

2024 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, four editions of the Rule of Law Report have been published in 2020, 2021, 2022 and 2023.

The Commission would like to invite stakeholders to provide contributions to the 2024 Rule of Law Report. This survey provides information on the type of information and topics that will be covered in the 2024 Rule of Law Report, in order to allow stakeholders to provide input. More targeted input may be requested at a later stage of preparation of the 2024 Rule of Law Report, including in the context of country visits, or bilateral contacts.

The 2024 Rule of Law Report will continue to deepen the assessment under the existing four pillars, and will also follow-up on the implementation of the recommendations to Member States, that were issued as part of the 2023 Rule of Law Report. The contribution to be provided should include **(1) information on measures taken to implement the recommendations addressed to the Member State in the 2023 Rule of Law report, as well as developments with regard to the points raised in the respective country chapter and (2) any other significant developments since January 2023^[1] falling under the ‘type of information’ outlined in section II.**

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.

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

Type of information

The topics are structured according to four pillars: I. Justice system; II. Anti-corruption framework; III. Media pluralism; and IV. Other institutional issues related to checks and balances. The replies could include aspects set out below under each pillar. This can include challenges, current work streams, positive developments and best practices:

A) Legislative developments

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

B) Policy developments

- Implementation 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, heads of independent authorities included in the scope of the questionnaire[2])

D) Any other relevant developments

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

Please also indicate whether the developments reported are linked to the implementation of reforms and investments under the RRP, where applicable.

If there are no changes, it is sufficient to indicate this and the information covered in the contributions for the previous Rule of Law Reports should 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.

About you

* 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

Glopolis

Main Areas of Work

- ☐ Justice System
- ☐ Anti-corruption
- ☐ Media Pluralism
- ☒ Other

If "Other", please specify

Glopolis is a think-tank facilitating collaboration towards sustainable democracy. It focuses on bringing together civil society, government, business and other stakeholders to address key challenges in society and the rule of law. Glopolis is based in the Czech Republic.

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

500 character(s) maximum

<https://glopolis.org/>
Glopolis is a think-tank facilitating collaboration towards sustainable democracy. It focuses on bringing together civil society, government, business and other stakeholders to address key challenges. Glopolis has a 20-years long experience in research, policy monitoring, advocacy and campaigning, relationship development, resource mobilization and facilitating cooperation at the Czech, CEE and EU-wide levels.

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 add the country of origin of your organisation

- ☐ Afghanistan
- ☐ Albania
- ☐ Algeria
- ☐ Andorra
- ☐ Angola
- ☐ Antigua and Barbuda

- ☐ Argentina
- ☐ Armenia
- ☐ Australia
- ☐ Austria
- ☐ Azerbaijan
- ☐ Bahamas
- ☐ Bahrain
- ☐ Bangladesh
- ☐ Barbados
- ☐ Belarus
- ☐ Belgium
- ☐ Belize
- ☐ Benin
- ☐ Bhutan
- ☐ Bolivia
- ☐ Bosnia and Herzegovina
- ☐ Botswana
- ☐ Brazil
- ☐ Brunei Darussalam
- ☐ Bulgaria
- ☐ Burkina Faso
- ☐ Burundi
- ☐ Cabo Verde
- ☐ Cambodia
- ☐ Cameroon
- ☐ Canada
- ☐ Central African Republic
- ☐ Chad
- ☐ Chile
- ☐ China
- ☐ Colombia
- ☐ Comoros
- ☐ Congo
- ☐ Costa Rica
- ☐ Côte D'Ivoire
- ☐ Croatia
- ☐ Cuba
- ☐ Cyprus
- ☒ Czechia
- ☐ Democratic Republic of the Congo
- ☐ Denmark
- ☐ Djibouti
- ☐ Dominica
- ☐ Dominican Republic
- ☐ Ecuador
- ☐ Egypt
- ☐ El Salvador

- ☐ Equatorial Guinea
- ☐ Eritrea
- ☐ Estonia
- ☐ Eswatini
- ☐ Ethiopia
- ☐ Fiji
- ☐ Finland
- ☐ France
- ☐ Gabon
- ☐ Gambia
- ☐ Georgia
- ☐ Germany
- ☐ Ghana
- ☐ Greece
- ☐ Grenada
- ☐ Guatemala
- ☐ Guinea
- ☐ Guinea Bissau
- ☐ Guyana
- ☐ Haiti
- ☐ Honduras
- ☐ Hungary
- ☐ Iceland
- ☐ India
- ☐ Indonesia
- ☐ Iran
- ☐ Iraq
- ☐ Ireland
- ☐ Israel
- ☐ Italy
- ☐ Jamaica
- ☐ Japan
- ☐ Jordan
- ☐ Kazakhstan
- ☐ Kenya
- ☐ Kiribati
- ☐ Kuwait
- ☐ Kyrgyzstan
- ☐ Laos
- ☐ Latvia
- ☐ Lebanon
- ☐ Lesotho
- ☐ Liberia
- ☐ Libya
- ☐ Liechtenstein
- ☐ Lithuania
- ☐ Luxembourg

- ☐ Madagascar
- ☐ Malawi
- ☐ Malaysia
- ☐ Maldives
- ☐ Mali
- ☐ Malta
- ☐ Marshall Islands
- ☐ Mauritania
- ☐ Mauritius
- ☐ Mexico
- ☐ Micronesia
- ☐ Monaco
- ☐ Mongolia
- ☐ Montenegro
- ☐ Morocco
- ☐ Mozambique
- ☐ Myanmar
- ☐ Namibia
- ☐ Nauru
- ☐ Nepal
- ☐ Netherlands
- ☐ New Zealand
- ☐ Nicaragua
- ☐ Niger
- ☐ Nigeria
- ☐ North Korea
- ☐ North Macedonia
- ☐ Norway
- ☐ Oman
- ☐ Pakistan
- ☐ Palau
- ☐ Panama
- ☐ Papua New Guinea
- ☐ Paraguay
- ☐ Peru
- ☐ Philippines
- ☐ Poland
- ☐ Portugal
- ☐ Qatar
- ☐ Republic of Moldova
- ☐ Romania
- ☐ Russian Federation
- ☐ Rwanda
- ☐ Saint Kitts and Nevis
- ☐ Saint Lucia
- ☐ Saint Vincent and the Grenadines
- ☐ Samoa

- ☐ San Marino
- ☐ Sao Tome and Principe
- ☐ Saudi Arabia
- ☐ Senegal
- ☐ Serbia
- ☐ Seychelles
- ☐ Sierra Leone
- ☐ Singapore
- ☐ Slovakia
- ☐ Slovenia
- ☐ Solomon Islands
- ☐ Somalia
- ☐ South Africa
- ☐ South Korea
- ☐ South Sudan
- ☐ Spain
- ☐ Sri Lanka
- ☐ Sudan
- ☐ Suriname
- ☐ Sweden
- ☐ Switzerland
- ☐ Syrian Arab Republic
- ☐ Tajikistan
- ☐ Tanzania
- ☐ Thailand
- ☐ Timor-Leste
- ☐ Togo
- ☐ Tonga
- ☐ Trinidad and Tobago
- ☐ Tunisia
- ☐ Turkey
- ☐ Turkmenistan
- ☐ Tuvalu
- ☐ Uganda
- ☐ Ukraine
- ☐ United Arab Emirates
- ☐ United Kingdom
- ☐ United States of America
- ☐ Uruguay
- ☐ Uzbekistan
- ☐ Vanuatu
- ☐ Venezuela
- ☐ Viet Nam
- ☐ Yemen
- ☐ Zambia
- ☐ Zimbabwe

First name

Jana

Surname

Miléřová

Email Address of the organisation (this information will not be published)

* 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.**
- ☒ 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 2024 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 2024 RoL Report.pdf](#)

Please provide any relevant information on horizontal developments here

5000 character(s) maximum

The rule of law, balance of power and public control are the basic principles on which modern liberal democracy stands. Without the rule of law, the system will always degenerate into something ugly, and Czechia has its own unfortunate historical experiences. That's why we build it mainly for bad times. Under normal conditions, there is a change of government, elections, standard development of institutions and rules, then the rule of law is more or less a technical topic for connoisseurs. Individual amendments to laws and financing are being addressed, but no one is questioning the basic principles. But the Czech Republic is not in such position. Therefore, it makes sense to build a system that will withstand the crises that will inevitably come.

Public administration has been coping with its capacity of effectively implementing policy in the sense of policy, especially evidence-based policy. The problem is on the process and capacity side. Expertise is lacking in both state administration and political representation, and their mutual dialogue. Strategic and operational management of the state is not separated, almost permanently everything takes place in crisis management mode. The quality of state institutions, their ability to work with data, ability to evaluate trends, limit experienced departmentalism and work in interdisciplinary teams. We need to emphasize the link to the rule of law, the trust of citizens, and legitimacy.

https://www.irozhlas.cz/zpravy-domov/superurednik-hurka-pravo-namestek-ministra-vnitra-ministerstvo-vnitra-petr-hurka_2208171331_elev

<https://www.oecd.org/governance/oecd-public-governance-reviews-czech-republic-41fd9e5c-en.htm>

<https://lepsistat.cz/#co>

It is essential for the functioning of the rule of law is the real enforceability of rules, the capacity of institutions to set an agenda and the mutual cooperation of authorities and agendas. Unfortunately, there are shortages in a number of areas, and state institutions have problems maintaining the current quality of public services and functionality suffers. There is a relatively strong political pressure to reduce the number of civil servants, it is driven by the opinion that the civil servant is a burden, is unnecessary and everything can be done with much smaller numbers of people. There are serious reorganisations, departures of key experts, loss of institutional memory, hasty reforms without strategic impact analysis, outsourcing of key functions. But an efficient state does not necessarily mean a state without officials. In practice draft laws are written by interest groups (see history of Act on Constructions), the outflow of experienced brains from civil services, regular post-election purges - this is the reality of our administrations. The idea of strategic planning, meaningful cost-benefit analyses, quality strategy, evaluation of the effectiveness of various policies, evaluation, this is more of a wish than a reality. It is self-propelled, there is so much work that there is objectively no time or capacity for such superstructures, after all we have to administer.

<https://cesko.digital/events/7-duvodu-proc-statni-it-nefunguje>

<https://www.respekt.cz/politika/podivna-cesta-stavebniho-zakona-od-lobbistu-po-vladu>

Our recommendation is that the Commission in its approach to the Report goes beyond a rather technocratic approach in its analysis of the rule of law, moving beyond a mere checkbox exercise and task completion. The evaluation primarily relies on the number of accepted or proposed standards and legislative acts that have progressed to the legislative stage. However, in practical terms, ticking boxes falls short especially in areas of anti-corruption, justice and media. Particularly when standards frequently exhibit clear deficiencies, lack enforcement, or cannot yet demonstrate a tangible shift or change in practice and real impact. We understand the need for diplomatic language in the report reflecting complex domestic reforms, and specifically the very sensitive debate over the conditionality of EU funds.

Civil society and its networks also stress the importance of human rights and its direct relation to the rule of law. In the entire Report on the Rule of Law, we would like to see more emphasis on the human rights agenda, which significantly affects the entire framework.

Questions for contribution

The following four pillars (I.-IV.) are sub-divided into topics (A., B., etc.) and sub-topics (1., 2., 3., etc.). For each of the topics and sub-topics, you are invited to provide (1) information on measures taken to implement the recommendations addressed to the Member State in the 2023 Rule of Law report, as well as developments with regard to the points raised in the respective country chapter of the 2023 Rule of Law Report and (2) any other significant developments since January 2023[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.

If there are developments you consider relevant under each of the four pillars that are not mentioned in the sub-topics, please add them under the section "other - please specify". Only significant developments should be covered.

