

INFORMATION PROVIDED BY THE CZECH REPUBLIC
FOR THE 8TH INTERSESSIONAL MEETING OF THE UNCAC
WORKING GROUP ON PREVENTION
21 – 23 AUGUST 2017

I - Information requested from States parties in relation to integrity in criminal justice institutions (arts. 7, 8 and 11)

In the Czech Republic, the Public Prosecutor's Office is a system of state offices designated to represent the state in matters of protecting public interest in cases entrusted to its competence by the law. According to **Article 80** (1) of the **Constitution of the Czech Republic** the Public Prosecutor's Office represents public action in criminal proceedings and also performs additional tasks stipulated by the law, whereas according to sub-section (2) of this Article the position and competence of the Public Prosecutor's Office is provided for by the law.

This law is the **Act no. 283/1993 Coll., on Public Prosecutor's Office, as amended** (hereinafter referred to as "APPO"). The Ministry of Justice has issued Regulation no. 23/1994 Coll., on Rules of Procedure of Public Prosecutor's Office, establishing branch offices of certain Public Prosecutor's Offices and details on actions performed by legal trainees, as amended (hereinafter referred to as "RPPPO"). During the time the Act on Public Prosecutor's Office was being drafted, various models of position and functioning of the Prosecution, or more precisely the Public Prosecutor's Office, within the system of state authorities were being considered. It was proposed that the Public Prosecutor's Office should form a separate system of state authorities designated for the representation of state in matters specified by the law. However, the result was the current model of Public Prosecutor's Office as a part of the Ministry of Justice resort.

The Constitution of the Czech Republic lists the Public Prosecutor's Office in the third chapter dealing with executive power. Despite this fact the position of the Public Prosecutor's Office as a special authority (**authority "sui generis"**), lying on the verge of executive and judicial power, is accepted by the majority of expert public, including the top judicial authorities (see e.g. decision of the Constitutional Court of 28. 6. 2012 no. Pl. ÚS 17/10 or judgment of the Supreme Court of 12. 6. 2012 no. 1 As 51/2012). Public Prosecutor's Office is neither a Ministry, nor an "administrative office", which is deduced by expert literature, or the judgment of the Supreme Court of 27. 10. 2005 no. 6 As 58/2004, which says: "This act does not presume that the Public Prosecutor's Office should in any way decide according to any legal enactment in administrative proceedings, and as such it has no competence to decide in administrative proceedings on rights and obligation of the parties. Neither the Constitution of the Czech Republic does allow any deliberation on the nature of the Public Prosecutor's Office as an administrative authority, since Article 79 expressly regulates legal relations of the Ministry and other administrative authorities, in contrast to Article 80, which deals with an entirely different authority, being the Public Prosecutor's Office."

The Public Prosecutor's Office is composed of a **system** of individual authorities, namely:

1 Supreme Public Prosecutor's Office

2 High Public Prosecutor's Offices in

- Prague
- Olomouc – including branch offices in Brno and Ostrava

8 Regional Public Prosecutor's Offices in

- Brno, including branch offices in Jihlava and Zlín
- České Budějovice, including a branch office in Tábor
- Hradec Králové
- Ostrava, including a branch office in Olomouc
- Pilsen
- Prague
- Ústí nad Labem, including a branch office in Liberec
- Municipal Public Prosecutor's Office in Prague

86 District Public Prosecutor's Offices (including District Public Prosecutor's Office in district of the Capital city of Prague and the Municipal Public Prosecutor's Office in Brno) and

- District Public Prosecutor's Office in Karviná, including a branch office in Havířov

The Czech Republic has approximately 10.500.000 inhabitants and an area of nearly 79.000 sq. km. This number of inhabitants and land area corresponds to a maximum systemized number of 1272 public prosecutors (the actual number of public prosecutors oscillates around 1250) and a maximum systemized number of 1498 other employees of Public Prosecutor's Offices (the actual number of other employees oscillates around 1400 to 1430).

The basic **determination of competence of Public Prosecutor's Office** is stipulated in Section 4 of APPO in the way that Public Prosecutor's Office, in the extent, manner and under the conditions provided for by the law:

- a) is the body of public prosecution in criminal proceedings and performs other duties arising from the Criminal Procedure Code;
- b) exercises supervision over the compliance with legal regulations in places where custody, imprisonment, protective treatment, security detention, or protective or institutional care is being executed, and in other places, where personal freedom is being restricted according to a statutory authorization;
- c) acts in other than criminal proceedings,
- d) performs other tasks, if a special Act so provides.

