

2026 Rule of Law Report - targeted stakeholder consultation

Fields marked with * are mandatory.

Introduction

The annual Rule of Law Report lies at the centre of the Annual Rule of Law Cycle, which acts as a preventive tool, deepening multilateral dialogue and joint awareness of rule of law issues. So far, six editions of the Rule of Law Report have been published since 2020.

As every year, the Commission would like to invite the stakeholders to provide contributions to the 2026 Rule of Law Report. On the basis of these contributions and on-going developments, further targeted questions may be shared at a later stage of preparation of the 2026 Rule of Law Report, in particular in the context of country visits, or bilateral contacts.

The Commission invites stakeholders to provide contributions which include:

**(1) developments and measures taken in relation to the recommendations in the 2025 report,
(2) developments related to topics covered in the 2025 country chapters, as well as any other new developments related to the rule of law.**

The input should consist of a short summary, if possible in English, covering the areas referred to below. Legislation or other documents may be referenced with a link. Contributions should focus on significant developments since the last Rule of Law Report both as regards the legal framework and its implementation in practice.

This questionnaire also integrates the separate questionnaire on the single market from last year. In addition to these specific questions, respondents to the questionnaire are invited to consider the Single Market dimension, including any relevant cross-border issues, in all their answers.

Where questions of particular relevance under the single market dimension, this is indicated before the relevant question.

[1] Unless the information was already submitted in the input for the previous Rule of Law Reports.

Type of information to be included:

Under each of the four pillars, the replies should include references to the following types of information:

A) Legislative developments

- Newly adopted legislation
- legislative drafts currently discussed in Parliament
- legislative plans envisaged by the Government

B) Policy developments

- Implementation and enforcement of legislation
- evaluations, impact assessment, surveys
- white papers/strategies/actions plans/consultation processes
- follow-up to reports/recommendations of Council of Europe bodies or other international organisations
- important administrative measures
- generalised practices

C) Developments related to the judiciary / independent authorities

- important case law by national courts
- important decision/opinions from independent bodies/authorities
- state of play on terms, nominations and expired mandates for high-level positions (e.g. Supreme Court, Constitutional Court, Council for the Judiciary, Prosecutor General, heads of independent authorities included in the scope of the request for input[2])

D) Any other relevant developments

- National authorities are free to add any further information, which they deem relevant; however, this should be short and to the point.

Where relevant, please also indicate whether the developments reported are linked to the implementation of reforms and investments under the national Recovery Resilience Plan. To simplify your answers to the questionnaire, if there are no developments, it is sufficient to indicate this and the information covered in the contributions for the previous Rule of Law Reports does not need not be repeated.

[2] Such as: media regulatory authorities and bodies, national human rights institutions, equality bodies, ombudsman institutions, supreme audit institutions and, where they exist, transparency authorities.

* I am giving my contribution as

- ☐ Academic/research institution
- ☐ Business association
- ☐ Civil society organisation/NGO
- ☐ International organisation
- ☐ Judicial association or network
- ☐ Media organisation or association
- ☒ Public authority or network of public authorities
- ☐ Other

* Organisation name

250 character(s) maximum

Constitutional Court of the Czech Republic

Main Areas of Work

- ☒ Justice System
- ☐ Anti-corruption
- ☐ Media Pluralism and Freedom
- ☐ Checks and Balances
- ☐ Other

Please insert an URL towards your organisation's main online presence or describe your organisation briefly:

500 character(s) maximum

<https://www.usoud.cz/en/>

Transparency register number

Check if your organisation is in the transparency register. It's a voluntary database for organisations seeking to influence EU decision-making

* Country of origin

Please indicate the country of origin of your organisation

- ☐ Austria

- ☐ Belgium
- ☐ Bulgaria
- ☐ Croatia
- ☐ Cyprus
- ☒ Czechia
- ☐ Denmark
- ☐ Estonia
- ☐ Finland
- ☐ France
- ☐ Germany
- ☐ Greece
- ☐ Hungary
- ☐ Ireland
- ☐ Italy
- ☐ Latvia
- ☐ Lithuania
- ☐ Luxembourg
- ☐ Malta
- ☐ Netherlands
- ☐ Poland
- ☐ Portugal
- ☐ Romania
- ☐ Slovak Republic
- ☐ Slovenia
- ☐ Spain
- ☐ Sweden
- ☐ Other - please specify

First name

Pavel

Surname

Dvořák

Email Address of the organisation

Pavel.Dvorak@usoud.cz

* Publication of your contribution and privacy settings

You can choose whether you wish for your contribution to be published and whether you wish your details to be made public or to remain anonymous.