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 covered in contribution [only one choice possible]

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

- ☐ 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

I. Justice System

Please provide information on measures taken to follow-up on the recommendations received in the 2023 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

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

Promotion of judges and prosecutors (incl. judicial review)

5000 character(s) maximum

A draft amendment to the Public Prosecutor's Office came out in early 2023 and was adopted by the Cabinet in May 2023. There were long-debates over the draft proposal around the issue of the position of public prosecutors, the terms of appointment and dismissal of senior public prosecutors and the responsibility of public prosecutors for their activities. After the adjustments made by the Ministry of Justice, it seems this compromised version provides quite clear rules for the functioning of prosecutors. However, the proposal might be changed in the Parliament. The term of office of the supreme prosecutor was set at 7 years with the condition of ten years of legal experience. An expert from another legal profession can also be appointed as the chief prosecutor, but only if he has completed 6 years of experience in the public prosecution system. Draft proposal has various other provisions, including the conditions for the appeal of the Supreme Public Prosecutor. There are still some concerns that arise whether the proposal does not align with recommendations from international institutions or the government's policy statement, as outlined in the prosecutors' reform chapter.

Justice.cz: <https://justice.cz/web/msp?clanek=vlada-schvalila-novelu-zakona-o-statnim-zastupitelstvi>

<https://pravo21.cz/pravo/prinese-pripravovana-novela-zakona-o-statnim-zastupitelstvi-nezavislost-na-politicke-moci>

Allocation of cases in courts

5000 character(s) maximum

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

Recently elected president Pavel is entrusted with the responsibility of making substantial alterations to the composition of the Constitutional Court. This involves presenting a proposal for the approval of seven members to the Senate. The President seems confident that the Senate aligns with his vision of appointing highly qualified experts to the Constitutional Court. This shared interest aims to guarantee the efficient and unbiased operation of our nation's highest judicial institution.

However, the controversy surrounding the procedure unfolded when the president clashed with the candidate for a constitutional judge in the Senate twice in September 2023. President Pavel clearly underestimated the political negotiation of support in the Senate for those experts chosen by his advisers. and senators paid great attention to the election of ÚS judges. President, quite perplexed by the rigorous questioning from senators, he questioned the need for such scrutiny. The debate is closely related to the issue of coming to terms with the communist past in justice, which has not been done sufficiently. Many of the senators' comments, especially those of Judge Fremr, were aimed at this area. Following Robert Fremr's withdrawal from candidacy due to public pressure, Pavel Simon endeavoured to secure the vacant position on the Constitutional Court. President Petr Pavel had nominated Simon for the role in September 2023, but the Senate did not endorse him. The senators cited concerns about his past judgments and raised questions about his integrity as primary reasons. This process can be viewed as a quest for equilibrium among institutions and powers. Preserving the Constitutional Court as the guardian of constitutionality, independent justice, and thereby ensuring good governance and the balance of power within the state is crucial for the effective functioning of the rule of law.

See Czech Radio: <https://english.radio.cz/senate-committees-fail-back-pavel-candidate-constitutional-court-8796838>

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

The Ministry of Justice has completed the implementation of the project "Intensification of the fight against corruption by raising awareness of the public sector, focusing on judges, law enforcement agencies and public administration". It addressed the resilience of the justice system to corruption, emphasising the prevention of corruption in connection with conflicts of interest and through increased awareness of whistleblower protection. The target groups of the project were judges, prosecutors, and public officials. The project was implemented in cooperation with partners, which were the Supreme State Attorney's Office and the Academy of Justice. One of the topics was the moral dilemmas and principles of judges and prosecutors. <https://korupce.cz/ministerstvo-spravedlnosti-uspesne-ukoncilo-realizaci-projektu-zintenzivneni-boje-proti-korupci-zvysovanim-povedomi-verejneho-sektoru-se-zamerenim-na-soudce-organy-cinne-v-trestnim-rizeni-a/>

<https://korupce.cz/projekt-zintenzivneni-boje-proti-korupci/zintenzivneni-boje-proti-korupci-moralni-dilemata-soudcu-a-statnich-zastupcu/>

Remuneration/bonuses/rewards for judges and prosecutors, including observed changes (significant and targeted increase or decrease over the past year), transparency on the system and access to the information

5000 character(s) maximum

Judges' salaries remain a controversial issue to be resolved by the courts themselves. For example, the Union of Judges considers the government's proposal to amend the Law on the Salary of Judges, consisting of a reduction of the coefficient in the salary base from 2024, as a flagrant violation of the right of judges to material security, without meeting the barriers for such a fundamental restriction set out by the constant jurisprudence of the Constitutional Court in matters of salary restrictions for judges.

Union of Judges: [https://www.soudci.cz/zpravy-a-stanoviska/pohledy-a-nazory/4405-ze-zasedani-republikove-rady-su-cr--\(tiskova-zprava\).html](https://www.soudci.cz/zpravy-a-stanoviska/pohledy-a-nazory/4405-ze-zasedani-republikove-rady-su-cr--(tiskova-zprava).html)

A related problem is the relatively low non-competitive salaries of non-judicial professions in the judiciary. These should be increased to attract competent people and thereby maintain an efficient judiciary.

Budgetary negotiations still go on in order to fix this problem.

Czech TV: <https://ct24.ceskatelevize.cz/clanek/domaci/platy-nesoudcovskych-profesi-v-justici-by-se-mely-zvysit-stanjura-ale-zatim-neodsouhlasil-o-kolik-3333>

Independence/autonomy of the prosecution service

5000 character(s) maximum

The Public Prosecutor's Office operates independently in its decision-making, for individual cases, and the internal mechanism of supervision and oversight seems to be functioning well. What remains an open question are the mechanisms of selection and possible dismissal of senior prosecutors, including the Supreme, who is appointed by the government. The system is strongly hierarchical, and personnel changes significantly affect its efficiency. And there is still a discussion about the state's criminal policy, how it should be defined, and also about the responsibility of prosecutors for the quality of the preparation of indictments (many of which fail in court).

<https://verejnazaloba.cz/en/more-about-public-prosecution/legislation-regulating-the-operation-of-public-prosecutors-office/>

<https://verejnazaloba.cz/en/>

The Government has approved and sent to the Parliament the long-prepared and much-watched amendment to the Act on the Public Prosecutor's Office. The proposal, currently under discussion in the House of Commons, aims to establish fixed terms of office for leading prosecutors, define specific reasons for the appealability of the chief prosecutor, and outline selection procedures. It includes enhanced safeguards against the politicization of the prosecutor's office.

<https://ct24.ceskatelevize.cz/clanek/domaci/novela-o-funkcnim-obdobi-statnich-zastupcu-jde-do-vyboru-ve-snemovne-prosla-prvnim-ctenim-1834>

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

The encounter between Blažek and the Russian-linked lobbyist Nejedlý, previously an adviser to former President Zeman, has sparked significant public concern. It sends highly unfavorable signals to the public, eroding their trust in the rule of law. The perception that the government is covertly engaging and colluding with these behind-the-scenes figures, whom it outwardly criticizes, is damaging.

https://www.irozhlas.cz/zpravy-domov/blazek-nejedly-restaurace-bourka_2308171227_nel

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 under section 2)

Accessibility of courts (e.g. court/legal fees, legal aid, language)

5000 character(s) maximum

On positive note, at some levels of justice, there is a tendency to shorten the actual length of proceedings. For example, the Supreme Court shortened the length of proceedings last year, from 160 to 140 days.

<https://www.ceska-justice.cz/2024/01/nejvyssi-soud-loni-zkratil-delku-rizeni-klesla-ze-160-na-140-dni/>

Resources of the judiciary (human/financial/material)

(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 High Public Prosecutor's Offices in Prague and Olomouc play a pivotal role in addressing the most severe corruption-related, economic, and financial crime but also organized crimes. It is encountering various challenges, notably the prolonged duration of court proceedings. Numerous factors contribute to this delay, encompassing the intricacy of evidence collection, the involvement of experts, procedural complexities, and delays caused by the defendants. While efforts are underway to address capacity issues in some regional courts, challenges persist, including a shortage of expertise among judges and prosecutors, particularly in commercial, economic, and intellectual property cases. Furthermore, occasional political influence in high-profile cases presents an additional obstacle that requires resolution.

<https://www.ceska-justice.cz/2023/07/striz-hleda-sefa-olomouckych-zalobcu-i-mimo-rady-statnich-zastupcu/>
<https://www.ceska-justice.cz/blog/vsichni-strizovi-muzi-a-zeny/>

The Minister of Justice, Pavel Blažek, appointed a new chief prosecutor in Olomouc, Radim Dragoun (after the resignation of Radim Daňhel). This happened at the suggestion of the supreme state representative Igor Stříž, after he was chosen by a five-member selection committee.

Veřejná žaloba: <https://verejnazaloba.cz/nsz/radim-dragoun-jmenovan-vrchnim-statnim-zastupcem-v-olomouci/>

https://www.irozhlas.cz/zpravy-domov/vrchni-statni-zastupitelstvi-olomouc-radim-dragoun_2308251542_mst

Training of justice professionals (including judges, prosecutors, lawyers, court staff, clerks/trainees)

5000 character(s) maximum

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

5000 character(s) maximum

Digitization of justice is slowly moving forward, for example much more information available on the justice portal, audio recordings from courtrooms and their transcription into text or lists of forensic experts and interpreters. During its inspection, the Ministry of Justice also criticized NKÚ (Supreme Audit Office) for still using outdated and technically incompatible information systems that are financially demanding to administer. For example, the possibility of electronic application submission and immediate electronic payment is also missing.

But there are still a lot of unresolved areas that prevent the real digitization of agendas (this applies to the judiciary as well as to the entire public administration). As Jan Vobořil (NGO Iure) puts it: Instead of digitising the internal processes of the public administration, digitization is being conceived as forcing citizens to communicate electronically and use electronic tools. Instead of digitizing the state, the state is asking citizens to digitise themselves."

https://ochranademokracie.s3.amazonaws.com/ochranademokracie/production/files/2023/11/06/10/32/28/66115548-2854-4012-b301-45ee6ea06da9/230216_ochranademokracie_souhrnny_en.pdf

https://www.irozhlas.cz/zpravy-domov/ministerstvo-spravedlnosti-nku-digitalizace-justice_2211070849_ara

<https://justice.cz/web/msp/digitalizace-justice-npo>

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

5000 character(s) maximum

Digitization of justice remains a priority of the current government, and the Ministry of Justice is making efforts to implement individual digitization projects, although small steps are taken only. There is also an allocation of 1.5 billion CZK from the National Recovery Plan to this aim. The following projects are currently being implemented, which are financed from the National Recovery Plan: Digital transformation; Portal of justice; Strengthening the infrastructure for the digital workplace; Video conference. Part of the eSIR project, the construction of a new insolvency register, also includes a module for keeping an electronic judicial file, the so-called eSpis. The Ministry of Justice considers this project a priority and an inevitable goal for building a new eJustice.

<https://justice.cz/web/msp/tiskove-zpravy?clanek=reakce-ministerstva-spravedlnosti-na-clanek-idnes-digitalizace-justice-stoji-na-miste-statni-rozpocet-to-muze-stat-1-5-miliardy->

Geographical distribution and number of courts/jurisdictions ("judicial map") and their specialization, in particular specific courts or chambers within courts to deal with fraud and corruption 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 under section 2)

Length of proceedings

5000 character(s) maximum

The High Public Prosecutor's Offices in Prague and Olomouc play a crucial role in addressing the most serious corruption-related, economic, and financial crimes, facing numerous challenges, including the protracted length of court proceedings. Several factors contribute to the delay in court proceedings, such as the complexity of evidence gathering, the involvement of experts, procedural intricacies, and delays caused by the defendants. Capacity issues in some regional courts are being addressed, but challenges persist, including a lack of expertise among judges and prosecutors in commercial, economic, and intellectual property cases. Additionally, occasional political influence in high-profile cases poses a further obstacle that needs to be addressed.