In compliance with its statutory competence the Public Prosecutor's Office also participates on the prevention of crime and provision of assistance to the victims of crime.

Findings made by the system of Public Prosecutor's Office on its competence in general and some statistic data on its competence, including those related to criminal activity associated with money laundering and terrorism financing (if any) are listed in regularly **elaborated reports on the activity of Public Prosecutor's Office** for the respective calendar year. These reports are freely available on the website of the Supreme Public Prosecutor's Office at:

<http://www.nsz.cz/index.php/cs/udaje-o-cinnosti-a-statisticke-udaje/zprava-o-innosti>

(available only in Czech).

In relation to measures concerning article 7 of the Convention and the public sector, States parties and signatories may wish to cite and summarize measures that:

- **Establish and strengthen systems to ensure transparency and accountability in the recruitment, hiring, retention, promotion and retirement of public officials in criminal justice institutions, including whether specific procedures exist for the recruitment and hiring of senior officials in criminal justice institutions, if they are different from other civil servants;**

Both the government's anti-corruption strategy for the years 2013-2014 and the subsequent anti-corruption action plan for the year 2015, which was issued on the basis of the government's Anti-Corruption Conception for the years 2015-2017, included the preparation of a new law on public prosecution. One of the main focuses of the reform is ensuring the independence of the public prosecution service from political influence also in the area of recruitment, hiring, retention, promotion public prosecutors.

The Ministry of Justice prepared a draft Law on the Public Prosecutor's Office and, following the comment procedure, submitted it to the government on 12 October 2015 for further deliberation. On 21 April 2016, the government submitted the draft law to Parliament.

The most significant changes proposed by the draft law include arrangements to increase the independence of the Supreme Public Prosecutor and other chief public prosecutors, to ensure the transparency of their selection and to eliminate the risk of possible external influence especially by the executive; changes to the status of public prosecutors, whose function will in the future be carried out as a public function (i.e. the subsidiary use of the Labour Code will be excluded); the abolishment of the High Public Prosecutor's Office and the establishment of a nationwide Special Prosecutor's Office focused mainly on the most serious forms of property and economic crimes and corruption; the creation of a consultative body, the Advisory Board which will be linked to the Supreme Public Prosecutor's Office and be composed of public prosecutors from different levels elected for six-year terms. The draft law, if adopted, would also introduce/regulate regular performance evaluation of public prosecutors and their work schedule, and restrict the issuance of so-called negative guidance/allow such guidance to be rejected if it is obviously in contradiction to the established interpretation of the law. It also aims at increasing transparency in internal relations, reducing the possibility of covert interference in how specific matters are dealt with and strengthening the accountability of individual prosecutors for the outcome of cases.

With regard to the upcoming elections to the Chamber of Deputies of Parliament of the Czech Republic, which will be held on 20. and 21. 10. 2017, it is unlikely that the bill will be approved.

Current situation:

Public prosecutors are appointed by the Ministry of Justice for an indefinite period upon a proposal of the Supreme Public Prosecutor. They must be Czech citizens, have full legal capacity, no criminal conviction, be over 25 years old, have achieved university education by studying a masters study programme in the area of law at a university in the Czech Republic, have successfully passed the final examination and have moral attributes guaranteeing due execution of the office. As for judges, in order to assess the moral character of candidates, the previous and current life is taken into account, including the absence of criminal and administrative sanctions, the content of different references, sometimes assessment from previous employment, etc. The final examination is taken, after a 36 month internship, before the examination board which is appointed by the Ministry of Justice and includes public

prosecutors, judges and other legal experts. Some other examinations specified by law – such as the bar examination and the judges examination – have the same status as the final examination concluding the prosecutorial internship.

Selection of candidate public prosecutors is under the responsibility of Regional Public Prosecutors. Mostly it includes a written test (model situation) and an oral interview, usually attended by the head of prosecutor's offices where posts are to be occupied, which is focused on confirming the expert level of the applicant in substantive and procedural criminal law. The selection of candidates by Regional Public Prosecutors and the appointment decisions by the Ministry of Justice do not have to be reasoned and are not subject to appeal by unsuccessful candidates.