- ☐ Anonymous - Only your type of respondent, country of origin and contribution will be published. Organisation name, URL, transparency register number, first name and surname given above will not be published. **To maintain anonymity, please refrain from mentioning the name of your organisation and any details from which your organisation can be identified in the rest of your contribution as we will not be able to guarantee anonymisation of these elements.**
- ☒ Public - Your personal details (name, organisation name, transparency register number, country of origin will be published with your contribution).
- ☐ No publication - Your contribution will not be published. Elements of your contribution may be referred to anonymously in documents produced by the Commission based on this consultation.

☒ I agree with the personal data protection provisions.

[Specific privacy statement targeted stakeholder consultation 2026 rule of law report.pdf](#)

Questions on horizontal developments

In this section, you are invited to provide information on general horizontal developments or trends, both positive and negative, covering all or several Member States. In particular, you could mention issues that are common to several Member States, as well as best practices identified in one Member State that could be replicated. Moreover, you could refer to your activities in the area of the four pillars and sub-topics (an overview of all sub-topics can be found below), and, if you represent a Network of national organisations, to the support you might have provided to one of your national members.

Overview topics for contribution

[List of topics for contribution.docx](#)

Please provide any relevant information on horizontal developments here

5000 character(s) maximum

Questions for contribution

Under each pillar, you are invited to provide information on measures taken to implement the recommendations addressed to the Member State in the 2025 Rule of Law report, as well as developments with regard to the points raised in the respective country chapter of the 2025 Rule of Law Report and any other significant developments since January 2025 and up to the date of submission[3]. Please always include a link to and reference relevant legislation/documents (in the national language and/or where available, in English). **Significant developments** can include challenges, positive developments and best practices, covering both legislative developments or implementation and practices.

Information provided in reply to the first question under each pillar, related to the follow-up to the recommendations, does not need to be repeated in subsequent parts of the questionnaire, but can be cross-referenced in the subsequent questions, where relevant. All other questions are not limited to the recommendations, but as in previous years, cover the entire scope of the Report.

[3] Unless already covered in the input for the previous Rule of Law Reports.

Member State/enlargement country covered in contribution [only one choice possible]

If you wish to submit information concerning several Member States/enlargement countries, please fill in the questionnaire separately for each country. There is no limit to the number of contributions submitted by a single participant.

- ☐ Albania
- ☐ Austria
- ☐ Belgium
- ☐ Bulgaria
- ☐ Croatia
- ☐ Cyprus
- ☒ Czechia
- ☐ Denmark
- ☐ Estonia
- ☐ Finland

- ☐ France
- ☐ Germany
- ☐ Greece
- ☐ Hungary
- ☐ Ireland
- ☐ Italy
- ☐ Latvia
- ☐ Lithuania
- ☐ Luxembourg
- ☐ Malta
- ☐ Montenegro
- ☐ Netherlands
- ☐ North Macedonia
- ☐ Poland
- ☐ Portugal
- ☐ Romania
- ☐ Serbia
- ☐ Slovakia
- ☐ Slovenia
- ☐ Spain
- ☐ Sweden

I. Justice System

Please provide information on measures taken to follow-up on the recommendations received in the 2025 Report regarding the justice system (if applicable)

5000 character(s) maximum

A. Independence

Appointment and selection of judges, prosecutors and court presidents (incl. judicial review)

(The reference to 'judges' concerns judges at all level and types of courts as well as judges at constitutional courts)

5000 character(s) maximum

According to the Constitution, the Justices of the Constitutional Court are appointed by the President of the Republic with the consent of the Senate of the Parliament of the Czech Republic (hereinafter "Senate"). The President of the Republic selects a candidate whose name is then sent to the Senate with a request to express its consent to his/her appointment as a Justice of the Constitutional Court. Consent to the appointment is given if a simple majority of senators present vote in favour. If the Senate grants consent, the President appoints the candidate as a Justice of the Constitutional Court, and the candidate thereby becomes a Justice of the Constitutional Court. The Justice's appointment becomes effective upon taking the oath of office prescribed by the Constitution and administered by the President of the Republic. It is an indispensable condition to assuming the office that an appointed Justice of the Constitutional Court take the oath of office prescribed by the Constitution and administered by the President. If they do not take the oath, or do so with reservations, the candidate does not become a Justice of the Constitutional Court.

The President and two Vice-Presidents of the Constitutional Court are also named by the President of the Republic, who chooses them from among the Justices of the Constitutional Court and does not need approval from any other body for their appointment.