<https://www.ceska-justice.cz/2023/12/jaroslav-fenyk-jestli-ma-novela-zakona-o-statnim-zastupitelstvi-poslouzit-personalnim-zmenam-neni-to-v-poradku/>

<https://denikn.cz/1200614/spletita-hra-o-misto-vrchniho-zalobce-v-olomouci-a-jak-se-do-ni-pletou-politici/>

Other - please specify

5000 character(s) maximum

There are ongoing efforts dedicated to the comprehensive re-codification of the criminal code, a legal framework that traces its origins back to 1961. The primary aim is to establish a modern and flexible set of regulations that streamline investigations and remove unnecessary obstacles for law enforcement. The objective is a substantial simplification of the currently intricate procedures. A team of legal experts within the Ministry of Justice is actively engaged in this comprehensive re-codification of the Criminal Code. An expert working group, consisting of experts, academics, and practitioners, has been assembled within the Ministry of Justice to formulate a proposal. It is expected that this process will unfold under the current government, with the bulk of policy work anticipated in 2024. Nevertheless, the precise timing and scope of this fundamental change remain uncertain, and a prolonged political process is expected.

The ongoing discussions spanning decades regarding the re-codification of procedural law have yet to reach a successful resolution, leaving uncertainty about whether there is any political determination from the Minister of Justice to drive this process forward.

However, it seems Minister of Justice Blažek will not submit to the government a new criminal code, which was envisaged in the program statement of the cabinet. According to him, the text prepared by the working committee is now impassable based on negotiations with the relevant committees of the House of Representatives and the Senate. The Ministry must react pragmatically and prepare at least an amendment that will correct some problematic passages of the current regulation.

<https://www.ceska-justice.cz/2023/05/novy-trestni-rad-je-ve-snemovne-nepruchodny-potvrdil-blazek/>

<https://justice.cz/web/msp/rekodifikace-trestniho-prava-procesniho>

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 2023 Report regarding the anti-corruption framework (if applicable)

5000 character(s) maximum

Despite politicians frequently addressing corruption and incorporating anti-corruption efforts into their political marketing, the actual fulfilment of pre-election promises significantly lags behind. Politicians often justify unmet commitments by citing the necessity of addressing a "more important agenda." The current cabinet led by Petr Fiala is no exception to this pattern. While facing unprecedented challenges, the actions of several members of the "coalition of five" suggest that the primary reason for the sluggish progress in anti-corruption legislation is a lack of interest, ignorance, or perhaps even a deliberate weakening of the effectiveness of proposed anti-corruption laws.

The assessment from civil society regarding the government's sincerity and efforts is notably critical. For instance Transparency International (TI) succinctly characterizes the current government's approach to combating corruption as dismissive, stating, "Don't talk to us, we are in charge now!" TI provides a comprehensive evaluation, highlighting slow progress in anti-corruption legislation, communication, lobbying activities, and a review of significant cases. TI concludes that government representatives tend to sideline the resolution of corruption issues with the all-encompassing excuse that it is not currently on the agenda, with other pressing priorities such as the war in Ukraine, inflation, energy or food prices, and the economic crisis taking precedence.

TI: <https://www.transparency.cz/vlada-petra-fialy-v-polocase-cesku-se-stale-nedari-efektivne-omezovat-korupci/>

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 resources as relevant), including the cooperation among domestic and with foreign authorities. Indicate any relevant measure taken to effectively and timely cooperate with OLAF and EPPO (where applicable)

5000 character(s) maximum

There is a visible absence of a strategic anti-corruption plan that provides clear direction. The government's four-year conceptual framework is perceived as lacking substance, it is clearly cut and paste exercise, as the new strategy and action plan provides a compilation of ideas carried over from previous years. Questions arise as to why a government with a parliamentary majority struggles to drive more robust policy reforms. While outcomes are expected in 2024, concerns persist regarding the effective and consistent implementation of measures outlined in the current strategy and action plan. There has been rather limited progress in the implementation of the Open Government Partnership (OGP). While there is an OGP 6 practice, its impact on state administration is minimal, raising concerns about a missed opportunity given the broader potential that the OGP process offers.

The government officially approved its Anti-Corruption Strategy for the period 2023-2026 in April 2023, and this was subsequently complemented by the adoption of the Action Plan for 2023-24 in July of the same year. However, both the strategy and the broader government anti-corruption policy are perceived as lacking ambition, with numerous initiatives experiencing delays. Anticipated challenges in implementing the current Anti-Corruption Strategy and related policy initiatives are expected to endure, especially in critical areas such as the investigation and prosecution of high-profile corruption and foreign bribery.

https://www.opengovpartnership.org/wp-content/uploads/2023/06/Czech-Republic_Results-Report_2020-2022_EN.pdf

<https://korupce.cz/partnerstvi-pro-otevrene-vladnuti-ogp>

<https://korupce.cz/partnerstvi-pro-otevrene-vladnuti-ogp/o-partnerstvi-pro-otevrene-vladnuti/>

Institutions frequently lack the necessary resources to effectively implement anti-corruption standards, posing a significant challenge for the intended impact of such legislation. The recurring issue revolves around the insufficient allocation of personnel capacities to enforce these standards. The Ministry of Justice, despite setting specific goals in the explanatory report regarding whistleblowing, has only received a small portion of the required staff. Furthermore, there has been a recent government refusal to augment the capacities of ÚDHPSH (Office for the Supervision of the Finances of Political Parties and Movements), encompassing conflict of interest matters as well.

Compare Government strategies for 2015_17; 1018-2022 and 2023-2026

<https://korupce.cz/protikorupcni-dokumenty-vlady/>

Rekonstrukce státu: <https://www.rekonstrukcestatu.cz/archiv-novinek/oznamovatele-korupce-v-ohrozeni-ministerstvo-nevyclenilo-k-jejich-ochrane-dost-lidi>

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

5000 character(s) maximum

The level of trust of Czech citizens in the institutions of political executive and legislative power (with the exception of the president) is therefore traditionally very low. Recent poll by STEM Agency shows that 32% trust the Senate, 29% the Chamber of Deputies and only 21% the members of the government. Eurobarometer 2023 showed that 76% of Czechs consider corruption to be widespread in their country. 85% of respondents believe that too-close links between business and politics in (OUR COUNTRY) lead to corruption in the country.

<https://europa.eu/eurobarometer/surveys/detail/2968>

STEM: <https://www.stem.cz/duvera-v-ustavni-institute-2/>

In practice, the Czech state administration has historically faced challenges in evidence-based policymaking, with entrenched departmentalism and a culture of low cooperation between authorities. However there is a new draft amendment to the Civil Service Act (large one) aiming at a modern, high-quality and efficient state service without bureaucratic red tape, to make state administration more efficient. Significant streamlining of the functioning of state administration, strengthening of its independence and limitation of departmentalism.

<https://www.mvcr.cz/docDetail.aspx?docid=22417480&docType=ART>

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

A concerning development has been the prolonged neglect of the Anti-Corruption Council of Government, which remained inactive for nearly a year and a half. It was only in November 2023 that Minister for Legislation, Šalomoun, took charge and revived the council, leading to two subsequent meetings. This revitalization holds the promise of injecting renewed vigor, ownership of the anti-corruption agenda, and much-needed political leadership that was previously lacking. Under Šalomoun's guidance, the Council's deliberations have been substantive and constructive, a sentiment publicly acknowledged by its members on their social media platforms.

However, the unconventional choice of a minister, rather than the Prime Minister, to chair the Council suggests a prioritisation of the anti-corruption agenda within the government. Despite this positive move, there remains scepticism about whether the cabinet will genuinely consider and implement the advice and recommendations provided by this expert body in shaping its policies. Presently, doubts persist, especially with Prime Minister Petr Fiala largely disregarding the recommendations of the Government's anti-corruption council. The noticeable absence of Minister of Justice Blažek from Council meetings is concerning, especially considering that the anti-corruption agenda predominantly falls under his department. An example is the situation around whistleblowing. As TI writes, the government subsequently completely ignored the clear opinion of its own advisory body when discussing the bill and adopted its original bare-bones version.

<https://www.transparency.cz/fialova-vlada-brani-protikorupcnim-opatrenim/>

GRECO has consistently criticized the Czech Republic for its slow and inadequate efforts to combat corruption among legislators, judges, and prosecutors. The most recent evaluation revealed that out of the 14 recommendations issued by GRECO in 2016, the Czech Republic has implemented only 3. The group urged the Czech government, parliament, and other state authorities to expedite the practical implementation of these proposals.

<https://korupce.cz/zahranicni-spoluprace/greco/>

B. Prevention

Measures to enhance integrity in the public sector and their application (including as regards incompatibility rules, revolving doors, codes of conduct, ethics training)

5000 character(s) maximum

General transparency of public decision-making (including rules on lobbying and their enforcement, asset disclosure rules and enforcement, gifts policy, transparency of political party financing)

5000 character(s) maximum

However, when the rights of people and public interests are not prioritized in policymaking, the rule of law fails to serve the populace effectively. If individuals perceive their voices as unheard, democracy loses its appeal, raising questions about its true purpose. If the elites fail to recognize this reality, it reflects a lack of insight, and the cycle of surprise and bewilderment repeats. Activists, while sometimes subject to ridicule or disdain for their actions, play a crucial role during moments of jeopardy to the rule of law. While the adage "power corrupts" remains pertinent, unchecked political and oligarchic power tends to lead to abuse, jeopardising democracy and citizens' rights. In such circumstances, a robust and engaged civil society, with organizations capable of vocal advocacy, becomes essential for effective mobilisation.

Numerous personal changes have an impact on the capacity and performance of institutions. Within the civil service sector, a noteworthy development was the appointment of a new "super official" at the Ministry of the Interior. Mr. Fryč, who took over this role in early 2023, succeeded Petr Hůrka, who resigned and left the position at the end of September 2022. It's essential to note that this position holds coordinating and supervisory authority over secretaries of state in individual ministries and plays a pivotal role in preparing more comprehensive civil service reforms.

https://ochranademokracie.s3.amazonaws.com/ochranademokracie/production/files/2023/11/06/10/32/28/66115548-2854-4012-b301-45ee6ea06da9/230216_ochranademokracie_souhrnny_en.pdf

František Sivera, a former member of the Civic Democratic Party (ODS) and a current member of the Office, has assumed the position of Chairman of the Office for Economic Supervision of Political Parties and Movements starting from early 2023. His appointment followed recommendations from Members of Parliament and senators, with a specific focus on overseeing election campaign financing.

Rules and measures to prevent and address 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

The Czech law addressing conflicts of interest exhibits certain loopholes, and in comparison to other countries, the Czech Republic falls behind in various aspects. Expectations were set for the swift adoption of an amendment that could promptly address pressing issues, paving the way for subsequent discussions on more systemic problems. The current government, led by Mr. Fiala, proposed a minor amendment to the Conflict-of-Interest Act, and a political compromise was reached on this matter.

As part of this compromise, the current draft also tackles the identification of applicants in connection with accessing the asset declarations register through individual requests. The proposed amendment specifies that the Conflict-of-Interest Act and the obligation to submit a declaration will no longer apply to unpaid councillors of smaller and the smallest municipalities, as well as unpaid deputy mayors of the smallest municipalities. Consequently, existing data about these individuals will be removed from the register. The recent amendment, adopted in 2023, also enforces a clearer ban on media ownership and stricter regulations regarding the acceptance of subsidies and investment incentives in the conflict-of-interest law. For instance, politicians will no longer have the ability to transfer media to a person close to them or to a trust fund, and higher fines will be imposed for breaches of duty. Upon assuming office, politicians will need to either divest and cease being beneficial owners of media companies or discontinue their broadcast and/or publishing activities.

