service. Nobody is allowed to misuse their rights and duties related to the employment and service relations to harm another party of the employment and service relation or to humiliate their human dignity. Undesirable behaviour of sexual nature is also considered as humiliating human dignity. If the rights of men and women are illegitimately infringed and their dignity degraded, in that case this principle is not being observed, which is illegal and therefore this case is referred to as discrimination.

2. Direct discrimination on the grounds of gender (visible discrimination) occurs in the following situations:
   - if a woman, solely due to her gender, is treated less favourably than a man is / was / would be treated in a comparable situation;
   - if a man, solely due to his gender, is treated less favourably than a woman is / was / would be treated in a comparable situation.

3. Indirect discrimination on the grounds of gender (hidden discrimination) occurs in a situation when a legally neutral regulation, aspect or procedure might prove to be disadvantageous for one gender compared with the other one, unless such regulation, aspect or procedure is suitable and necessary and can be justified by objective factors that are not gender-related. Therefore, indirect discrimination is the employer’s action,
which – although complying with the law – as a matter of fact, or in its consequences, harms employees on the grounds of gender.

Indirect discrimination can be, for example, job-related training held in the evening making it difficult for parents with children, often women, to participate. Or if the employer decides to pay a contribution to the supplementary pension scheme only for employees who are employed full-time; the majority of employees employed part-time are women, though, therefore, they are subject to indirect discrimination.

4. Harassment as a form of discrimination is an action resulting in undesirable behaviour regarding gender, be it in relation to access to work, recruitment and preparation for work, in the course of employment and while performing one’s profession; intention or consequence of such action is degrading another person’s dignity or creating a threatening, hostile, embarrassing, humiliating, abusive or troubling work environment.

Behaviour qualified as harassment may have many forms, in general we talk of “bullying” – harassment by one individual, or “mobbing” – harassment by a group (e.g. gossip and slander, degrading the employee’s working results, attempting to make the employee’s work difficult so that he/she resigns). A specific case of mobbing is “bossing” where the harassment is inflicted by the employee’s superior / commander (e.g. impeding access to information, ridiculing in front of other colleagues, overloading with work, assigning too difficult tasks the employee is not qualified for).

5. Sexual harassment as a form of discrimination is an action resulting in any form of verbal, non-verbal or physical action be it in relation to access to work, recruitment and preparation for work, in the course of employment and while performing one’s profession while the intention or consequence of such action is degrading another person’s dignity or creating a threatening, hostile, embarrassing, humiliating, abusive or
troubling work environment. When deciding whether an action can be classified as sexual harassment, the essential characteristic is whether the person who is subject to it sees this action or behaviour as undesirable. Every person who is subject to sexual harassment decides by himself or herself what is acceptable for him/her and what they perceive as offensive. The difference between sexual harassment and friendly behaviour is whether the other person sees the behaviour as undesirable or he/she considers it pleasing, or even mutual.

Undesirable behaviour of sexual nature might have the following forms:

a) verbal, e.g. sexual proposals, offensive flirting and suggestive comments;
b) non-verbal, e.g. showing pornographic and sexual pictures including hanging them up at the workplace;
c) physical, e.g. undesirable physical contact (from patting to attempted sexual intercourse).

6. Equal opportunities for men and women are preconditioned by removing barriers hindering from participation in economic, political and social life on the grounds of gender. The aim is to arrange for the same starting position for men and women while neither of them has to overcome social prejudice and stereotypes stopping them from choosing freely their goals in life and professional career.

7. Gender (gender issues) implies a concept referring to social differences between men and women, as opposed to sex defining physiological differences between men and women, especially regarding sexual organs and reproduction disposition. These differences are conditioned culturally and socially, i.e. they can change in time and they differ within one culture or between various cultures. They are subject to socialization. Therefore, these differences are not a natural and unchangeable state but a temporary stage of development in social relations between men and women.
8. **Gender stereotypes** are embedded traditional images, clichés and prejudices regarding the role of man and woman in society.

9. **Gender mainstreaming** is a method enabling superiors/commanding personnel (service authority) to promote gender equality. It assumes that in all decision processes, one of the assessment criteria is what effect (positive or negative) a decision has on men and on women. This method envisages the aspect of equalizing opportunities for men and women to go through decision processes in all areas the Ministry of Defence and the Armed Forces of the Czech Republic are engaged in and, a follow-up evaluation of this approach.