During the period from 2023 to 2025, the terms of 13 of the 15 Justices of the Constitutional Court expired. The new Justices of the Constitutional Court were appointed immediately or very soon after the expiry of their predecessors' terms of office. The recent change in the body of Justice did not affect the work of the court and did not cause an increase in the average length of proceedings.

Irremovability of judges, including transfers, (incl. as part of judicial map reform), dismissal and retirement regime of judges, court presidents and prosecutors (incl. judicial review)

5000 character(s) maximum

The term of office of Justice of the Constitutional Court is ten years, the Constitution allows for reappointments and does not specify any upper age limit.

A citizen of the Czech Republic is eligible for appointment as a Justice of the Constitutional Court provided that (s)he has reached at least 40 years of age, has an university degree in law and has been active in a legal profession for at least ten years. The office of Justice of the Constitutional Court is incompatible with the office of President of the Republic, member of Parliament or other office in public administration or any other paid office or profitable activity (other than scientific, teaching or artistic one). Moreover, a Justice of the Constitutional Court may not be member of any political party or political movement.

The Constitutional Court and its Justices have immunity ensuring their independence. A Justice of the Constitutional Court cannot be criminally prosecuted without the approval of the Senate and may be arrested only if caught committing a crime or immediately afterwards. If the Senate denies approval, criminal prosecution is impossible for the duration of office of the given Justice of the Constitutional Court.

A Justice of the Constitutional Court cannot be removed from the office; only in the case of a serious disciplinary offence or in a situation where a Justice performs duties or activities incompatible with the office of Justice of

the Constitutional Court, or if a Justice breaches the prohibition of membership in a political party or political movement, or fails to participate in dealings of the Constitutional Court for a period exceeding one year, the Plenum of the Constitutional Court may decide on termination of his/her office in a special disciplinary proceedings. The tenure of Justice of the Constitutional Court terminates automatically in the event that a Justice is convicted of an intentional criminal offence or if she/he decides to resign.

Promotion of judges and prosecutors (incl. judicial review)

5000 character(s) maximum

Allocation of cases in courts

5000 character(s) maximum

Cases submitted to the Constitutional Court are assigned to the Justice-Rapporteur according to a work schedule approved by the Plenum of the Constitutional Court. The allocation of cases is controlled by computer according to the specified formula.

Independence (including composition and nomination and dismissal of its members), and powers of the body tasked with safeguarding the independence of the judiciary (e.g. Council for the Judiciary)

5000 character(s) maximum

Accountability of judges and prosecutors, including disciplinary regime and bodies and ethical rules, judicial immunity and criminal/civil (where applicable) liability of judges (incl. judicial review)

5000 character(s) maximum

A Justice of the Constitutional Court cannot be removed from the office; only in the case of a serious disciplinary offence or in a situation where a Justice performs duties or activities incompatible with the office of Justice of the Constitutional Court, or if a Justice breaches the prohibition of membership in a political party or political movement, or fails to participate in dealings of the Constitutional Court for a period exceeding one year, the Plenum of the Constitutional Court may decide on termination of his/her office in a special disciplinary proceedings. The tenure of Justice of the Constitutional Court terminates automatically in the event that a Justice is convicted of an intentional criminal offence or if she/he decides to resign.

No disciplinary proceedings were held against any Constitutional Court Justice in 2025.

Independence/autonomy of the prosecution service

5000 character(s) maximum

Independence of the Bar (chamber/association of lawyers) and of lawyers

5000 character(s) maximum

Significant developments capable of affecting the perception that the general public has of the independence of the judiciary

5000 character(s) maximum

B. Quality of justice

(Under this topic, you are not required to give statistical information but should provide input on the type of information outlined in the introduction)

[single market relevance] Accessibility of courts (e.g. court/legal fees, legal aid, language)

5000 character(s) maximum

There is no court fee introduced for institution of proceedings before the Constitutional Court. However, the applicants are obliged to be represented by an attorney.

Costs of proceedings before the Constitutional Court (e.g. cash expenses, foregone income, attorney's fees), that a party or secondary party incurs are generally paid by the party or secondary party. However, the Constitutional Court may, in exceptional cases, and based on the results of the proceeding (i.e. based on success in the matter) require a party or secondary party to a proceeding to fully or partly compensate another party or secondary party for its costs.

Costs incurred by presentation of evidence to the Constitutional Court and interpreting costs are paid by the Constitutional Court.

The Constitutional Court may grant the complainant compensation of attorney's fees, under the following conditions:

1. the complainant's personal and property situation justifies it (in particular, if the complainant does not have sufficient funds to pay an attorney),
2. the constitutional complaint was not rejected, and
3. the complainant expressly requests this before the first hearing.