Public prosecutors are assigned by the Minister of Justice upon a proposal of the Supreme Public Prosecutor to perform their position at a specific public prosecutor's office with their previous approval. The Minister of Justice may transfer a public prosecutor to another public prosecutor's office of the same or higher instance with his/her approval or at his/her request; as a rule, a public prosecutor can be transferred to a public prosecutor's office of a lower instance at his/her request only. Unless due performance of the responsibilities of the Public Prosecutor's Office can be secured by the above procedure, the Minister of Justice may, upon hearing the opinion of the chief public prosecutor of the public prosecutor's office concerned, transfer a public prosecutor even without his/her approval or application to another public prosecutor's office if its organisation or jurisdiction has been changed by law; the decision by the Ministry of Justice may be appealed to the administrative court. Temporary assignment of a public prosecutor to another public prosecutor's office, to the Ministry of Justice or the Judicial Academy requires his/her approval.

The promotion of public prosecutors is not regulated in detail by the APPO. Section 19(2) only states that when public prosecutors are transferred to a higher public prosecutor's office, their level of expertise is taken into account. The authorities indicate that the draft Law on the Public Prosecutor's Office defines the minimum experience required, namely five years for Regional Public Prosecutor's Offices and eight years for the High Public Prosecutor's Office and the Supreme Public Prosecutor's Office.

The Supreme Public Prosecutor is appointed – and can be removed – by the government at the proposal of the Minister of Justice, for an indefinite period of time. S/he is appointed from among the public prosecutors, so s/he has to fulfil the same requirements for appointment. The decision by the government to dismiss the Supreme Public Prosecutor does not have to be reasoned. As far as the Supreme Public Prosecutor deputies are concerned, they are appointed and may be removed by the Minister of Justice at the proposal of the Supreme Public Prosecutor.

The appointment of other chief public prosecutors is regulated by section 10 APPO as follows. The Minister of Justice appoints high public prosecutors at the proposal of the Supreme Public Prosecutor, regional public prosecutors at the proposal of the relevant high public prosecutor, and district public prosecutors at the proposal of the relevant regional public prosecutor. Chief public prosecutors are appointed for an indefinite period of time. The Minister may remove them from office 1) in case of a serious breach of duties resulting from the execution of the public prosecutor's competence or 2) at the proposal of the relevant chief public prosecutor of the superior level. The Minister may also appoint or remove chief public prosecutors of Regional or District Public Prosecutors' Offices at the proposal of the Supreme

Public Prosecutor. The authorities indicate that decisions on appointment of chief public prosecutors are not reasoned, whereas decisions on their dismissal are reasoned and are subject to appeal under the Administrative Procedure Code.

• **Implement adequate procedures for the selection and training of individuals for public positions considered especially vulnerable to corruption in criminal justice institutions and the rotation, where appropriate, of such individuals to other positions;**

The Public Prosecutor's Office is aware of the need to **specialize** on individual types of criminal activity in order to secure sufficient expert knowledge and experience of the individual public prosecutors on the area of crime in question. There are specialized public prosecutors within the system of Public Prosecutor's Office on corruption criminality. The issue of specialization of public prosecutors is governed by the Instruction of General Nature no. 4/2009, the Sample Rules of Organization, as amended. The Instruction of General Nature is an internal regulatory act of the Public Prosecutor's Office system and it is binding to all public prosecutors, and also for other employees of the Public Prosecutor's Office, if the Supreme Public Prosecutor so stipulates (see Section 12 (1) of APPO). For the area of money laundering the said Instruction of General Nature in Annex 1 and 2 stipulates under item I. Economic and property crime, paragraph B) corruption, criminality of public officials (with exemption of security forces and intelligence services). These specializations are mandatory at all Prosecutor's Offices. The allocation of individual public prosecutors to each specialization is decided by the chief public prosecutor of the respective Public Prosecutor's Office. In general each public prosecutor handles cases according to his specialization. The list of occupation of specializations and changes thereof are notified to the Supreme Public Prosecutor's Office, which keeps a list of specializations and allocation of public prosecutors; this list is updated quarterly and published on the Extranet website of Public Prosecutor's Office, and as such it is accessible to all public prosecutors and other expert employees of the Public Prosecutor's Office.