Bill presented by a group of Members of Parliament, amending Act No. 159/2006 Coll., on the conflict of Interest: <https://www.psp.cz/sqw/historie.sqw?o=9&t=110>

If available to you, for the three preceding questions, you are also invited to provide figures on their application, such as number of detected breaches/irregularities of the various rules in place and the follow-up given (investigations, sanctions, etc.).

Measures in place to ensure whistleblower protection and encourage reporting of corruption, including the number of reports received and the follow-up given

5000 character(s) maximum

According to the new law on the protection of whistleblowers, which entered into force on August 1, 2023 and is based on a European directive, the Ministry of Justice is in the role of a central authority. A significant shortcoming of the law is also that it does not protect anonymous submissions, the absolute majority of whistleblowers do not want to publish their name and refuse publicity, therefore this condition seriously threatens functionality. A big question mark also hangs over how the law will be enforced in practice, the Ministry of Education and the labor inspectorates are supposed to supervise compliance with the law. Inspectorates monitor the functionality of notification systems at employers who already fall under their supervision of compliance with labor law obligations, question is also around their capacity to perform this agenda.

<https://advokatnidenik.cz/2022/11/25/funkcnost-zakona-o-ochrane-oznamovatel-u-ukaze-az-praxe/>

<https://www.whistleblowingcenter.cz/blog/schvaleni-zakona-o-whistleblowingu-je-vyznamny-posun>

First whistleblowing case – at the Ministry of Justice itself. Ironically we see first case at Ministry of Justice under new rules, and they provide rather worrying signals. Minister of Justice Pavel Blažek (ODS) got rid of an inconvenient whistleblower through the government's systematization of state administration. Jan Benýšek, director of the Insolvency Department of the Ministry of Justice, filed a complaint against Blažek's political deputy, fellow party member and sponsor of the ODS, Antonín Stanislav. The initiative describes possible manipulations in exams related to the insolvency agenda from the times when the department was headed by Stanislav. Insolvencies include, among other things, the resolution of billions in claims of bankrupt companies. This is a very lucrative business that interests a number of private influence groups. Information about the case was brought by investigative journalists of the news server Seznam Zprávy. Paradoxically, the initiative is now to be investigated by the ministry itself, which is headed by Pavel Blažek. To sum up, Mr. Benýšek announced suspicions of manipulation and requested protection from retaliation under the new law. And despite this, Fiala's government approved the cancellation of his post at the suggestion of Pavel Blažek. So instead of protection, he is basically fired as revenge for his reporting.

SeznamZpravy: <https://www.seznamzpravy.cz/clanek/domaci-kauzy-upozornil-na-podezreni-kolem-blazkova-namestka-vlada-mu-zrusila-misto-240270>

Sectors with high-risks of corruption in your Member State:

- Measures taken/envisaged for monitoring and preventing corruption and conflict of interest in public procurement
- List other sectors with high risks of corruption and the relevant measures taken/envisaged for monitoring and preventing corruption and conflict of interest in these sectors (e.g. healthcare, citizen /residence investor schemes, urban planning, risk or cases of corruption linked to the disbursement of EU funds, other), and, where applicable, list measures to prevent and address corruption committed by organised crime groups (e.g. to infiltrate the public sector)

5000 character(s) maximum

Persistent issues related to opacity and corruption in public contracts highlight a fundamental challenge within the realm of public procurement. The existing system is characterized by rigidity, sluggishness, complexity, and excessive bureaucratic burdens, contributing to challenges such as conflicts of interest in bid evaluations and collusive bidding. Abuses of negotiated procedures are widespread in Czechia, with respondents often pointing to deficiencies like tailored specifications for companies, collusive bidding, and alterations to contract terms.

Analyzing factors hindering fair competition in public tenders, a Datlab analysis indicates that problems such as collusive bidding and tailor-made tender specifications, along with non-competitive procurement methods, contribute significantly to the challenges. Despite numerous factors discouraging participation in public tenders, the perceived fairness and impartiality are further compromised by recurring corruption scandals. Many potential participants believe it is futile to prepare bids unless they have the right contacts with contracting authorities.

There is an ongoing consideration of another amendment to the Public Procurement Act, with the state and municipalities competing annually for public contracts valued at around 550 billion Czech crowns. Small-scale public contracts, constituting roughly half of this amount, are proposed to have their upper limit potentially raised from 6 to 9 million or from 2 to 3 million crowns. The absence of explicit regulations governing small-scale contracts poses a significant challenge, as they remain less visible to the public, anti-corruption organizations, and the market. T

Experts advocate for strengthening control and oversight mechanisms, legislative changes defining the position and competencies of the antimonopoly office, and fortifying the deterrent effect of contracting authorities. A new Amendment to the Act on Public Procurement is under consideration in Parliament, raising concerns from NGOs about potential negative impacts on transparency. To address these issues, experts propose measures such as small-scale smart orders, an Inventory of suppliers, abolition of the unnecessary monopoly of NEN (and the use of a better electronic tool), and better methodical support for contracting authorities. A coalition of NGOs, including the Reconstruction of the State organization, Datlab Institute, and Oživení, in collaboration with the Ministry for Regional Development, has devised a methodology recommending competition and transparency standards for awarding such contracts. The adoption of similar rules is envisioned to prevent the artificial division of larger orders, ensuring greater efficiency without compromising transparency and increasing corruption risks.

Datlab, analysis: <https://datlab.eu/blog/tag/zakazky-maleho-rozsahu/>

Datlab proposal for reform of procurement: <https://datlab.eu/blog/jak-usetrit-50-miliard-na-verejnych-zakazkach/>

Any other relevant measures to prevent corruption in public and private sector

5000 character(s) maximum

C. Repressive measures

Criminalisation, including the level of sanctions available by law, of corruption and related offences, including foreign bribery

5000 character(s) maximum

Despite the judiciary actively investigating and prosecuting high-level corruption cases, the prolonged duration of these proceedings raises significant concerns. The extended timeline, often spanning several years, diminishes the public's perception of subsequent punishments as appropriate responses due to the considerable time lapse. There is a pressing need for increased resources to support the expanded utilization of forensic experts in courts and to enhance the quality of their professional opinions.

While the justice system generally receives positive evaluations, persistent concerns revolve around its performance in high-level corruption cases, primarily due to the protracted nature of proceedings at all stages, including investigation and prosecution. Additionally, anxieties exist regarding the management and allocation of EU funds, as highlighted by the Supreme Audit Office, which identifies irregularities and suspected subsidies in many reports.

Even the European Public Prosecutor's Office (EPPO) Kövesi criticized that the Czechs have a gap in the investigation of sophisticated cross-border tax crime. At the same time, it no longer takes place only on the territory of a single state. There is very limited evidence of successful prosecution of foreign bribery in Czechia.

While the justice system is generally effective, concerns persist regarding its performance in high-level corruption cases, primarily due to prolonged proceedings across all stages, including investigation and prosecution. Enforcement in foreign bribery cases remains constrained, despite the existence of a suitable legal framework.

<https://nku.cz/cz/kontrola/koordinovane-audity/>

<https://www.lidovsky.cz/domov/kovesiova-eurozalobce-dph-podvody-danova-kriminalita>.
A230612_125937_In_domov_lsva

<https://verejnazaloba.cz/en/more-about-public-prosecution/international-cooperation/european-union/>

Data on the number of investigations, prosecutions, final judgments and application of sanctions for corruption offences (differentiated by corruption offence if possible) including for legal persons and high level and complex corruption cases) and their transparency, including as regards to the implementation of EU funds

5000 character(s) maximum

Overall the investigation and prosecution of corruption cases has remained stable in recent years, but detailed statistical data on specific cases of high-level corruption are not available and it is difficult to estimate longer trends.

<https://cslav.justice.cz/InfoData/vykazy-soudu-a-statnich-zastupitelstvi.html>

Potential obstacles to investigation and prosecution as well as to the effectiveness of criminal sanctions 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

Efforts are underway for some time to comprehensively re-codify the criminal code, which dates back to 1961, a very outdated norm. It is a major obstacle to smooth and faster prosecution of corruption, economic and serious crimes. The objective is to establish a modern and flexible regulation that expedites investigations and eliminates unnecessary obstacles for law enforcement. The goal is a radical simplification of the currently convoluted processes. An expert working group, comprising experts, academics, and practitioners, has been formed within the Ministry of Justice, tasked with presenting a proposal.
<https://justice.cz/web/msp/rekodifikace-trestniho-prava-procesniho>

IKEM Hospital Case[1] IKEM is an elite hospital in Prague, focused on transplants. However recently there are incredible investigations around corruption, rigged tenders and blackmailing connected to top management of hospital, key doctors and political aides. "We are witnessing such a gangster, in which it is classically about power, influence and big money," Jaroslav Kmenta, an investigative journalist from the magazine Reportér, said about the IKEM case. He claims that IKEM is "tunneling" through payments for supplies of material and devices. According to him, the whole case is being investigated one-sidedly and suspiciously. After the intervention of elite police officers at the Institute of Clinical and Experimental Medicine in Prague, several charges were laid.

At the moment the former director of IKEM Michal Stiborek, his deputy Jiří Malý and with them also the head of the IT department at IKEM Petr Raška are being prosecuted.[2]

A new name appears in the case - namely the figure of the second richest Czech, the multi-billionaire Křetínský. He was supposed to influence Prime Minister Fiala to intervene personally in the management.[3]
Irozhlas: https://www.irozhlas.cz/zpravy-domov/vinohradska-12-ikem-gibs-vysetrovani-jaroslav-kmenta-podcast_2310200600_nel

SeznamZpravy: <https://www.seznamzpravy.cz/clanek/domaci-kauzy-kauza-ikem-ma-tri-obvinene-z-vydirani-pirkovi-se-nabourali-i-do-mobilu-237161>

SeznamZpravy: https://www.seznamzpravy.cz/clanek/domaci-kauzy-kauza-vydirani-v-ikem-obvineny-namestek-hledal-pomoc-u-kretinskeho-241194#dop_ab_variant=0&dop_source_zone_name=zpravy.sznhp.box&source=hp&seq_no=4&utm_campaign=&utm_medium=z-boxiku&utm_source=www.seznam.cz

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

5000 character(s) maximum

Crony Capitalism. The Economist has ranked Czechia (shockingly) second in its 2023 worldwide crony-capitalism index, suggesting that the country has an unhealthy amount of billionaires who derive their wealth via a relationship with the state. In short term crony capitalism refers to individuals or businesses getting preferential treatment through close relationships with the government. This can involve things like lobbying for favorable regulations or contracts and receiving subsidies, grants, or tax breaks.
<https://www.expat.cz/czech-news/article/the-economist-czechia-ranks-second-in-world-crony-capitalism>

Other - 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 2023 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 adopted to ensure the independence, enforcement powers and adequacy of resources (financial, human and technical) of media regulatory authorities and bodies

5000 character(s) maximum

In October 2023, The government coalition parties announced they had reached a consensus on the wording of a substantial amendment to the laws governing Czech Television, Czech Radio, and Radio and Television Fees. The suggested revisions hold notable importance for the funding of public service media.

"We are committed to securing the stability and independence of the public.

<https://www.mediaguru.cz/clanky/2023/09/koalice-navrhuje-zvysit-poplatky-za-ct-na-160-kc-a-za-cro-na-55-kc/>

The Czech TV Council in its original composition had a key task, the election of a new Czech TV director. In June 2023, the director of the Brno studio of CT Jan Souček was elected as the new general director of Czech Television in the third round, defeating the current head of CT Petr Dvořák.