If a complainant asks for compensation of attorney's fees, s/he must of course prove that his or her personal and property situation justifies it. If the Constitutional Court grants the request, the complainant's attorney's fees are borne fully or partly by the state, i.e. the Constitutional Court. However, if it is later determined that the complainant's personal and property situation did not justify this, the Constitutional Court may review its decision and reverse it, including retroactively.

Resources of the judiciary (human/financial/material), remuneration/bonuses/rewards for judges and prosecutors, including observed changes (significant and targeted increase or decrease over the past year)

(Material resources refer e.g. to court buildings and other facilities. Financial resources include salaries of staff in courts and prosecution offices.)

5000 character(s) maximum

The Constitutional Court of the Czech Republic has repeatedly addressed the constitutionality of interventions in judges' salaries in its case law and has set the limits of how far the lawmaker may interfere with their level without endangering the principle of judicial independence. A key issue was the change in the mechanism for calculating the salary base of judges contained in the so called "consolidation package" adopted in 2023, which reduced the coefficient used for the calculation from the original threefold. The Constitutional Court considered this permanent reduction to be an interference with the material security of judges that weakens judicial independence.

In 2025, the Constitutional Court also criticised the freezing of judges' salaries, which, as part of fiscal savings, set a fixed salary base for judges. That is why the Constitutional Court in October 2025 annulled this measure and declared the judge's right for compensation of salary. The decision pointed out strongly the repeated and unsystematic interventions made by the government and the legislature in the salary calculation mechanism. According to the Constitutional Court, considerations relating to the state budget or the development of public debt do not constitute sufficient constitutional justification for limiting judges' salaries, and the repeated prolongation of an unlawful state disrupts the balance of power between the legislative and judicial branches.

The main idea (underlying nearly two dozen rulings of the Constitutional Court in the area of judges' salaries) is that judges' remuneration must be determined in a manner that preserves their independence and stability through a clear and automatic mechanism, and that the legislature may not repeatedly and non-transparently interfere with their level without convincing constitutional justification.

Justices of the Constitutional Court are not permitted to engage in any business activities; and - apart from their regular salary - do not receive any bonuses nor additional remuneration. With the exception of academic activities, they may not have any other employment relationship.

Unfortunately, although the level of judges' salaries has remained an unquestioned parameter, the salaries of court employees (administrative staff) are below average standard, and the gap between their remuneration and that of comparable professionals in other areas of the public and private sectors is widening. At the same time, the Constitutional Court's budget for operational expenditures (e.g. energy, licences, services) is being continuously reduced.

[single market relevance] Training of justice professionals (including judges, prosecutors, lawyers, court staff, clerks/trainees)

5000 character(s) maximum

Justices and court staff including law clerks may take part in the training programmes of the Czech Judicial Academy. The Constitutional Court hosts some of the lectures and Justices give lectures themselves under the auspices of the Czech Judicial Academy.

Digitalisation (e.g. use of digital technology, including electronic communication and AI tools, within the justice system and with court users, procedural rules, access to judgments online)

5000 character(s) maximum

A citizen may communicate electronically with the Constitutional Court of the Czech Republic primarily through data boxes (secure electronic post system), which represent the official and legally equivalent form of electronic communication with public authorities. Submissions delivered via a data box are considered signed and do not require a qualified electronic signature. Electronic filings may also be submitted by email bearing a recognized electronic signature, although this form is used less frequently.

NALUS is the public on-line database of decisions of the Constitutional Court. It allows citizens, legal professionals, and institutions to search final rulings, including judgments and resolutions, using criteria such as case number, date, legal issue, or full text. NALUS serves to enhance transparency and ensures access to constitutional case law.

NASPIS is the public case-tracking system of the Constitutional Court. It enables parties of the proceedings to monitor the procedural status of their cases, view the file distantly, including information on pending particular aspects of proceedings, composition of panels, and procedural steps, without a need to study the analogue court file on site.

Internally, the Constitutional Court operates a comprehensive information system that integrates case and file management, document handling, workflow distribution, and archival functions. This internal system supports judges, assistants, and administrative staff in managing proceedings securely, ensures controlled access to sensitive data, and links internal processes with external systems such as data boxes and public databases, while maintaining strict requirements for data protection. All Court's analogue case files have their mirror electronic version with metadata and are stored in the electronic database.

Use of assessment tools and standards (e.g. ICT systems, including AI-based systems, for case management, court statistics and their transparency, monitoring, evaluation, surveys among court users or legal professionals)

5000 character(s) maximum

Actually, the Constitutional Court has only a limited AI tool in the form of a chatbot integrated into the NALUS case-law database, which helps users to find a particular decision. In the future, the Court plans to develop a more advanced internal AI system capable of classifying submissions and matching new petitions with similar proceedings from the past.