Since 2011 the Public Prosecutor's Office system includes a position of National Correspondent for fight against corruption and search and draining of proceeds from crime. This was put to practice on the basis of a Provision of the Supreme Public Prosecutor no. 25/2011, which established the position of National Correspondents for various areas of criminal activity. Currently this issue is regulated by Provision of the Supreme Public Prosecutor no. 2/2013, on National Correspondents and their expert teams, as amended; this Provision also follows up on Section 25 of the Act no. 104/2013 Coll., on International Judicial Cooperation in Criminal Matters, as amended. With effect as of 1. 5. 2016, this Provision was amended (amendment effected by Provision no. 8/2016), whereas the amendment consisted in certain redistribution of agenda among National Correspondents, specifically among other things by establishing a position of **National Correspondent for combating corruption**. National Correspondent, or his expert team, not only form a point of cooperation for the National Member in Eurojust in the given area, but also serve as a guarantor of interdepartmental cooperation and cooperation with foreign countries; they also analyze case law and specialized publications, participate on execution of questionnaires, educational activities secured in particular by the Judicial Academy, on interdepartmental cooperation and meetings, they attend or propose attendance on domestic and foreign conferences. Currently there are a total of ten National Correspondents, appointed also for other areas.

From the methodology point of view on the area of criminal prosecution of corruption, the **existence of Extranet of the Public Prosecutor's Office** is also worth mentioning. Extranet of the Public Prosecutor's Office is not accessible to the general public, it is an internal source of information within the Public Prosecutor's Office system. It is available to all public prosecutors and all expert employees of the Public Prosecutor's Office. Extranet of the Public Prosecutor's Office is used for publishing and permanent availability of various materials, mostly of methodological nature (methodology, opinions, case law, news, minutes from meetings etc.), also for the area of corruption criminality.

Furthermore it is worth mentioning that especially the area of corruption criminality is regularly the subject of **educational events organized by the Judicial Academy**, which are attended by public prosecutors, as well as judges.

It is also important to mention, that in the area of corruption Public Prosecutor's Offices issue the **Internal Anti-corruption Programme** (hereinafter only "IACP"). This is the internal document stemming from the Government Strategy to Fight Corruption for the Years 2013 and 2014, the Government Anti-Corruption Conception for the Years 2015 to 2017 and the Framework of internal anti-corruption programme and sets the control and management mechanisms in the areas with a risk of corruptive conduct. IACP contains also the education of public prosecutors and other employees of Prosecution service in the anti-corruption area.

• Prescribe criteria concerning candidature for and election to public office for members of criminal justice institutions, if applicable, as well as measures to enhance transparency in the funding of candidatures and of contributions to political parties, where applicable.

It is mentioned above.

In relation to article 8 of the Convention and measures to establish or promote codes of conduct by criminal justice institutions, States parties and signatories may wish to cite and summarize measures that:

• Establish or improve procedures, rules and regulations for the reporting, including by members of criminal justice institutions, of acts of corruption to appropriate authorities and the mechanisms for the protection of reporting persons;

There is no special legal regulation in the Czech Republic covering the whistleblowing. Thus notifiers must rely only on protection offered by the current applicable legislation. Some of public authorities have their own system for announcements of whistleblowers.

In order to ensure a transparent and anti-corruption environment The Supreme Public Prosecutor's Office has their own system for notifications, including anonymous, suspected corruption, both in the notification of employees and the public. The system provides a trusted space and credible instrument for announcements suspicion.

Notifier suspicion of corruption has the opportunity to make announcements through:

- telephone lines of senior executives, which are published on the website of the Supreme Public Prosecutor's Office (www.nsz.cz),
- anti-corruption e-mail addresses korupce@nsz.brn.justice.

- Mailing address:

The Supreme State Prosecutor of the Czech Republic
Department of Legal and Disciplinary Agendas, Complaints and Public Relations
Jezuitská 4, 660 55 Brno, Czech Republic

• **Establish or strengthen existing disciplinary procedures and mechanisms to enforce codes of conduct or ethics, standards of professional conduct and conflict of interest legislation; and**

According to section 18 APPO, public prosecutors are to take an oath of office. Furthermore, section 24 APPO stipulates public prosecutors' obligations and rules of conduct. *Inter alia*, in performance of their position public prosecutors are obliged to duly perform their duties, to proceed professionally, thoroughly, duly, impartially and righteously without undue delay, and to refuse any external intervention or other influence, the result of which might be violating some of these duties. Moreover, in performance of their position, personal life and exercising their political rights, public prosecutors are obliged to avoid all that might indicate justifiable doubts about their observance of the above-mentioned duties, endanger the solemnity of the public prosecutor's position or the Public Prosecutor's Office or endanger trust in the impartial and professional performance of the competence of the Public Prosecutor's Office or the public prosecutor.