Czech TV: <https://ct24.ceskatelevize.cz/clanek/domaci/novym-generalnim-reditelem-ceske-televize-byl-zvolen-reditel-brnenskeho-studia-jan-soucek-5643>

https://www.lidovky.cz/domov/jaromir-volek-medialni-expert-refresh-ceska-televize-ct-financovani-unava-materialu.A230613_172913_In_domov_atv

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

Public Broadcasters Reform. Media experts have long advocated for significant amendments to the laws governing public broadcasters Czech Television and Czech Radio. This year, the Ministry of Culture has formulated proposals with the aim of enhancing the independence and functionality of the Czech Television and Czech Radio Councils. A crucial change is the inclusion of the Senate in the process of electing members to these media councils. Another significant improvement in the current draft is the elimination of the option to dismiss the media council as a whole. Media experts associated with the nezavisla.media project view the government's draft as a positive step in the right direction, urging MPs to promptly discuss and approve it. Some experts express concerns over the growing influence of state authorities, accompanied by partial modifications to the legal framework in the media sector, rather than a focus on enhancing self-regulation mechanisms. Simultaneously, the media industry has exhibited limited eagerness or effort in establishing robust self-regulation practices.

<https://www.czipi.cz/?p=385>

See also: <https://www.lupa.cz/clanky/ceska-televize-cesky-rozhlas-poplatky-2025-medialni-novela-pracovni-skupiny/>

Additionally, representatives from NGO Reconstruction of the State suggested that MPs incorporate further safeguards into the draft to prevent political influence on media councils. This includes setting criteria for selecting council candidates and allowing judicial review of the processes for electing and removing council members, as well as reviewing the decisions made by the councils. Collaboratively, Civil Society Organizations (CSOs) such as Reconstruction of the State, the Independent Journalism Foundation, and the anti-corruption organization Oziveni have initiated the independent.media initiative (nezavisla.media). Their collective objective is to bring about a change in the legal framework of the media, fostering greater pluralism, political independence, and support for regional journalism. They have outlined 5 main recommendations for changes in the conditions governing the functioning of both private and public media: <https://nezavisla.media/>

- Strengthening the plurality of media councils
- Enhancing control over the management of public media
- Modernising audiovisual media regulators
- Implementing new rules to address conflicts of interest for media owners (including online media)
- Providing support for regional journalism

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

Measures taken to ensure the fair and transparent allocation of state advertising (including any rules regulating the matter)

5000 character(s) maximum

The May 2023 amendment brought about a significant hike in fees for accessing the services of Czech Television and Czech Radio, sparking widespread public interest across various media platforms and social networks. Notably, there will be a shift in the taxpayer classification, encompassing anyone with a mobile phone, tablet, or computer, or alternatively, an entire household. These modifications are expected to contribute positively to the revenue streams of public media.

<https://www.starostove-nezavisli.cz/info-a-media/tiskove-zpravy/prosadili-jsme-novelu-tzv-medialniho-zakona-ktera-prispeje-k-vetsi-nezavislosti-verejnopravnich-medii>

Representatives of Czech private media publicly loudly express their disagreement with increased financial support for public media, arguing that it actually damages and distorts the entire market. And they appeal to the Minister of Culture to change the draft of a major media amendment.

Mediaguru: <https://www.mediaguru.cz/clanky/2023/10/soukroma-media-za-jednim-stolem-velka-novela-poskodi-cely-trh/>

<https://www.info.cz/zpravodajstvi/cesko/velka-medialni-novela-ministerstvo-kultury-pripravilo-zakon-ktery-muze-fatalne-vychylit-rovnovahu-ve-prospech-verejnopravnich-stanic>

It is also important to turn the attention of politicians, experts and citizens to the problem of disappearing independent regional journalism, to prevent the emergence of "media deserts". The aim is to safeguard media pluralism and independence. In the Czech Republic, the number of regions that are not covered by any independent regional media (so-called media deserts) is growing. The space is filled by "dependent media", i.e. town hall newsletters of municipalities and regions or private regional television. These are often used for long-term promotion of local politicians and do not allow their criticism to be heard. In the same way, private regional television creates most of its content on order for municipalities and regions. At the same time, the social debate is significantly focused on the quality of national and public media, and there is a lack of efforts to solve problems associated with the lack of quality regional journalism.

On the other hand, new more investigative and modern attempts to revive regional journalism are emerging, for example the Okraj project in the Moravia-Silesian Region

https://twitter.com/okraj_cz/status/1745694599002423787

<https://nezavisla.media/>

A significant portion of the Czech information space operates without any regulation, enabling top politicians to wield influence over society through this potent information channel, even with the updated conflict of interest law. Current regulations for the media market only apply to specific actors, leaving Czech society exposed to potential attacks on its information space, whether originating from abroad or within the country. The legislative framework fails to acknowledge the existence of online media, with laws and regulations predominantly rooted in the 1990s. Additionally, there is an absence of a support system for media from public budgets. The primary objective is to establish conducive conditions for maintaining media plurality, ensuring the objective and independent work of journalists, and delivering publicly accessible, professionally verified, and high-quality information from unbiased sources. Achieving this necessitates a comprehensive overhaul of media legislation, including:

Inclusion of the online realm within media laws.

A shift in the mission of the media regulator or a holistic transformation of media space regulation, with a focus on supporting self-regulation.

Implementation of a system to support independent media through public funding.

Evaluation of the establishment and operation of the National Coordinator of Digital Services.

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 operational independence (e.g. related to reporting obligations and the allocation of resources) and safeguards for plurality of information and opinions
- 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

Transparency of media ownership and public availability of media ownership information, including on direct, indirect and beneficial owners, as well as any rules regulating the matter

5000 character(s) maximum

The parliament approved an amendment to the media law, which will tighten the ban on politicians from owning the media, but at the same time it revealed the need for deep reforms in the entire media area. In addition, the amendment does not include ownership of online media, so the government should quickly prepare a comprehensive change to media laws.

Rekonstrukce státu: <https://www.rekonstrukcestatu.cz/archiv-novinek/politici-jako-vlastnici-medii-novela-zakona-odkryla-potrebu-hlubokych-reforem-v-medialni-oblasti>

Politicians and media ownership. In 2023, the Lower House approved an amendment to the so-called "lex Babiš," proposed by a coalition of MPs led by Jakub Michálek, the chairman of the Pirate party parliamentary group, within the government amendment that alters the structure of the Office for Supervision of the Finances of Political Parties and Political Movements. The conflict of interest provisions, tied to legislation on political party financing, received official endorsement from the Lower House on June 16, 2023, approved by the Senate in September 2023, and subsequently endorsed by the President. The amendment aims to provide clarity in defining the actual beneficial owner of specific companies or conglomerates and to prohibit public officials and the companies they own from accepting subsidies and investment incentives. A crucial sector, specifically online media, remained unregulated; however, a policy discussion among stakeholders, including representatives of the sector, regulatory bodies, responsible authorities, and political entities, was initiated.

Furthermore, the revision includes provisions focused on preventing conflicts of interest related to media ownership. In this regard, the Office for the Supervision of the Finances of Political Parties and Movements will gain verification powers exclusively concerning media ownership. The essence of the amendment is to strengthen the prohibition on media ownership. Notably, the bill alters provisions to prevent individuals such as MPs, senators, members of the government, and now the president, from operating radio and television broadcasts and publishing periodicals. To prevent circumvention of the ban, it will apply to the actual owner of the media operator rather than the controlling person. The same principle applies to companies in the case of a ban on receiving subsidies and investment incentives, targeting members of the government and now the head of state as well.

Political party ANO submitted a motion to the Constitutional Court seeking to repeal part of the tightened conflict of interest law. According to the opposition body, the bill is deemed unconstitutional on several grounds and violates basic democratic principles outlined in the Charter of Fundamental Rights and Freedoms, including the right to own property. The proposal was endorsed by seventy ANO MPs, with the exception of the chairman, Andrej Babiš.

Czech TV: <https://ct24.ceskatelivize.cz/clanek/domaci/hnuti-ano-podalo-k-ustavnimu-soudu-navrh-na-zruseni-casti-zakona-o-stretu-zajmu-1682>

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

We also have to realise that the majority of important private media are today in the hands of the Czech financial groups, which often use it as leverage to pursue their own business interests, or as a shield and protection. A recent example is Křetínský and the attack of the newspaper Blesk (which he owns) on the Minister of Industry Síkela, when it came to the purchase of the gas infrastructure Net4gas, which both the state and Mr. Křetínský wanted to buy.

https://www.irozhlas.cz/ekonomika/sikela-kretinsky-net4gas-zasobniky-plynu_2310111854_mst

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

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

An example of a SLAPPs lawsuit this year was, for example, the lawsuit of Mrs. Tykač, the wife of the billionaire Mr. Tykač and a businesswoman owning Airbnb apartments, who appears in the public space as a "philanthropist", who demanded an apology from the reporter of Deník Referendum Gaby Khazalová for a statement related to an award-winning report. The courts rejected the claim. The article focused on the suspicious circumstances under which Ivany Tykač's company acquired two privatized apartments in Prague. Deník Referendum: <https://denikreferendum.cz/clanek/35701-ivana-tykac-prohrala-soudni-spor-s-reporterkou-dr-gaby-khazalovou>

In 2023, the regional court in Prague decided with finality that Andrej Babiš must apologize to investigative journalist (server investigace.cz) Pavla Holcová for the false statements he published about her on the social network Facebook. A precedent was created that defines the responsibility of politicians for defamatory posts and the subsequent public debate on their social networks.

<https://www.investigace.cz/babis-se-musi-omluvit-holcove/>

Other - 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 2023 Report regarding the system of checks and balances (if applicable)

5000 character(s) maximum

The Government approved Main Areas of State Subsidy Policy towards Non-State Non-Profit Organisations in Support of Public Benefit Activities for the following year, including funding from the State budget. <https://vlada.gov.cz/cz/ppov/rnno/dokumenty/hlavni-oblasti-statni-dotacni-politiky-vuci-nestatnim-neziskovym-organizacim-pro-rok-2023-197439/>

For 2024, the total amount approved in April 2023 was 6 638 605 000 CZK for 21 thematic areas. There have been changes in allocations in the budget based on the Government's Consolidation package in November 2023 for 2024. Majority of state programs stay at the level budgeted in April 2023, while some have lower financial allocations (such as gender equality or fight against corruption, which allocations are below 0,01% of the total). Surprisingly, the overall financial support from the State budget increased thanks to the considerable increase in allocations to the sport and related activities (from 3,8 bil. CZK to 5,3 bil. CZK).

The government's Consolidation package with tax changes effective from January 2024 impacts CSOs in a number of areas, but these have not been comprehensively evaluated. As for the cuts in the subsidy programmes of the different ministries, we need a more careful interpretation of the data. It is not only a question of whether there have been cuts in some areas of funding for CSOs, but also what impact the cuts will have in the medium term on reducing inequalities and promoting social cohesion (e.g. budget cuts in preventive services). CSOs will be affected by the change in the conditions for the use of labour agreements and performance contracts, which will complicate relations with their collaborators for many CSOs. Conversely, tax measures where individual and corporate donors can take advantage of increased tax deductions for 2023 could contribute to higher donations to some CSOs in the latter part of the year.

A. The process for preparing and enacting laws

Framework, policy and use of impact assessments and evidence based policy-making, stakeholders'[1] /public consultations (including consultation of judiciary and other relevant stakeholders on judicial reforms), and transparency and quality of the legislative process both in the preparatory and the parliamentary phase

[1] This includes also the consultation of social partners

5000 character(s) maximum

The government's coalition, consisting of 5 political parties, along with intricate negotiations and efforts to find consensus at the government level, somewhat limit the scope and influence of parliamentary discussions. Additionally, it diminishes the opportunities for organized civil society to timely and effectively express their legitimate perspectives on certain proposals. The predominant discussions occur between the involved parties and their respective experts, often taking the form of K5 formats, with representation from each coalition party. It results in cases of rather non-transparent discussion of legislative proposals in the Lower House. A number of proposals are discussed in the Lower House, which are serious and extensive in content, and are presented in the form of parliamentary amendments. With this method of submission, the interdepartmental procedure is omitted; there is no assessment by the Legislative Council of the Government and compatibility with EU law, the impact on public finances has not been assessed, and an RIA has been carried out. A meritorious, publicly accessible discussion by members of parliament and the professional and civil public is thus excluded. Media scrutiny is also kept to a minimum. The whole process is non-transparent and makes democratic discussion impossible, with serious risk of significant un/intended negative consequences.