Geographical distribution and number of courts/jurisdictions ("judicial map") and their specialisation, in particular specific courts or chambers within courts to deal with fraud and corruption cases.

5000 character(s) maximum

[single market relevance] Specialisation (of judges/specific courts/chambers within courts) and training for the judiciary to deal with commercial cases, as well as alternative dispute resolution mechanisms and mediation as regards commercial cases.

5000 character(s) maximum

C. Efficiency of the justice system

(Under this topic, you are not required to give statistical information but should provide input on the type of information outlined in the introduction)

[single market relevance] Developments related to efforts to improve the efficiency of the justice system (e.g. as regards length of proceedings, to address backlogs)

5000 character(s) maximum

Any other developments related to the justice system - please specify

5000 character(s) maximum

II. Anti-Corruption Framework

Where previous specific reports, published in the framework of the review under the UN Convention against Corruption, of GRECO, and of the OECD address the issues below, please make a reference to the points you wish to bring to the Commission's attention in these documents, indicating any relevant updates, changes or measures introduced that have occurred since these documents were published.

Please provide information on measures taken to follow-up on the recommendations received in the 2025 Report regarding the anti-corruption framework (if applicable):

5000 character(s) maximum

A. The institutional framework capacity to fight against corruption (prevention and investigation / prosecution)

List any **changes** as regards relevant authorities (e.g. national agencies, bodies) in charge of prevention, detection, investigation and prosecution of corruption and the resources allocated to each of these authorities (the human, financial, legal, and technical/specialised resources as relevant), including the cooperation among domestic and with foreign authorities. Indicate any relevant measures taken to effectively and timely cooperate with OLAF and EPPO

5000 character(s) maximum

Safeguards for the functional independence of the authorities tasked with the prevention and detection of corruption

5000 character(s) maximum

Information on the implementation of measures foreseen in the strategic anti-corruption framework (if applicable). If available, please provide relevant objectives and indicators

5000 character(s) maximum

B. Prevention

Measures to enhance integrity in the public sector in particular as regards high-level officials (including as regards incompatibility rules, revolving doors, codes of conduct, ethics)

5000 character(s) maximum

Measures to enhance general transparency of public decision-making (including rules on lobbying, asset and interest disclosure rules, gifts policy, transparency of political party, financing)

5000 character(s) maximum

Measures to prevent conflicts of interest in the public sector. Please specify the features and scope of their application (e.g. categories of officials concerned, types of checks and corrective measures depending on the category of officials concerned)

5000 character(s) maximum

--> For the three previous points, **please also provide information and figures on their application/enforcement if available to you**, such as number of detected breaches/irregularities of the various rules in place and the follow-up given (investigations, sanctions, etc.)

Measures to ensure whistleblower protection and encourage reporting of corruption, including their application (i.e. number of reports received, and the follow-up given)

5000 character(s) maximum

The Constitutional Court operates an internal whistleblowing system that allows employees and other entitled persons to report confidentially suspected unlawful conduct or breaches the EU interests. The system ensures confidentiality, protection against retaliation and independent assessment of reports. It is based on EU Directive (EU) 2019/1937 on the protection of persons who report breaches of Union law. To date, no reports have been submitted through this system.

[single market relevance] Specific measures to enhance transparency, integrity and accountability in sectors with high risks of corruption, with a view to monitor and prevent corruption and conflict of interests, and where applicable measures to prevent and address corruption committed by organised crime groups.

- *Such high-risk sectors could include: public procurement, including construction, transport/infrastructure, defence, cohesion, agriculture, environment, healthcare, investor residence schemes, large-scale investments of national interest and the spending of EU funds, urban planning.*
- *In particular, measures to mitigate high risks of corruption in the area of public procurement, such as enhancing transparency and oversight (for example through digital technologies) and promoting fair competition and accountability in public procurement (e.g. targeted actions to address the high share of single bids) and measures to guarantee the effective and independent functioning of the public procurement review bodies.*

5000 character(s) maximum

[single market relevance] Measures for the prevention of corruption in relation to the issuing of official permits (e.g. related to environment, energy, service provision and various types of construction)

5000 character(s) maximum

C. Repression

The legal framework on the criminalisation and sanctions for corruption and related offences, including foreign bribery

5000 character(s) maximum

Official data on the number of investigations, prosecutions, final judgments and the application of sanctions for corruption offences (differentiated by offence if possible). Please indicate whether the cases: involve legal persons; are related to the implementation of EU or national funds; involve high level corruption. Please indicate which data is publicly available and how policy-making is informed by the data