The Union of Public Prosecutors of the Czech Republic adopted a Code of Ethics of the Public Prosecutor in April 1999 and urged its members to voluntarily apply it. The code is published on the Union's website (www.uniesz.cz). It consists of a list of 10 basic obligations. The Union of Public Prosecutors is an independent, voluntary, professional organisation which also provides training and advice (not only to its members) on ethical questions and monitors compliance of its members with the code of ethics. Violation of the rules does not give rise to disciplinary proceedings but can, ultimately, lead to exclusion of the public prosecutor concerned from the Union.

It is also important to mention, that in the area of corruption Public Prosecutor's Offices issue the **Internal Anti-corruption Programme** (hereinafter only "IACP"). This is the internal document stemming from the Government Strategy to Fight Corruption for the Years 2013 and 2014, the Government Anti-Corruption Conception for the Years 2015 to 2017 and the Framework of internal anti-corruption programme and sets the control and management mechanisms in the areas with a risk of corruptive conduct. IACP contains also the codes of ethics both for public prosecutors and other employees. These code of ethics are legal binding as internal directive and it is possible to be punished in case of breaching it in disciplinary proceedings for public prosecutors or according labour law for other employees.

There is new legislation dealing with public prosecutors in the area of conflict of interests. The Act on Conflicts of Interest (No. 156/2006 Coll.) was amended by the act no. 14/2017 Coll. (entered into the force in relevant parts on 1. 9. 2017). This new legislation will mean the duty of prosecutors to notify the Personal Interests, Activities, Assets, Income, Gifts and Liabilities into the Registry of Notices. Because of security reasons this information will not be open to the public, but only for example for criminal and disciplinary proceedings.

Detect and prevent possible conflicts of interest, such as systems requiring members of criminal justice institutions to make declarations to appropriate authorities regarding,

inter alia, their outside activities, employment, investments, income, assets and substantial gifts or benefits from which a conflict of interest may result, including as they take office and regularly during the performance of their public functions.

As mentioned before, there is new legislation dealing with public prosecutors in the area of conflict of interests. The Act on Conflicts of Interest (No. 156/2006 Coll.) was amended by the act no. 14/2017 Coll. (entered into the force in relevant parts on 1. 9. 2017). This new legislation will mean the duty of prosecutors to notify the Personal Interests, Activities, Assets, Income, Gifts and Liabilities into the Registry of Notices. Because of security reasons this information will not be open to the public, but only for example for criminal and disciplinary proceedings.

Approximately 1/3 of public prosecutors (namely higher-level public prosecutors and especially those dealing with the most serious criminal cases) submit to some extent an asset declaration, as an attachment to their request for security classification levels by the National Security Authority.

The conditions for disqualification in criminal proceedings are specified in sections 30 *et seqq.* Code of Criminal Procedure. Public prosecutors are disqualified from a criminal case whenever there are reasonable grounds to question their impartiality because of their relationship to the case under consideration or to persons directly involved in the proceedings, their attorneys, legal representatives and agents, or to other law enforcement authorities. Actions that were taken by excluded public prosecutors may not be the basis for decisions in the criminal proceedings.

In relation to article 11 and measures to promote the independence, integrity and impartiality of members of the judiciary and prosecution services, States parties and signatories may wish to cite and summarize measures that:

- **Disseminate information and build awareness of existing national and international standards of judicial integrity, such as the Basic Principles on the Independence of the Judiciary, the Bangalore Principles on Judicial Conduct, the Guidelines on the Role of Prosecutors and the Standards of Professional Responsibility and Statement of the Essential Duties and Rights of Prosecutors;**

Training of public prosecutors regarding ethics, expected conduct, prevention of corruption and conflicts of interest is organised by Regional Public Prosecutor's Offices and by the Judicial Academy. The Judicial Academy prepares educational training events in close cooperation with the Public Prosecutor's Offices, so that these activities best suit their needs. As described more in detail in the chapter on judges, ethical questions are included in the mandatory initial training programme for future public prosecutors (trainee public prosecutors) and also in specific seminars proposed to sitting public prosecutors. Training of trainee public prosecutors regarding ethics is annually organised also by Supreme Public Prosecutor's Office

Public prosecutors can obtain advice and information on questions of ethics and conduct from senior public prosecutors, the Ministry of Justice and the Union of Public Prosecutors.