10. **Gender statistics:** by using objective and quantitative methods, gender statistics provides data for analyses reflecting differences between men and women.

11. **Gender equality** means that men and women enjoy equal rights, duties and opportunities.

12. **Equalizing measures** (also called positive or affirmative measures) are temporary measures aimed at eliminating consequences of the existing disadvantages, fight against discrimination and promotion of equal opportunities for men and women regarding employment, primarily access to education or specialist preparation. Approving and implementing such measures might lead to the situation when one gender is treated differently than the other for a time. However, as such measures are aimed at promoting equality, those initiatives can be seen as complying with the principle of equal treatment of men and women. The implementation of such measures is enabled by the provision of Section 7 Paragraph 2 of the Anti-Discrimination Act. Within the context of the Ministry of Defence
and the Armed Forces of the Czech Republic, this measure is specified by Section 3 of the MoD Order No. 29/2002 of the Bulletin.
13. In compliance with the MoD Order No. 29/2002 of the Bulletin, superiors/commanding personnel (service authorities) are to ensure that the principle of equal treatment of men and women, including all forms of undesired gender-related behaviour, does not occur at the workplace of their assignment. For that purpose, educational and training activities are organized. These activities are aimed at clarifying the principle of equal treatment of men and women in the course of their recruitment for an employment relation or service relation, during the very employment or service relation, and to generalize specific cases of discrimination. These activities should be held regularly, as it is important to promote awareness of equal treatment of men and women also among newly recruited (contracted) employees. Superiors/commanding personnel are encouraged to see the MoD Personnel Division for methodical help and cooperation in this area (Attachment 2).

14. Superiors/commanding personnel (service authorities) should also actively inform the employees in their subordination of the possibility to see consultants specialized in this area (Attachment 2).

15. All employees are co-responsible for creating such working conditions where the employees’ rights and dignity are respected.
16. Improper behaviour characteristic for discrimination on the grounds of gender or marital and family status or family-related responsibilities, might be illegal.

17. Before filing a complaint for discriminating action or behaviour, the affected employee might try to solve the problem informally. Sometimes, it might be sufficient to explain the person who has been treating him/her improperly or in an undesired way that this action or behaviour is unacceptable, unpleasant, offensive, humiliating, embarrassing for him/her or disturbing him/her from work.

The following approximating questions might help to find out whether the improper action or behaviour fulfils the characteristics of discrimination:

1. Is one gender treated less favourably than the other in a comparable situation?
2. Does this treatment harm somebody’s dignity?
3. Does a disadvantage occur resulting from gender or marital and family status or family-related responsibilities?
4. Does this action influence the employment relation or service relation or access to employment and education?
5. Can the action or behaviour not be substantiated on the grounds of a justifiable purpose and adequacy to reach it?

If all the above mentioned questions were answered Yes, it is a case of discriminating action or behaviour.

18. The employee who was facing discriminating action or behaviour on the grounds of gender can ask the relevant Point of Contact for help within a formal or informal procedure related to his/her problem, or approach the
relevant authority listed in Attachment 2. Civil employees are also entitled to turn to the trade unions active in the area of the Ministry of Defence.


20. If any indications of discriminating action or behaviour on the grounds of gender are ascertained, each case is to be properly and thoroughly inquired into. At the same time, possible negative treatment, sanctions or disadvantages as a consequence of insisting on one’s rights are to be prevented. During the inquiry of the discriminating action and behaviour, the legal and internal regulations are to be observed using the regulation *Internal Control Mechanisms and Handling Petitions and Complaints within the Scope of Authority of the Ministry of Defence* (Všeob-P-35), while applying the principle of impartiality at the same time. Persons engaged in the inquiry of such action and behaviour are not to be confronted with the amenable person. It is advisable to ask the relevant Point of Contact (see Section 18) to cooperate during the inquiry.

21. The affected person is entitled to demand, following a properly solved and concluded complaint, the ascertained discriminating action and behaviour to be stopped and consequences thereof eliminated. If rights and duties resulting from the right to equal treatment are infringed or if gender-related discrimination occurs, the one who was subject to such behaviour has the right, in compliance with Section 10 of the Anti-Discrimination Act, to judicially demand the discrimination to be stopped, the consequences thereof eliminated, and the affected person is to receive a fair redress, or financial compensation for an immaterial harm.
In order to identify the correct subject-matter and local jurisdiction, the lawyer of the ombudsman might be consulted (information: +420 542 542 888).