5000 character(s) maximum

Potential obstacles identified in law or in practice to the investigation and prosecution of high-level and complex corruption cases (e.g. political immunity regulation, procedural rules, statute of limitations, cross-border cooperation, pardoning)

5000 character(s) maximum

Information on effectiveness of criminal and non-criminal measures and of sanctions (e.g. recovery measures and administrative sanctions) on both public and private offenders

5000 character(s) maximum

Any other developments related to the anti-corruption framework - please specify

5000 character(s) maximum

III. Media pluralism and media freedom

Please provide information on measures taken to follow-up on the recommendations received in the 2025 Report regarding media pluralism and media freedom (if applicable)

5000 character(s) maximum

A. Media authorities and bodies

(Cf. Article 30 of Directive 2018/1808)

Measures taken to ensure the independence, enforcement powers and adequacy of resources (financial, human and technical) of media regulatory authorities and bodies

5000 character(s) maximum

Conditions and procedures for the appointment and dismissal of the head / members of the collegiate body of media regulatory authorities and bodies

5000 character(s) maximum

Existence and functions of media councils or other self-regulatory bodies

5000 character(s) maximum

B. Safeguards against government or political interference and transparency and concentration of media ownership

[single market relevance] Measures taken to ensure the fair and transparent allocation of state advertising

5000 character(s) maximum

Safeguards against state / political interference, in particular:

- safeguards to ensure editorial independence of media (private and public)
- specific safeguards for the independence of heads of management and members of the governing boards of public service media (e.g. related to appointment, dismissal), safeguards for their financial and operational independence (e.g. related to reporting obligations and the allocation of resources) and safeguards for plurality of information and opinions
- **[single market relevance]** information on specific legal provisions and procedures applying to media service providers, including as regards granting /renewal/termination of licenses, company operation, capital entry requirements, concentration and corporate governance

5000 character(s) maximum

[single market relevance] Transparency of media ownership and public availability of media ownership information, including on direct, indirect and beneficial owners

5000 character(s) maximum

C. Framework for journalists' protection, transparency and access to documents

Rules and practices guaranteeing journalists' independence and safety, including as regards protection of journalistic sources and communications, referring also, if applicable, to follow-up given to alerts lodged with the Council of Europe's Platform to promote the protection of journalism and safety of journalists

5000 character(s) maximum

Law enforcement capacity, including during protests and demonstrations, to ensure journalists' safety and to investigate attacks on journalists

5000 character(s) maximum

Access to information and public documents by public at large and journalists (incl. transparency authorities where they exist, procedures, costs/fees, timeframes, administrative/judicial review of decisions, execution of decisions by public authorities, possible obstacles related to the classification of information)

5000 character(s) maximum

The Constitutional Court provides information about its activities outwardly in several ways. The Court regularly publishes press-release-style announcements and current notices, informing the public and the media about recent decisions, upcoming hearings, appointments, and other relevant events in a chronological format akin to press releases. The Court's website also makes available comprehensive annual reports and yearbooks that summarise the Court's work, structure, and decision-making activity over the year, providing a broader retrospective view of its operations. In addition, the Court publishes a range of information required under Act No. 106/1999 Sb., on free access to information, including mandatory published information covering foundational institutional data, contacts, procedural guides, and administrative details. The website also offers documents and guides such as informational brochures, explanatory videos about the Court's role and proceedings, and access to decisions and bulletins summarising case law.

Beyond these, the Constitutional Court responds to individual requests for information, which may be submitted in writing or electronically, and handles ordinary correspondence with citizens and journalists by explaining procedural issues and substantive aspects of its work. The Court informs about its activities also via several social media platforms.

Lawsuits (incl. SLAPPs - strategic lawsuits against public participation) and convictions against journalists (incl. defamation cases) and measures taken to safeguard against manifestly unfounded and abusive lawsuits

5000 character(s) maximum

Any other developments related to media pluralism and freedom - please specify

5000 character(s) maximum

IV. Other institutional issues related to checks and balances

Please provide information on measures taken to follow-up on the recommendations received in the 2025 Report regarding the system of checks and balances (if applicable)

5000 character(s) maximum

A. The process for preparing, enacting and implementing laws

[single market relevance] Framework, policy and use of impact assessments and evidence based policy-making, stakeholders*/public consultations (including rules and practices on the transparent participation of civil society to policy development and decision-making processes), and transparency and quality of the legislative process in the preparatory, the parliamentary and implementation phase (including guidance on how to implement legislation)

** This includes also the consultation of social partners*

5000 character(s) maximum

[single market relevance] Rules and use of fast-track procedures and emergency procedures (for example, the percentage of decisions adopted through emergency /urgent procedure compared to the total number of adopted decisions)

5000 character(s) maximum

[single market relevance] Safeguards to ensure legal certainty, the stability of the legal framework and non-discrimination.