- **Implement or improve existing induction and ongoing training requirements and curricula for members of the judiciary and prosecution services, particularly in terms of codes of conduct, integrity and independence;**

We believe that the structure and scope of training public prosecutors in ethics are sufficient (as mentioned above). Public Prosecution Service is going to prepare one code of ethics for all public prosecutors and other employees.

- **Establish or improve existing mechanisms to evaluate performance of members of the judiciary and the prosecution services, including by promoting the transparency of evaluation reports, where appropriate;**

At present, the APPO does not provide for regular performance evaluation of public prosecutors. The authorities indicate that currently, evaluation is based on internal guidelines. Regular evaluation is mainly performed at the Supreme Public Prosecutor's Office based on an internal binding act, but also in some lower level prosecutor's offices on a voluntary basis.

- **Procedures governing asset declarations by judges and how they are used to prevent conflicts of interest, including in relation to the assignment of cases;**

As mentioned above, legal regulation to this point is going to be valid from 1. 9. 2017. That is why we have no experiences yet.

- **Improve transparency, accountability and efficiency in procedures for case assignment and distribution;**

Criminal case distribution is based on legal regulation. Criminal case assignment at specific Public Prosecutor's Office is operated by chief public prosecutor or his/her deputy (or other authorized person).

- **Provide ethical guidance or advice to officials of criminal justice institutions in relation to the performance of their duties, their relationship with actors outside the judicial process, such as the media and non-governmental organizations, or with regard to their use of new technologies and social media; and**

Public Prosecution Service is going to prepare not only one code of ethics for all public prosecutors and other employees but also guidance/interpretation to this code of ethics.

- **Assess the risks of corruption as well as the integrity and effectiveness of the judiciary, prosecution service and court system more broadly, including by soliciting inputs from court users, other stakeholders and the general public.**

At this point it should be noted that the positive is that prosecutors and courts have been able in the past to effectively prosecute and condemn judges and prosecutors, even in cases of corruption.

2. Please outline actions required to ensure or improve the implementation of the measures described above and any specific challenges you might be facing in this respect.

Examples of the types of challenges States parties and signatories may face include:

- **Challenges in developing the proper legislative or regulatory framework for performance evaluations, the protection of persons reporting corruption cases within the criminal justice system or preventing conflicts of interest;**

Based on the findings from the work of the Public Prosecution, we see the need for legislation on protection of whistleblowers, particularly in the area of labor law.

- **Challenges in relation to specific recruitment, selection or training requirements for categories of positions considered especially vulnerable to corruption, including possible early identification of potential conflicts of interest;**

Apart from the above comments, we have no other recommendations.

- **Challenges in assessing risks of corruption or evaluating effectiveness shortcomings in the criminal justice system and in developing measures to eliminate or manage them;**

We think that measures contained in the Internal Anti-corruption Programmes of Public Prosecutor's Offices (evaluations and risk management etc.) are sufficient.

- **Challenges in implementing adequate accountability and disciplinary procedures, investigating violations and collecting statistics and other information on such procedures;**

We see a deficit in the reporting of statistical data relating to criminal proceedings. Prosecution Service prepares new information system for prosecution service "ELVIZ" based on e-file and also with strengthening of statistics and statistical evaluation of the actions of the Prosecution Service.

- **Challenges in providing ethical guidance or advice to officials of criminal justice institutions; and**

Preparation of the code of ethics for the Prosecution Service with guidance (as mentioned above). Continuing in training of public prosecutors, trainee public prosecutors and other employees.

- **Communication challenges in raising awareness and disseminating information about new standards of ethics and conduct or in developing training manuals, courses, curricula or other related material, including online initiatives, used in training programmes for officials of criminal justice institutions.**

Preparation of the code of ethics for the Prosecution Service with guidance (as mentioned above). Continuing in training of public prosecutors, trainee public prosecutors and other employees.

3. Do you consider that any technical assistance is required in order to allow you to fully implement this provision? If so, what specific forms of technical assistance would you require?

No.

II - Information requested from States parties in relation to education in schools and universities on anti-corruption (art. 13, para. 1 (c))

1. Please describe (cite and summarize) the measures your country has taken, if any, (or is planning to take, together with the related envisaged time frame) to ensure full compliance with article 13(1)(c) of the Convention and, in particular, its provision on undertaking anti-corruption education programmes in schools and universities.