22. In the sense of Section 11 Paragraph 1 (b) of the Anti-Discrimination Act, the affected person is entitled to approach the ombudsman who can assess the situation, suggest the most suitable course of action and provide information on legal assistance, or offer cooperation when writing down motions and petitions (www.ochrance.cz/diskriminace).

23. When ascertaining and providing evidence in suits regarding gender-related discrimination, it is necessary to consider that in a case under the private law, the so called several burden of proof is required where both parties submit their evidence. In compliance with Section 133a of the Rules of Civil Procedure, the discriminated person has to prove his/her statements in court that he/she was subject to a different and less favourable treatment. If he/she substantiates this, the one who committed discrimination has to disprove the accusation of discrimination and its cause.
CHAPTER 4
POSSIBLE CONSEQUENCES OF INFRINGING RIGHTS AND DUTIES REGARDING EQUAL TREATMENT OF MEN AND WOMEN PERFORMING THEIR SERVICE DUTIES OR DUTIES WITHIN EMPLOYMENT RELATIONS

24. If a soldier is convicted of discriminating action and behaviour on the grounds of gender against another soldier, which implies that by such behaviour the professional soldier has infringed their duty given by Section 2 Paragraph 3 of the Act No. 221/1999 Sb., or, during military training, a reserve soldier has infringed their duty given by Section 24 Paragraph 1 (c + d) of the Act No. 220/1999 Sb., on the Course of Conscription or Alternate Service and Military Exercises and Some Legal Aspects of the Status of Reserve Soldiers, as amended, the service authority has disciplinary competence to deal with the breach of service duties as a disciplinary transgression, in compliance with Section 51 Paragraph 1 of the Act No. 221/1999 Sb., or Section 28 Paragraph 1 of the Act No. 220/1999 Sb.

25. If a soldier is convicted of discriminating action and behaviour on the grounds of gender against a civil employee, which implies that by such behaviour the professional soldier has infringed their duty given by Section 48 Paragraph 1 (f) or Section 49 (c) of the Act No. 221/1999 Sb., or, during military training, a reserve soldier has infringed their duty given by Section 24 Paragraph 1 (c + d) of the Act No. 220/1999 Sb., the service authority has disciplinary competence to deal with the breach of service duties as a disciplinary transgression, in compliance with Section 51 Paragraph 1 of the Act No. 221/1999 Sb., or Section 28 Paragraph 1 of the Act No. 220/1999 Sb.

26. If a civil employee is convicted of discriminating action and behaviour on the grounds of gender against another civil employee or a
soldier, which implies that by such behaviour the civil employee has infringed their duty resulting from the employment relations given by Section 16 of the Labour Code, the service authority that authorised to perform legal acts in employment relations might deal with this breach of (work) duty based on its seriousness, in the sense of Section 52 (g) of the Labour Code.

27. If it is not sufficient to enforce liability for discriminating action and behaviour on the grounds of gender according to the above mentioned legal regulations, as this behaviour is dangerous for the society and constitutes a suspicion that a crime was committed, in that case criminal liability, in compliance with the Criminal Code, might be applied. With regard to discriminating action and behaviour on the grounds of gender committed by soldiers, it is especially Section 382 Paragraph 1 and Section 383 Paragraph 1 of the Criminal Code. If a group of people was targeted, crimes of failing to report a crime and failing to act to prevent a crime given by Sections 367 and 368 of the Criminal Code might be applicable; or in case of soldiers and civil employees under Section 401 and 402 of the Criminal Code.

In the sense of Section 8 Paragraph 1 of the Rules of Criminal Procedure, the state authority has a universal responsibility to inform the bodies in charge of criminal proceedings of the facts that indicate that a crime was committed.
Relevant provisions of legal regulations

Act No. 198/2009 Sb.,
On Equal Treatment and Legal Instruments of Protection against Discrimination
and the Amendment of Some Other Acts
(Anti-Discrimination Act)

§ 2

(1) For the purpose of this Act, the right to be equally treated means the right not to be discriminated on the grounds given by this Act.

(2) Discrimination is direct and indirect. Harassment, sexual harassment, stalking, instruction to discriminate and incitement to discrimination is also seen as discrimination.

(3) Direct discrimination is an action, including failure to act, when one person is / was / would be treated less favourably than another person in a comparable situation, on the grounds of race, ethnic background, nationality, gender, sexual orientation, age, physical disablement, religion, faith or belief.