5000 character(s) maximum

Rules and application of states of emergency (or analogous regimes), including judicial review and parliamentary oversight

5000 character(s) maximum

Regime for constitutional review of laws

5000 character(s) maximum

The Constitutional Court of the Czech Republic performs constitutional review of laws according to the Constitution, the procedural and substantive framework is defined mainly by the Act on the Constitutional Court and the Constitution. A proposal to annul a statute or a part of it may be submitted by a limited number of petitioners: the Government, a group of at least 25 Deputies or at least 10 Senators, a panel of the Constitutional Court in connection with deciding upon a constitutional complaint, anyone who files a constitutional complaint, courts of general jurisdiction, representative bodies of regions or municipalities in specified cases, and the Public Defender of Rights (Ombudsman). If the proposal is inadmissible it is dismissed

without substantive review. If admissible, the Constitutional Court reviews such a law on the merits and, if it finds a conflict with the constitution, it may annul the statute or its provisions by a judgment. These cases are decided by the Plenum of the Constitutional Court. The number of submissions seeking the annulment of a law amounts to several dozen a year; whereas the average length of this kind of proceedings is 200 days.

B. Independent authorities

Independence, resources, capacity and powers (including effective access to relevant data) of national human rights institutions ('NHRIs'), of ombudsman institutions if different from NHRIs, of equality bodies if different from NHRIs and of supreme audit institutions

(Cf. the website of the European Court of Auditors: <https://www.eca.europa.eu/en/Pages/SupremeAuditInstitutions.aspx#>)

5000 character(s) maximum

Statistics/reports concerning the follow-up to recommendations by National Human Rights Institutions, ombudsman institutions, equality bodies and supreme audit institutions in the past year

5000 character(s) maximum

[single market relevance] Safeguards to ensure the effective independence of supervisory and regulatory authorities with a direct impact on economic operators such as national economic oversight, enforcement and competition authorities

C. Accessibility and judicial review of administrative decisions

[single market relevance] Transparency of administrative decisions and sanctions (incl. their publication and rules on collection of related data) and respect of the good administration principle (including the obligation of the administration to give reasons for decisions)

5000 character(s) maximum

[single market relevance] Judicial review of administrative decisions: short description of the general regime (in particular competent court, scope, suspensive effect, interim measures, and any applicable specific rules or derogations from the general regime of judicial review)

5000 character(s) maximum

In proceedings held before the Constitutional Court, the review of administrative decisions and of judgments rendered by administrative courts is carried out exclusively within the framework of constitutional complaint proceedings. The Constitutional Court does not act as a further appellate instance in the administrative judiciary and does not reassess the legality, expediency, or factual correctness of administrative action. Its role is limited to examining whether the contested decision, or the procedure leading to it, infringed constitutionally guaranteed fundamental rights or freedoms of the complainant.

When reviewing administrative decisions, the Constitutional Court does so usually indirectly, through scrutiny of the final decision of an administrative court that reviewed the administrative act. Direct review of an administrative decision is exceptional and arises only where judicial protection was unavailable or manifestly ineffective.

The Constitutional Court accepts a margin of appreciation of administrative authorities and courts, intervening only where the interpretation or application of ordinary law reaches a constitutionally intolerable level. If such a violation is established, the Court annuls the contested judicial decision, or (in exceptional cases) the administrative decision itself, and returns the matter to the competent authority, which is bound by the Constitutional Court's legal opinion.

[single market relevance] Safeguards (other than judicial review) regarding decisions or inaction of administrative authorities, including remedies (e.g. administrative review)

5000 character(s) maximum

[single market relevance] Rules and practices related to the application by all courts, including constitutional jurisdictions, of the preliminary ruling procedure (Art. 267 TFEU)

5000 character(s) maximum

The Constitutional Court approaches the issue of preliminary references to the Court of Justice of the European Union with restraint, while acknowledging that, under certain circumstances, a failure to make such a reference may result in a violation of constitutionally guaranteed rights.

From the case law of the Constitutional Court, several rules and principles governing preliminary references to the Court of Justice can be derived. The task of the Constitutional Court is the protection of constitutionality, whereas the obligation to refer a question for a preliminary ruling is a matter of EU law. The high standard imposed on courts of last instance by Article 267 of the Treaty on the Functioning of the European Union does not, as such, fall under the supervisory jurisdiction of constitutional courts. Nevertheless, a failure to make a

preliminary reference in breach of EU law may lead to an infringement of constitutionally protected rights, in particular the right to a fair trial and the right to a lawful judge.

