

LEAGUE OF HUMAN RIGHTS (CZ)

Compensation mechanism for victims of involuntary
sterilizations and problems in obstetric care

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PRACTICAL IMPLEMENTATION OF COMPENSATION LAW - PROBLEMS

The victims of involuntary sterilizations can claim their compensation since the January 2022. However, there are some problems:

- ▶ Exceeding the statutory deadlines (in some cases 10 months instead of 2 given by the law)
- ▶ Not accepting other evidence than medical records although other evidence is allowed
- ▶ No clarification which other evidence could be acceptable

Reccomendation 1:

Produce a methodology or list of other evidence that the Ministry of Health considers relevant.

STATISTICS

Reccomendation 2:

Set up an expert committee that would prepare the assessment of individual cases before the Ministry of Health decides a claim.

Number of all compensation claims submitted as of 9/30/2022:



421

Successful:	129
Refused:	78
Stopped:	24
Successful appeals:	0

OBSTETRIC CARE - PROBLEMS

- ▶ Provision of care without informed consent
- ▶ Use of routine procedures without medical indication
- ▶ Obsolete current standards

Recommendation 3:

Create professional standards for midwives and physicians in accordance with Evidence Based Medicine by means of recommendations and including alternatives.

OBSTETRIC CARE - PROBLEMS

- ▶ Midwives cannot perform their profession fully
- ▶ Non-existing birth centers outside of hospitals

Recommendation 4:

Adopt a clear and realisable legal regulation with respect to birth centres.

- ▶ Not enough support and supervisions for medical staff

Recommendation 5:

Legislative introduction of regular mandatory supervision for medical staff in maternity hospitals.

THANK YOU.