(4) Pregnancy, maternity or paternity and sexual identity is also seen as gender-related discrimination.

(5) Action when a person is treated less favourably on the grounds of a supposed reason under Paragraph 3 is also discrimination.

§ 7

(2) Measures aimed at preventing or equalizing disadvantages related to the fact that an individual belongs to a group according to Section 2 Paragraph 3 and aimed at ensuring that the person is treated equally and receives fair opportunities, are not considered as discrimination.

§ 11

(1) Regarding protection against discrimination, a legal entity, a) that was founded to protect the rights of the discriminated, or
b) if protection against discrimination is part of its scope of activity given by its charter or its statutes, or if this fact results from its scope of activity or is given by the law, can provide information on legal assistance and cooperation for filing or completing petitions and motions to persons seeking protection against discrimination.

Act No. 221/1999 Sb.,
On Professional Soldiers, as amended

§ 2

(3) Service authorities are obliged to provide for fair approach and equal treatment of all applicants for a service relation (hereinafter “applicant”) and of all soldiers creating suitable conditions for service performance, especially regarding specialist preparation and service promotion, bonuses, other pecuniary benefits and rewards of financial value. Discrimination based on race, colour, gender, sexual orientation, faith and religion, nationality, ethnic or social background, property, family, marital or family status and family-related obligations, pregnancy or maternity or because a female soldier is breast-feeding. Further, action by the service authorities that does not discriminate directly, but rather in its consequences, is prohibited. Incitement to discrimination is also seen as such action. Cases when there is a substantial reason for different treatment due to the nature of the service performed by the soldier, and that is necessary for the performance of this service, are not considered as discrimination.

§ 48

Fundamental duties of soldiers

(1) The soldier is obliged to …

f) observe the ….rules of service politeness and behave in order not to threaten the statute and credit of the armed forces, even outside service; when performing their service, to observe legal regulations, provisions of the law of war and of the international humanitarian law, international treaties and commands of their superior/commander, …

§ 49

Fundamental duties of commanding personnel

In relation to their subordinates, commanding personnel are primarily obliged to …

d) create convenient service conditions, …
§ 51
Disciplinary Transgression

(1) A disciplinary transgression is a caused action contravening legal regulations and military rules or order, regulations and orders, unless classified as another administrative delict, or unless criminal under criminal law.

§ 153
Soldier’s Request or Complaint

(1) Regarding service performance and service relations under this Act, a soldier is entitled to file a request or complaint. A request or complaint is to be submitted in writing to the superior/commander or the service authority.

(2) Depending on the content, the soldier’s request or complaint is to be handled by the soldier’s superior/commander or the service authority. The soldier’s request or complaint must no be handled by the superior/commander or service authority the complaint is aimed at; then, it is to be handled by the superior's superior or a higher service authority.

(3) The soldier’s request or complaint is to be handled within 30 days from the day when submitted. The soldier is to be informed about the results within this period. This period can only be prolonged if it is not possible to submit the documents necessary to solve this request or complaint within the period.

(4) If the complaint was found substantiated or partly substantiated, the superior/commander or service authority is obliged to promptly implement the necessary remedy. The results of the inquiry and measures implemented as remedy are to be recorded in the file; the soldier will be informed if he/she had asked for that.

(5) If the soldier is of the opinion that the complaint he/she filed with the relevant superior/commander or service authority, was not dealt with properly, he/she may ask a higher service authority to review the way complaint was handled.

(6) If the soldier re-submits his/her complaint, it has to be reviewed whether the original complaint was dealt with correctly, and the soldier informed of the result. In case the other complaints by the soldier do not present new facts regarding the matter, the service authority does not inquire into it any more. The soldier is to be informed of this fact.
Act No. 220/1999 Sb.,
On the Course of Conscription or Alternate Service and Military Exercises and Some Legal Aspects of the Status of Reserve Soldiers, as amended

§ 24
Soldier’s fundamental duties

(1) The soldier is primarily obliged to …
c) observe legal and military regulations and carry out the orders of superiors/commanders,
d) observe the rules of military politeness, …

§ 28
Disciplinary Transgressions

(1) A disciplinary transgression is a caused action contravening military discipline, unless classified as another administrative delict, or unless criminal under criminal law.

Act No. 262/2006 Sb.,
Labour Code, as amended

§ 16

(1) Employers shall ensure equal treatment for all employees regarding employees’ working conditions, remuneration for work and other financial emoluments and performance of monetary value, professional preparation and opportunities for career advancement or promotion.