Where a question concerning the interpretation or validity of EU law arises before a court of last instance, that court is, in principle, obliged to refer the matter to the Court of Justice. This obligation is subject to well-established exceptions, namely where the question is irrelevant to the outcome of the case, where the provision of EU law has been already interpreted by the Court of Justice, or where the correct interpretation of EU law is so obvious as to leave no room for reasonable doubt.

If a court of last instance refuses a party's request to submit a preliminary reference, it must provide adequate reasoning for that decision.

The Constitutional Court requires courts of general jurisdiction to apply EU law and to engage in an EU-conforming interpretation of domestic law, based not only on the text of the relevant EU provisions but also on the interpretative guidance provided by the Court of Justice. Review by the Constitutional Court of a failure to submit a preliminary reference is limited to situations in which the ordinary courts do not adequately explain their refusal, despite a request by a party or where the uncertainty of EU law is apparent. Such reasoning must be coherent, defensible, convincingly argued, and consistent with the fundamental principles of EU law. The Constitutional Court has never asked for a preliminary reference ruling.

[single market relevance] Implementation of final judgments by the public administration and State institutions and follow-up given to supranational judgments, including decisions from the European Court of Human Rights, as well as available remedies in case of non-implementation

5000 character(s) maximum

The Constitutional Court works with the case law of the European Court of Human Rights in a manner that treats it as an integral part of the constitutional order. Czech courts of general jurisdiction and other public authorities have a general obligation to take into account the decisions of international bodies that authoritatively interpret international treaties. Within the Czech law, the relevance of the case law of the European Court of Human Rights thus reaches the level of constitutional significance.

Where an international court finds that an act of a public authority has violated a human right or fundamental freedom protected by an international treaty, a petition for the reopening of proceedings may be filed against a decision of the Constitutional Court. Such a petition is admissible if the international court has found a violation of a human right or fundamental freedom, provided that it is submitted by an entitled person and within the prescribed time limit. A motion for reopening is inadmissible if the consequences of the violation no longer persists and have been adequately remedied, in particular by the award of just satisfaction under the decision of the international court or by other means.

However, the Constitutional Court will not dismiss a motion for reopening as inadmissible where the public interest in reopening the proceedings substantially outweighs the individual interest of the applicant. Reopening of constitutional proceedings following - under the decision of the international court - is, however, not very frequent.

Oversight, including by courts, of the use of intrusive surveillance software by national authorities

5000 character(s) maximum

D. The enabling framework for civil society

Measures regarding the framework for civil society organisations and human rights defenders (e.g. legal framework and its application in practice incl. registration, transparency and dissolution rules)

5000 character(s) maximum

Rules and practices having an impact on the effective operation and safety of civil society organisations and human rights defenders. This includes measures to protect them from attacks – verbal, physical or on-line –, intimidation, legal threats incl. SLAPPs, negative narratives or smear campaigns, measures capable of affecting the public perception of civil society organisations, etc. It also includes measures to monitor threats or attacks and dedicated support services, as well as available remedies

5000 character(s) maximum

Organisation of financial support for civil society organisations and human rights defenders (e.g. framework to ensure access to funding, and for financial viability, taxation/incentive/donation systems, measures to ensure a fair distribution of funding)

5000 character(s) maximum

E. Initiatives to foster a rule of law culture

If there have been developments related to initiatives to foster a rule of law culture, please specify, which (e.g. debates in national parliaments on the rule of law, public information campaigns on rule of law issues, contributions from civil society, education initiatives, etc.)

5000 character(s) maximum

The Constitutional Court organises or participates in various events and activities aimed at increasing knowledge about constitutional justice and the protection of the rule of law and human rights. These include

moot courts, open house days, lectures and tours for the professional and general public. It also organises numerous talks, special lessons and tours for students of all ages.

Any other developments related to the system of checks and balances - please specify

5000 character(s) maximum

Cross-pillar elements: cross-border rule of law issues related to the Single Market

If there are any significant challenges concerning the Single Market you have been facing in a cross-border context relating to any of the four pillars of the report, including for example issues with market access and the conditions for economic activities, that you would like to highlight, please do so here.

Given the cross-cutting nature of this question, it is included as a separate section in the questionnaire. Information collected under this question will however be integrated under the relevant existing pillar(s) of the Report.

5000 character(s) maximum

Supporting document upload

If you would like to submit any supporting document(s) to your contribution, please upload your file(s) here

Contact

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