A warning example is the set of amendments to the law on strategic investments, which was passed in violation of the rules. MPs were preparing fundamental changes to the legislation in a clearly non-transparent and ill-procedural manner, in direct violation of the law. This amendment effectively changed 17 other laws; substantively it was a very comprehensive proposal. The basis does not realistically allow even the deputies to get their bearings in the proposals, as Green Circle, a network of environmental NGOs reports.

Zelený kruh: <https://zelenykruh.cz/zeleny-kruh-zakon-o-strategickych-investicich-byl-prijat-v-rozporu-s-pravidly/>

<https://zelenykruh.cz/zmena-liniového-zákona-pod-zaminkou-podpory-strategických-staveb-dojde-k-omezení-ochrany-zivotního-prostředí-o-práva-přijdou-vlastníci-nemovitosti-a-obce/>

<https://zelenykruh.cz/zakon-o-strategickych-investicich-pripraven-v-rozporu-se-zakonom/>

<https://www.psp.cz/sqw/text/tiskt.sqw?o=9&ct=410&ct1=4>

The Ministry of the Interior invited experts from NGOs to its team for the creation of a major amendment to the Public Service Act. The proposal is now being finalized and will be presented to the government in the spring of 2024. NGO experts following the preparation are from Reconstruction of State, České priority and Aspen Institute.

Reconstruction of State: <https://www.rekonstrukcestatu.cz/archiv-novinek/velka-sance-na-modernizaci-statni-spravy-vnitro-predstavilo-dlouho-vyhliženou-novelu-sluzebního-zákona>

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

The proposed law on lobbying's primary aim is to bolster the transparency of the legislative process and facilitate public access to information regarding interactions among politicians, senior officials, and lobbyists. The adoption of lobbying regulations within the current electoral period (2021-25) is a prerequisite for the Czech Republic to access funds from the National Recovery Plan under the EU recovery support tool NextGenerationEU. The goal is to establish a fair playing field for lobbying activities among all interest groups, making lobbying a standard tool for shaping the public interest.

Draft proposal on Lobbying regulation. <https://korupce.cz/ministerstvo-spravedlnosti-predklada-do-meziresortniho-pripominkoveho-rizeni-navrh-regulace-lobbovani/>

A pivotal aspect of the proposed changes involves introducing a lobbyist register, introducing obligation to both lobbyists and their targets to register for legal accountability. Specific details, such as an effective enforcement mechanism for non-compliance and the regulation of 'revolving doors,' are still under discussion. Post-employment rules remain limited, applying solely to the civil service in specific instances and not to politicians. Generally, regulations pertaining to "revolving doors" remain unchanged. The absence of more comprehensive regulations on revolving doors presents a gap in the legal framework. One major issue with the draft law revolves around the definition of a lobbying intermediary and the potential exemption for significant lobbying entities such as business associations, chambers of commerce, and trade unions. Civil society worries that in the end it will be only advocacy NGOs who will get registered.

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

5000 character(s) maximum

Housing policy, affordable housing. Even the Constitutional Court said that relevant legislation is missing. The Platform for Social Housing (NGO) aims to help push through functional and meaningful housing support legislation by the end of the current election period. They believe that the current proposal being prepared by the Ministry of Regional Development and the Ministry of the Interior has the potential to be such a game-changer.

International experience shows that it is not just a question of subsidies and massive state expenditures, but of a form where the citizens can help themselves through their own activity. The solution must be a comprehensive reform of the housing policy with the possibility of experts, various trade unions and associations to comment on the revision and collaborate on it. All levels of housing policy need to be addressed - from ownership, rental, cooperative to social housing. Governments and other organizations can provide financial support, such as housing grants or low-interest loans, to help people on lower incomes secure affordable housing. However, such steps must have a legal regulation that excludes the abuse of such a support.

Ústavní soud (2023): V ČR chybí zákon o sociálním bydlení. Dlouhodobá nejistota občanů týkající se bydlení může ohrozit důvěru v demokratický právní stát. Tisková zpráva ze dne 3. 5. 2023. <https://www.usoud.cz/aktualne/v-cr-chybi-zakon-o-socialnim-bydleni-dlouhodobá-nejistota-obcanu-tykajici-se-bydleni-muze-ohrozit-duveru-v-demokraticky-pravni-stat>

Iniciativa Za bydlení (2021): Bydlení jako problém: Zpráva o vyloučení z bydlení. <https://socialnibydleni.org/wp-content/uploads/2021/08/Bydleni-jako-problem-2021.pdf>

In 2023, the conventional extremist and xenophobic populist scene found itself entirely overshadowed by the emergence of the so-called anti-system movement. This movement currently comprises diverse groups with a limited membership and lifespan, presenting a more vibrant contrast to the "fatigued" groups from the "pre-covid" era. Some entities under its roof are known to espouse various conspiracy theories or attempt to imbue them with a spiritual or esoteric dimension. Notably, supporters of this movement tend to be individuals over 40 years old, suggesting a rebellion among those of middle or older age who grapple with existential fears and a sense of alienation.

Within the anti-system movement, certain traditional extremists have also found a role, establishing a well-functioning symbiosis with the quasi-media scene. The Czech prejudiced and hateful ecosystem has been significantly influenced by Russian hybrid actions, contributing to a long-term, covert erosion of Czech democracy that has deeply affected a segment of society. In the first half of 2023, 69 hate-motivated crimes were registered. Of these, 26 were solved. Violence against the group was most often represented in this period by residents and against an individual in the number of 15 acts. The police of the Czech Republic records a total of 43 persons prosecuted for hate crimes in the first half of 2023 motivated actions. Most often, it was a crime of violence against a group of residents and against an individual defamation of the nation, race, ethnic or other group of persons in the number of 8 persons. Report on Extremism, Ministry of Interior:

<https://www.mvcr.cz/soubor/extremismus-souhrnna-situacni-zprava-za-1-pololeti-roku-2023.aspx>

In December 2022, the Government established the position of Government Commissioner for Romani Minority Affairs, appointing Lucie Fuková to the role. After a year in this capacity, she emphasizes that her primary responsibility is to coordinate and facilitate initiatives aimed at enhancing the status of Roma in various aspects of life in the Czech Republic, including housing, education, and employment. To achieve this, she relies on the Strategy of Roma Integration 2021-2030, which incorporates numerous measures designed to promote improved integration and equality for the Roma community in the country. As this is a newly created position, it is not an elected role, and Fuková is in the process of establishing the office. Her objective is to address issues such as segregation, increase Roma involvement in decision-making processes, and establish services that were previously lacking. She envisions that successful solutions implemented in certain municipalities and regions could serve as inspiration for others.

The overarching goal is to raise awareness among the Roma community about available services and, whenever feasible, actively involve them in crucial negotiations. Fuková emphasizes the principle of "About us without us," advocating for the meaningful inclusion of Roma individuals in decision-making processes that directly impact them.

Romea.cz: <https://romea.cz/cz/domaci/co-dela-vladni-zmocnenkyne-pro-zalezitosti-romske-mensiny-neni-to-volena-funkce-urad-buduji-uplne-od-zacatku-uvadi-fukova-a-vysvetluje-co-obnasi-jeji-prace>

Discrimination of Roma students continues. One of the biggest challenges that non-profit organizations have been drawing attention to for a long time is equal access to basic education for Roma pupils. "This is the area where we have the biggest shortcomings as a state. Already in 2000, 18 Roma children sued the Czech Republic, then 7 years later, the European Court of Human Rights issued a judgement confirming that the Czech Republic does not ensure equal access to education for all children. The practice continues, even last year, the European Court of Human Rights made it clear to the Czech Republic that the segregation of Roma children is not in accordance with the human rights convention, to which the state signed in 1992. There is a judgement regarding the discrimination of a Roma student. He was placed in a special school for children with mental disabilities because of his ethnicity. The amount of 4,000 euros was paid to the complainant.

In February 2023, Council of Europe Commissioner for Human Rights Dunja Mijatović drew attention to the long-standing problem of discrimination of Roma children and people with disabilities. The Council of Europe for Human Rights in the Czech Republic has been dealing with these problems for twenty years. "It was the subject of our last visit in 2012 and it is the subject of our current visit in 2023. There is the case of a Roma man who defeated the Czech Republic in court, but still wants to emigrate the country, "Roma children have no future here", he claims.

iRozhlas.cz: https://www.irozhlas.cz/zpravy-domov/evropsky-soud-pro-lidska-prava-ceska-republika-diskriminace-romskych-zaku-umluva_2305310700_ank

SeznamZprávy: <https://www.seznamzpravy.cz/clanek/domaci-romske-deti-tu-nemaji-budoucnost-cesko-porazil-u-soudu-chce-ale-emigrovat-219377>

The long-standing issue of insufficient inclusiveness in the Czech education system persists. Despite being introduced as part of the solution, the number of teaching assistants is now slated for reduction, potentially hindering many children, especially those with more challenging learning needs, from accessing education. This has led several Civil Society Organizations (CSOs), including the League of Human Rights, ČOSIV, , to criticise the amendment to the Education Act. The amendment abolished the individual support measure of teaching assistants for pupils in primary schools and after-school clubs.

Under the amended legislation, the number of teaching assistants and the scope of their activities will be determined based on predefined school parameters (such as the number of classes, the number of classes with pupils requiring level 4 and 5 support measures, the total number of pupils, the number of pupils requiring level 3 and higher support measures, and the number of children).

B. Independent authorities

Independence, resources, capacity and powers 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

The Czech Republic still does not have a national human rights institution (NHRI). It should be an independent institution that has the protection of human rights established as its main activity. It monitors the human rights situation nationally, draws attention to problems and formulates recommendations, and helps the state in enforcing human rights.

However, the minister for Legislation, Michal Šalomoun, is to present at the beginning of 2024 the legislative draft of the amendment to the Act on the Public Defender of Rights, which should establish the NHRI institution at the Office of the Ombudsman.

Ombudsman: <https://www.ochrance.cz/dokument>

[/co_je_to_narodni_lidskopravni_institute_a_proc_ji_v_cesku_potrebujeme/](https://www.ochrance.cz/aktualne/co_je_to_narodni_lidskopravni_institute_a_proc_ji_v_cesku_potrebujeme/)

<https://www.ochrance.cz/aktualne>

[/dozvuky_ombudsmanskeho_setkani_expertu_na_lidska_prava_narodni_lidskopravni_institute_nhri_si_jako_nezavisly_prostrednik_mezi_statem_obcanskou_spolecnosti_i_verejnosti_musi_nejdrive_ziskat_jejich_duv](https://www.ochrance.cz/aktualne/dozvuky_ombudsmanskeho_setkani_expertu_na_lidska_prava_narodni_lidskopravni_institute_nhri_si_jako_nezavisly_prostrednik_mezi_statem_obcanskou_spolecnosti_i_verejnosti_musi_nejdrive_ziskat_jejich_duvery/)

[eru/](https://www.ochrance.cz/aktualne)
<https://www.ochrance.cz/aktualne>

[/vznik_narodni_lidskopravni_institute_nhri_i_zrizeni_detskeho_ombudsmanky_by_ochranu_lidskych_prav_v_cesku_posilily_shoduji_se_ombudsman_i_jeho_zastupce/](https://www.ochrance.cz/aktualne/vznik_narodni_lidskopravni_institute_nhri_i_zrizeni_detskeho_ombudsmanky_by_ochranu_lidskych_prav_v_cesku_posilily_shoduji_se_ombudsman_i_jeho_zastupce/)

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

5000 character(s) maximum

Marriage for All. From a purely legal standpoint, rectifying the current situation can be achieved by modifying only three words in the Civil Code. However, the decision on whether to advocate for equal marriages rests with the members of parliament. Should they choose to support this change, the Czech Republic could evolve into a modern and self-assured nation that does not segregate people into categories. This represents a straightforward solution eagerly awaited by hundreds of thousands of individuals and thousands of families with children. This is the collective goal and desire of LGBT+ organizations, they fully support, naturally, establishment of full-fledged equal marriages, entailing all associated rights, obligations, and the same name. The acceptance of marriage for all couples is not detrimental; on the contrary, it stands to benefit numerous people, couples, families, and children.