(2) Any form of discrimination in employment relations is prohibited. The terms direct discrimination, indirect discrimination, harassment, sexual harassment, persecution, an instruction to discriminate and/or incitement to discrimination, and the instances where different treatment is admissible, are stipulated by the Anti-Discrimination Act.

(3) Different treatment arising from the nature of work activities where this different treatment is a substantial requirement for work performance is not considered as discrimination; the purpose followed by this derogation must be legitimate and the requirement must be adequate. Measures which are justified and aimed at preventing or
equalizing disadvantages arising from the fact that an individual belongs to a group as given by the Anti-Discrimination Act shall not be viewed as discrimination.

§ 52

The employer may give notice of termination to an employee only for the following reasons: ….

  g) if there are reasons on the employee’s side due to which the employer could immediately terminate the employment relationship, or if the employee has seriously breached some obligation arising from statutory provisions and related to work performed by him/her; in case of ongoing but less serious breaches of some obligation that arises from statutory provisions and relates to the work performed by the employee, this employee, with regard to breach of some obligation related to work performed by him/her, may be given notice of termination by his/her employer provided that in the last six months the employer notified the employee of this possibility in writing;

Act No. 40/2009 Sb.,
Criminal Code, as amended
§ 367
Failure to Act to Prevent a Crime

(1) Should someone have reliable information that another person has been preparing or committing a crime … infringement of rights and protected interests of soldiers of the same rank under Section 382 Paragraphs 3 and 4, infringement of rights and protected interests of subordinates or soldiers of a lower rank under Section 383 Paragraphs 3 and 4, … endangering the morals of soldiers under Section 392 Paragraph 2, genocide (Section 400), attack on humanity (Section 401), apartheid and discrimination against a group of people (Section 402), …, and does not prevent that crime to be committed or completed, shall be punished by imprisonment of up to three years; should this Act stipulate a milder punishment for some of these crimes, he/she shall be punished by that milder punishment.

(3) Acting to prevent a crime is also possible by informing the prosecutor or bodies of the police in time; a soldier can also inform his/her superior/commander.

§ 368
Failure to Report a Crime

(1) Should someone have reliable information that another person committed a crime … attack on humanity (Section 401), apartheid and discrimination against a group of people
(Section 402), …, and does not promptly inform the prosecutor or bodies of the police of that crime, or in case of a soldier, inform his/her superior/commander, shall be punished by imprisonment of up to three years; should this Act stipulate a milder punishment for some of these crimes, he/she shall be punished by that milder punishment.

§ 382
Infringement of rights and protected interests of soldiers of the same rank

(1) Who pushes a soldier of the same rank to do personal services for him/her, or who limits his/her rights, or wantonly makes it difficult for him/her to perform his/her service, shall be punished by imprisonment of up to two years.

§ 383
Infringement of rights and protected interests of subordinate soldiers or soldiers of a lower rank

(1) Who pushes a subordinate soldier or soldier of a lower rank to do personal services for him/her, or who limits his/her rights, or wantonly makes it difficult for him/her to perform his/her service, or imposes a disciplinary punishment on him/her contradicting another legal regulation, shall be punished by imprisonment from six months to three years.

(2) Imprisonment from one to five years shall be imposed on a perpetrator,
   a) who commits an act described in Paragraph 1 using violence or threatening with another serious harm,
   b) who commits this act at least with two people,
   c) who commits this act against another person for his/her real or supposed race, ethnicity, nationality, political believes, religion or due to the fact, that he/she does really or supposedly have no confession, or
   d) who by committing this act, causes a bodily harm.

(3) Imprisonment from three to ten years shall be imposed on a perpetrator,
   a) who commits an act described in Paragraph 1 with great brutality or using a weapon,
   b) who by committing this act, causes a serious bodily harm, or
   c) who commits this act during the state of endangering the state, belligerence or combat situation.

(4) Imprisonment from eight to sixteen years shall be imposed on a perpetrator who commits an act described in Paragraph 1 causing death to a person.
§ 401

Attack on Humanity

(1) Who commits …
c) deportations or forcible transfers of a group of population,
d) rape, sexual slavery, enforced prostitution, enforced pregnancy, enforced sterilization
or other forms of sexual violence of this kind,
e) persecution of a group of population for political, racial, national, ethnic, cultural or
religious reasons, on the grounds of gender or a similar reason,
f) apartheid or a similar segregation or discrimination,
g) unreasonable false imprisonment, kidnapping to an unknown place or any other form
of limitation of personal liberty followed by involuntary disappearance of persons,
h) torture,
i) murder, or
j) another inhumane act of similar kind,
within a large-scale or systematic attack on civilian population, shall be punished by
imprisonment from twelve to twenty year or an extraordinary sentence.