The past year has indicated a considerable readiness in the Czech Republic for the recognition of marriage for all couples. Surveys reveal that approximately 65% of the population supports this idea in the long term. Noteworthy support comes from the president of the republic, other senior politicians, expert organizations, companies, institutions, associations, art organizations, and academic senates. However, the decisive step lies with the Chamber of Deputies, where negotiations are intricate, opinions tend to be conservative, and a certain majority in favor of the proposal is not yet assured. The voting process is expected to take place in 2024.

Jsme fér Initiative: <https://www.jsmefer.cz/>

Conversely, there has been a counter-proposal to amend the Charter of Fundamental Rights and Freedoms. This proposal seeks to introduce a definition of marriage as the union of a man and a woman into the constitutional order of the Czech Republic. Such a change contradicts the purpose and essence of the Charter, which is intended to guarantee the rights and freedoms of citizens, not restrict them. It is evidently a tactical maneuver aimed at delaying and complicating the vote on marriage equality.

C. Accessibility and judicial review of administrative decisions

Transparency of administrative decisions and sanctions (incl. their publication and rules on collection of related data)

5000 character(s) maximum

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

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

Follow-up by the public administration and State institutions to final (national/supranational, including the European Court of Human Rights) court decisions, as well as available remedies in case of non-implementation

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 and dissolution rules)

5000 character(s) maximum

The key legislation for CSOs is set in the Civil Code No. 89/2012 Coll. describing basic legal forms for CSOs, conditions for registration, merge or dissolution, and the Act No 3/2002 Coll., on freedom of religion and the position of churches and religious societies and amending certain acts (on churches and religious societies). There were no changes in this legislation in 2023 having any effects on CSOs.

The Government Council for Non-Governmental Non-Profit Organizations (RVNNO) is the permanent advisory body to the Government, composed from representatives of CSOs and state administration, chaired by the Prime minister, and co-chaired by the Commissioner for Human Rights and a representative of CSOs, elected by the members of the Council. It has been the key institutional platform to discuss the agenda of civic space and CSOs and initiate proposals to the government and the ministries. Though, it has no legislative or executive power. RVNNO met three times in 2023 - this was the first full year RVNNO acted with new 9 members appointed in 2022. The co-chairs and the Secretariat of the RVNNO (Department at the Office of the Government) are very responsive to suggestions and issues proposed for the agenda by CSOs. An important agenda is also derived from the resolutions and activities of the RVNNO committees - Committee for the EU and Committee for Legislation and Financing, and the expert group on system change of financing. Therefore, the activity of the RVNNO depends also on how active its committees and expert groups have been. All the minutes from the RVNNO and the committees and expert group meetings have been published after approval on the website of RVNNO.

<https://vlada.gov.cz/scripts/detail.php?pgid=536>

<https://vlada.gov.cz/cz/ppov/rnno/legislativa-a-financovani/vyboru-pro-legislativu-a-financovani-26136/>
https://vlada.gov.cz/cz/ppov/rnno/ex_skup_fin/expertni-skupina-k-systemove-zmene-financovani-verejne-prospernych-sluzeb-a-cinnosti-ze-statniho-rozpocetu-198755/

The agenda of civil society issues can be implicitly and partially addressed also in the Government's other advisory bodies on human rights, gender equality, etc. or implementation of EU funds, through the representatives of the CSOs.

In 2023, the implementation of the Government's Strategy for Cooperation Between Public Administration and NGOs for the period 2021-2030 continues (the Strategy was adopted by the Government in July 2021, setting the strategic direction of the state in relation to the non-profit sector until 2030, incl. the enabling environment and participation through CSOs). The implementation of the Action plan till 2024 has been coordinated by the Office of the Government - secretariat of RVNNO. Several measures are in the competence of relevant ministerial departments. The implementation however lacks any specific budget and adequate capacities - and this has not changed in the course of 2023, on the contrary. The Secretariat of RVNNO had only two staff and although they are very efficient and highly competent and supportive, they

also need much more political support to ensure the implementation of the whole strategy across the ministries. The RVNNO Working group on preparation of the Strategy active in 2020 and composed from both CSOs and government representatives, has a renewed meeting in November 2023 with the view it will accompany the implementation of the Strategy.

The Strategy for Cooperation Between Public Administration and NGOs 2021-2030 -

<https://www.vlada.cz/cz/ppov/rnno/dokumenty/strategie-spoluprace-verejne-spravy-s-nestatnimi-neziskovymi-organizacemi-na-leta-2021-az-2030-189753/>

https://vlada.gov.cz/assets/ppov/rnno/dokumenty/Strategy_NGO_ENG_fin.pdf

The Ministry of Interior was preparing the amendments to Act No 117/2001 Coll., Act on Public Fundraisings and taking into account the recommendations conducted by the RVNNO and its Working group on Public Fundraisings. The proposal already got through the interministerial commenting procedure and was presented and approved by the Government on January 10, 2024.

<https://vlada.gov.cz/cz/ppov/rnno/pskvs/pracovni-skupina-k-verejnym-sbirkam-185605/>

<https://vlada.gov.cz/cz/media-centrum/aktualne/vysledky-jednani-vlady-10--ledna-2024-211374/>

<https://vlada.gov.cz/cz/media-centrum/aktualne/vlada-navrhuje-zjednodusit-poradani-verejnych-sbirek--upravit-chce-take-vykon-advokacie-211390/>

Rules and practices having an impact on the effective operation and safety of civil society organisations and human rights defenders. This includes measures for protection 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

5000 character(s) maximum

There are no specific formal rules or protective frameworks for CSOs and human rights defenders in the state administration, beyond those set out in civil and criminal legislation, and thus the affected person or organisation can only turn to the police in the event of attacks and proceed according to the law. The Government Council for NGOs does not have any system to monitor attacks, threats, etc. and no expert study has been commissioned to analyse this. Therefore, we can only rely on specific cases and information provided by individual CSOs or their networks, foundations, or topics on social media and mainstream media to make an assessment.

The Government Commissioner for Human Rights Klára Šimáčková Laurenčíková has been doing a great job in communicating the important topics, roles and work of CSOs through participating in many events and active contributions to her social media accounts. However, it would be too little to rely on her activities only in fulfilling the Government Strategy for cooperation with CSOs goal on improving the societal climate for CSOs activities.

<https://www.facebook.com/laurencikova.zmocnenkyne>

The state officials can make significant value-based declarations supporting human rights and civic space defenders, their tangible efforts in this regard are though limited. Within the Czech public sphere, a negative narrative on "political NGOs" has taken root, particularly affecting organizations operating in the realms of anti-corruption, democracy, environment, human rights, gender, minorities, or migrant integration. This term has surfaced at different intervals, highlighting the perspective that organizations not involved in providing public services should not be recipients of public funding. This sentiment is perpetuated by various public figures and politicians, alongside disinformation and hate speech prevalent in the public domain.

Activists in the Czech Republic do not usually face direct physical threats, open attacks or organized campaigns, but are often ridiculed and their activities are labelled as useless or suspicious. In the public

space, different approaches are often not distinguished and only extreme examples of radical behaviour of individuals are highlighted, which is then perceived by the public as the character of the whole sector.

Some CSOs report that they are under increasing pressure from misinformation, and because they have to respond to false accusations and attacks, they are using their otherwise limited capacity to pursue their mission and their own proactive communication and networking of supporters. As a result, misinformation poses a threat to the resources of civil society organisations and human rights defenders, which can lead to a loss of donors. The ongoing trend of labeling and undermining what are commonly referred to as political non-profits remains prevalent, notably among prominent politicians and within the disinformation landscape on social networks. In response, non-governmental organizations find themselves compelled to counter false accusations and comments, defending against attacks. This defensive stance not only hampers their ability to effectively communicate their activities but also systematically erodes their capacity to showcase initiatives, cultivate a network of supporters, and fulfill their mission. As a result, disinformation poses a tangible threat to the resources of NGOs and human rights defenders, potentially resulting in a loss of donors.

Organizations and activists dedicated to enhancing the well-being of LGBTQI+ individuals report facing targeted insults, verbal aggression, hate speech, and, at times, hate crimes solely based on their advocacy work. Derogatory comments vary from challenging their right to participate in public discourse to disseminating misinformation and falsehoods about LGBTQI+ individuals. Moreover, there are instances of inciting social discord and fear by falsely asserting that LGBTQI+ people pose a threat to society. Attacks on people from the LGBTQI+ community in the Czech Republic are increasing. This follows from the data of the organization In IUSTITIA, which deals with the topic of violence stemming from prejudice and hatred. Last year, the organization registered 90 cases of attacks on LGBT+ people, which was twice as much as the year before and the highest number of cases for the entire monitoring period since 2011. Notably, the Czech Criminal Code affords least protection to victims of hate crimes driven by the victim's sexual orientation and gender identity compared to other victims. Additionally, there is resistance to providing financial support for initiatives aimed at improving the lives of LGBTQI+ individuals, creating challenges for LGBTQI+ CSO in securing funding.

<https://ct24.ceskatelevize.cz/clanek/domaci/predsudecnych-utoku-proti-lgbt-lidem-bylo-loni-nejvic-od-zacatku-sledovani-343280>

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

The Ministry of Finance's proposal to change the ESF+ co-financing rate, submitted to the government in June 2023, threatened the provision of publicly beneficial, especially social and educational services. Following the consolidation package, it was intended to ensure savings in the state budget by reducing the state's share of funding for these subsidies while the differences in the amount of co-financing between the different categories of regions should henceforth be borne exclusively by the beneficiaries of the subsidies - i. e. service providers, schools, municipalities, CSOs. The co-financing rate for calls in the area of social inclusion and social services was to be increased from 5% to 13.2% (increase of 165%). The government finally approved a 5% co-financing rate, with the provision that it may grant an exception to 0% co-financing for a limited type of calls. CSOs in social services have very limited possibilities to obtain their own co-financing and the negotiation of an exemption must again be approved by the Government by resolution. At the same time, there is a growing need to offer social services, counselling in difficult life situations or prevention, also due to the economic situation of many vulnerable groups of citizens. The joint letter organised by Glopolis and signed by 35 umbrella CSOs to Minister of finance: <https://glopolis.org/koordinace-neziskoveho-sektoru-neon/otevreny-dopis-nevlnadnich-neziskovych-organizaci-ministru-financi-zbynku-stanjuovi-k-navrhu-pravidla-spolufinancovani-eu-fondu/>

In 2023, the government failed to correct the decision of the previous government of A. Babiš to transfer 10% of the funds (i.e. EUR 270 million) from ESF+ to the Operational Programme Transport. Funds could have been used to mitigate the effects of ongoing crises (rising energy prices, the Ukrainian crisis, the covid-19 pandemic, etc.). However, there is a shortfall of about CZK 5.5 billion (the difference between the allocation and the volume of applications), especially in vocational counselling, work with families, debt issues, dealing with domestic violence, housing, assistance to people from Ukraine and social innovation. The Commissioner for Human Rights, RVNNO, the EU Committee together with NGOs have repeatedly negotiated solutions at ministerial level, but so far without result.