(2) Preparation is criminal.

§ 402

Apartheid and Discrimination against a Group of People

(1) A person promoting apartheid or racial, ethnic, national, religious or class segregation
or another similar discrimination of a group of people, shall be punished by five to twelve
years of imprisonment.

(2) A perpetrator
a) involved in acts described in Paragraph 1 causing such a group of people to live in hard
living conditions, or
b) causing such a group of people to be subject to inhumane or humiliating treatment,
shall be punished by imprisonment of ten to twenty years or an extraordinary sentence.
(3) Preparation is criminal.
Act No. 141/1961 Sb.,
Rules of Criminal Procedure, as amended

§ 8

(1) Public authorities, legal entities as well as natural persons shall assist the bodies in charge of criminal proceedings in the fulfilment of their tasks and, in particular, promptly, and unless given otherwise by a special regulation, without payment respond to their request for assistance. Public authorities shall inform without delay the prosecutors or the police bodies of the facts indicating a crime was committed.

Act No. 99/1963 Sb.,
Rules of Civil Procedure, as amended

§ 133a

Should it be possible to infer from the facts the petitioner claimed before court that direct or indirect discrimination occurred on the side of the defendant
a) on the grounds of gender, racial or ethnic origin, religion, faith, belief, physical disablement, age or sexual orientation in work or other contracted employment, including access to employment, conducting business or other self-employment activities, including access to them, membership in organizations of workers (trade unions) or employers, and membership and activities in professional associations,
b) on the grounds of racial or ethnic origin when providing health and social care, access to education and training, access to public procurement, access to housing, membership in associations and when selling goods in a shop or providing services, or
c) on the grounds of gender when accessing goods and services,
the defendant is to prove that there was no breach of the principle of equal treatment.
**MoD Points of Contact**

in charge of equal opportunities of men and women

<table>
<thead>
<tr>
<th>MoD Component</th>
<th>Point of Contact</th>
<th>Telephone</th>
</tr>
</thead>
<tbody>
<tr>
<td>MoD Personnel Division</td>
<td>MoD Coordinator for equal opportunities of men and women (Mgr. Bronislava Jonitová)</td>
<td>212 140</td>
</tr>
<tr>
<td>MoD Psychology Service</td>
<td>MoD Senior Psychologist (SP MO)</td>
<td>212 018</td>
</tr>
<tr>
<td></td>
<td>ACR¹ Senior Psychologist (ACR General Staff)</td>
<td>217 114</td>
</tr>
<tr>
<td></td>
<td>Psychologist of Humanitarian Service RePP</td>
<td>215 539</td>
</tr>
<tr>
<td>Department of HR Expert Service</td>
<td>Head of Department</td>
<td>211 665</td>
</tr>
<tr>
<td>SP MO (SP MO Directorate)</td>
<td>Psychologist-Consultant</td>
<td>212 150</td>
</tr>
<tr>
<td>Inspection of the Minister of Defence</td>
<td>MoD Senior inspector for protection of human rights</td>
<td>210 286</td>
</tr>
<tr>
<td>ACR Spiritual Service</td>
<td>ACR Chief of Chaplains</td>
<td>216 033</td>
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<tr>
<td></td>
<td>Chaplains of commands, brigades, battalions, and other ACR and MoD bodies</td>
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<tr>
<td></td>
<td>Chaplains of other components (MP Prague, Castle Guard Prague)</td>
<td>215 897, 209 329</td>
</tr>
<tr>
<td>ACR Legal Service</td>
<td>CHOD Inspectorate – lawyer</td>
<td>218 093</td>
</tr>
<tr>
<td></td>
<td>Joint Force Command – lawyer</td>
<td>401 041</td>
</tr>
<tr>
<td></td>
<td>Support Force Command – lawyer</td>
<td>230 227</td>
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</tbody>
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**Comment:** Employees can get in touch with the heads for prevention of socially undesirable phenomena, methodologists for prevention of socially undesirable phenomena or members of committees for prevention of socially undesirable phenomena at particular units and organizations.

¹ Armed Forces of the Czech Republic (ACR)
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