In general, CSOs that are primarily dependent on Czech public funding, face many challenges and struggle with funding uncertainty and the inability to plan finances due to the lack of multi-year public funding and the lengthy and bureaucratic grant process. The Expert Group on systemic change in funding of public benefit services established in 2022 under RVNNO has been assessing and preparing proposals for systemic change leading to more efficient and simplified funding of activities provided by CSOs. The 8 thematic task forces addressed the issues of multi-year funding, enabling partnerships in grant programmes, subsidies without co-financing (awarding and awarding grants of 100% of costs by the providers of the subsidies), co-funding projects with volunteer work and in-kind contributions, grant programmes to ensure mandatory co-financing of projects funded from foreign sources, fast-tracking and awarding grants in the event of emergencies, the lump-sum treatment of indirect costs and simpler accounting for subsidies, subsidy programmes for umbrella organisations and CSOs networks, solutions for de minimis rules.

https://vlada.gov.cz/cz/ppov/rnno/ex_skup_fin/expertni-skupina-k-systemove-zmene-financovani-verejne-prospernych-sluzeb-a-cinnosti-ze-statniho-rozpocetu-198755/.

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<https://vlada.gov.cz/cz/media-centrum/aktualne/vlada-navrhuje-zjednodusit-poradani-verejnych-sbirek-upravit-chce-take-vykon-advokacie-211390/>

Rules and practices on the participation of civil society organisations and human rights defenders to the decision-making process (e.g. measures related to dialogue between authorities and civil society, participation of civil society in policy development and decision-making, consultation, dialogues, etc.)

5000 character(s) maximum

At the central government level, the framework for stakeholder participation involves creating advisory and working bodies under the Government and ministries. Several CSOs advocate for the application of participatory processes, the development of capacities and competencies for initiating and managing such processes, and the establishment of a long-term mechanism for assessing participation in decision-making across ministries and central authorities. A culture of responsibility, accountability and transparency still needs to be fully developed within public institutions. Such a culture is required to promote greater consistency in policy and action.

The Methodology of the participation of NGOs in working and advisory bodies of the central authorities and in creation of their policy documents was adopted by RVNNO in 2022 as a part of the OGP 5th Action plan. It started to be tested during 2023 in 7 ministries (as the Ministry of the Interior resigned from piloting) and in the Secretariat of RVNNO. <https://korupce.cz/partnerstvi-pro-otevrene-vladnuti-ogp/narodni-akcni-plan-nyap/sesty-akcni-plan-2023-2024/faze-implementace/4-1-pilotni-implementace-metodiky-participace-nestatnich-neziskovych-organizaci-v-poradnich-a-pracovnich-organech-a-pri-tvorbe-dokumentu-statni-spravy/>. The Methodology is also implemented through the actions of the RVNNO Committee for the EU to support the representation of CSOs in implementation of EU funds and in the National Recovery Plan. https://www.vlada.cz/cz/ppov/rnno/platformy_pro_implementaci_fondu_eu/zastoupeni-rady-vlady-pro-nestatni-neziskove-organizace-v-platformach-pro-implementaci-fondu-eu-203568/.

The Czech Republic has its first ever OECD Review of Governance and Recommendations, which aims to support streamlining policies and services to make them more coordinated, evidence-based and client-oriented. Promoting citizen and stakeholder participation in public affairs is on top of OECD recommendations: a lack of coordination support for the introduction of participatory processes at the central level of government and capacities. If the recommendations are implemented, the Methodology and other measures of the Cooperation Strategy would also be better anchored in the system. <https://www.oecd.org/governance/prehled-o-stavu-verejne-spravy-ceska-republika-2651546f-cs.htm> <https://vlada.gov.cz/cz/ppov/rnno/aktuality/workshop-na-tema-spoluprace-se-zastupci-nno--obcany-a-dalsimi-stakeholdery-na-cinnostech-verejne-spravy-211117/>

We can report a modest positive progress in engagement of CSOs in the National Recovery Plan. The Delivery Unit at the Ministry of Industry and Trade that is coordinating the implementation of NRP, has been open to discuss the suggestions presented by CSOs representatives in the Committee for NRP and is gradually improving the level of information on the NPO website. An important step was the establishment of the Sub-Committee on Transparency and Civil Society Engagement under the Committee of NRP. After two years, it was also possible to nominate CSOs representatives to the Committee of NRP and its subcommittees based on the nomination processes under the Committee for EU open calls prepared by the RVNNO Secretariat.

However, in key decisions, CSOs and other stakeholders are absent and do not have access to them - this was evident in the NRP update during 2023, where although the topic was on the agenda of the Committee, in reality the whole process was conducted at inter-ministerial level and in the final stage at the Cabinet meeting. The CSOs involved learned about the change in the loan amount from the discussed CZK 140 billion to only CZK 19.4 billion only from the media and later at the regular Committee meetings.

The task force on Participation and umbrella organisations under the RVNNO Expert group on systemic change in funding has identified several challenges in supporting the participation of CSOs and partnership with the state administration. The umbrella organisations need to have sufficient capacity to represent member CSOs in representative and effective manner to provide relevant and timely input to the public

administration in the development and implementation of public policies (in both long-term and interim processes) on given issues of public interest. As a result, lack of capacity limits the number, quality and sustainability of public administration partnerships with CSOs, which negatively translates into the quality of public policy processes and implementation.

The approach of ministries to cooperation with CSOs and umbrella organisations and its financial support varies - subsidy programmes for umbrella organisations are exceptional for some ministries (MoH, MoEvi, MoEdu). The umbrella organisations have to apply within usual subsidy programmes and get in competition with their member organisations and they have to fulfil evaluation criteria as individual CSOs (number of volunteers) or expand activities.

E. Initiatives to foster a rule of law culture

Measures to foster a rule of law culture (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

Referring to the European Commission's routine annual report in the summer, non-governmental organisations and their networks aspire to elevate the discourse on the rule of law and specific recommendations, transforming them into more prominent political and media focal points. This year, Glopolis, in collaboration with SKOD, reached out to all Members of Parliament in the constitutional and European committees of both the Lower House and the Senate, aiming to initiate such discussions, even if conducted internally behind closed doors. The idea is to foster a "culture of participation", crucial to accompany these processes with awareness-raising initiatives. Unfortunately, the politicians exhibited no inclination to address the matter, the NGOs dismissed the initiative, and consequently, no debate transpired. In the end, only a handful of politicians participated in the National Dialogue organized by the EU representation in Prague in October 2023.

Mechanisms for democratic civic participation beyond elections and referendums have not been institutionalised and harmonised in the Czech Republic. This means there is a lack of consistent and transparent processes for consultations, collaborative decision-making, and deliberative assemblies. The incorporation of citizens' and stakeholders' needs and opinions into the entire political cycle and the development of public services is currently absent but should be integral. Governmental and departmental communication is insufficient, timely information is lacking, and collaboration with experts and interested parties is underutilized.

The successful implementation of citizen and stakeholder participation necessitates a cultural shift. Moving from ad hoc processes to a culture of participation, and more broadly, to a culture of open governance, requires public administration and political representation to embrace involving citizens in public events. Establishing a culture of participation entails changes in individual and institutional values, skills, beliefs, behaviour norms, and expectations, leading to new types of policies, services, and methodologies. Beyond altering the decision-making and mindset of public officials, fostering a culture of participation also demands democratically inclined citizens who are eager, capable, and possess the requisite skills for engagement. OECD Report: <https://www.oecd.org/governance/prehled-o-stavu-verejne-spravy-ceska-republika-2651546f-cs.htm>

Already in 2021, the European Commission promised to gradually end cage farms in the EU. But she still did not fulfil EC commitment and by that ignored the wishes of almost 1.4 million people from all over the EU who signed the European Citizens' Initiative End the Cage Age. The coalition of CSOs perceives this non-fulfillment of the promise by the European Commission as a threat to the EU's democratic principles. "Has EC succumbed to the influence of the animal industry lobby? When does EC plan to fulfil its commitment?"

The European Commission would thereby send a clear signal to citizens that it is not interested in their opinion on this issue, or that it does not even care about any active involvement and participation of the public in the creation of EU policies. Failure to comply with the Commission's commitment can be seen as trampling on the democratic principles of the European Union and gambling with citizens' trust in European institutions. More on: <https://konecklecivohrozeni.cz/>

Other - please specify

5000 character(s) maximum

Roma-Ukraine conflicts. The tragedy near Brno in June 2023, when a man of Ukrainian nationality killed a Roma youth in a skirmish, caused strong passions and emotional conflict in the public space, which unfortunately very quickly took on ethnic contours. An informal piety for the dead Roma youth in Brno very spontaneously grew into a demonstration a week after the incident, where about a thousand people, mostly Roma, chanted: "We don't want them here" in the address of Ukrainian refugees.

Deník Referendum: <https://denikreferendum.cz/clanek/35962-nejvetsi-protesty-2023-proti-fialovi-se-bourili-studenti-odborny-i-ultrapravice>

In 2023, the conventional extremist and xenophobic populist scene found itself entirely overshadowed by the emergence of the so-called anti-system movement. This movement currently comprises diverse groups with a limited membership and lifespan, presenting a more vibrant contrast to the "fatigued" groups from the "pre-covid" era. Some entities under its roof are known to espouse various conspiracy theories or attempt to imbue them with a spiritual or esoteric dimension. Notably, supporters of this movement tend to be individuals over 40 years old, suggesting a rebellion among those of middle or older age who grapple with existential fears and a sense of alienation.

Within the anti-system movement, certain traditional extremists have also found a role, establishing a well-functioning symbiosis with the quasi-media scene. The Czech prejudiced and hateful ecosystem has been significantly influenced by Russian hybrid actions, contributing to a long-term, covert erosion of Czech democracy that has deeply affected a segment of society. In the first half of 2023, 69 hate-motivated crimes were registered. Of these, 26 were solved. Violence against the group was most often represented in this period by residents and against an individual in the number of 15 acts. The police of the Czech Republic records a total of 43 persons prosecuted for hate crimes in the first half of 2023 motivated actions. Most often, it was a crime of violence against a group of residents and against an individual defamation of the nation, race, ethnic or other group of persons in the number of 8 persons. Report on Extremism, Ministry of Interior:

<https://www.mvcr.cz/soubor/extremismus-souhrnna-situacni-zprava-za-1-pololeti-roku-2023.aspx>

The long-standing issue of insufficient inclusiveness in the Czech education system persists. Despite being introduced as part of the solution, the number of teaching assistants is now slated for reduction, potentially hindering many children, especially those with more challenging learning needs, from accessing education. This has led several Civil Society Organizations (CSOs), including the League of Human Rights, ČOSIV, Together, Nautis, AP SPC, and Smiling Crocodile, along with the ombudsperson, to criticise the amendment to the Education Act. The amendment abolished the individual support measure of teaching assistants for pupils in primary schools and after-school clubs.

Under the amended legislation, the number of teaching assistants and the scope of their activities will be determined based on predefined school parameters (such as the number of classes, the number of classes with pupils requiring level 4 and 5 support measures, the total number of pupils, the number of pupils requiring level 3 and higher support measures, and the number of children in the school day care centre). However, critics argue that setting parameters may not ensure individualised support for all children in need. Those most at risk include children with special needs requiring level 3 support measures, especially those with disabilities and challenging behaviour. Additionally, private schools with lower class sizes, which often strive for inclusivity, schools in socially weak localities, and small classes with few children in different year

groups may also face heightened challenges.

Above that, the reduction in funding for the salaries of teaching assistants for 2023 was averted by an amendment in the Chamber of Deputies also based on pressure from non-profit organizations.

<https://cosiv.cz/cs/>

Contact

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