Primary and secondary education in the Czech Republic

Fundamental documents covering the topic of corruption:

Since 2005 the topic of integrity, justice, civic rights and obligations, ethical principles, principles of democracy and risk situations have been included in the Framework Educational Programme for Basic Education (FEP BE), namely in the objectives of basic education and in the respective educational areas – Humans and Their World, Humans and Society as well as in cross-curricular subjects, in particular Personal and Social Education.

In 2009 Ethical Education was included in the FEP BE as a complementary field of education. A complementary field of education is not a compulsory part of primary education but it complements and expands its content. It may be used for all pupils or only for some as mandatory or elective educational content.

In 2013 a more extensive amendment to the FEP BE was made upon an initiative of certain Ministries, which has resulted in the inclusion and/or expansion of some current themes in the respective fields of education. Among other things, topics related to corruption have been expanded and topics pertaining to the instruction of financial literacy have been added as part of these amendments.

National Institute for Education (NIE):

In its capacity as a methodological body of the Ministry of Education, Youth and Sports (MEYS), the National Institute for Education puts relevant topics on the Methodological Portal, which is frequently visited by teachers as well as the general public. As part of its online meetings, seminars, workshops, model lessons and other methodological instruments it acquaints participants with the respective issue, methods and forms of instruction and offers possibilities for using them and working with them further. The topics focus on ethical education, financial literacy, entrepreneurship, extremism, anti-corruption activity, etc.

A methodological handbook with the title “Corruption in the Czech Republic” was put together as part of a project entitled “Anti-corruption Seminars” for secondary school students that was funded by the US Embassy. On the basis of experience from a cycle of implemented seminars this handbook was adapted by the National Institute of for Education so as to provide key information in the necessary scope to primary and secondary school pupils in the most efficient manner, thus facilitating their awareness of the topic. The above methodology provides a set of model lessons and programme of a project day. These specific proposals make use of information and exercises elaborated in the handbook and may be varied depending on the needs of individual schools. The above source materials may be used not only at school but also as a non-traditional homework with follow-up activities. The individual exercises have been proposed in such a manner so as to motivate pupils to be interested in what is going on around them, be it at local level or at the level of politics and

public administration. Some exercises also lead pupils to active civic life.

National Institute for Further Education (NIFE):

As part of further education of teachers, the National Institute for Further Education also addresses the topics of corruption, ethics and financial literacy. With the help of its training events it guides teachers to understand the respective fields and provides assistance to them with the modes, forms and methods of how to incorporate them in instruction.

Requirements for improving the implementation of Article 13(1)(c) of the United Nations Convention against Corruption:

A greater choice of the education on offer for the education of primary school teachers that focuses directly on the issue of corruption. A greater choice of teaching materials for schools, lectures on offer, workshops and seminars for pupils.

Further education

The MEYS does not have any instruments in the field of further education by means of which it could influence the content of e.g. accredited retraining courses (besides, it only grants accreditation to those courses that lead to a certain work activity, which cannot be said about the raising awareness of, and education about, the issue of corruption). The content of the actual courses and their focus is driven by the free market and the supply and demand principle and the MEYS cannot intervene in this field in any manner.

Higher education

Numerous public higher education institutions in the Czech Republic offer subjects that are directly or partly connected with the issue of corruption and activities related to it. These include for instance the following:

Masaryk University:

- Corruption in Public Procurement (1 credit);
- Corruption and Anti-corruption Policy (6 credits);
- Political Corruption (4 credits);
- Sociology of Corruption (6 credits);
- Social Problems in Contemporary China (4 credits);
- Introduction to Sociology (2 credits);
- Right to Information and Personal Data Protection (3 credits);
- Selected Political Science Topics (2 credits);
- Audit and Control in the Public Sector (5 credits);
- Social Change (6 credits).

Further information about the above subjects is available on the University's website: https://is.muni.cz/vyhledavani/?fakulta=1423;kod=POL291;search=korupce%20agenda:pr;no_uniq=1;start=1

Charles University:

- Corruption: Phenomenon, Causes and Effects. Detection and Punishment (3 credits);

- Introduction to Ethics (2 credits);
- Ethics in Entrepreneurship (3 credits);
- We and Them: Europe and “Europeanism” in the Early Modern Age (2 credits);
- Ethical Considerations of Doing Research (2 credits);
- Theory and Practice of Public Administration (6 credits);
- Birth of the Bureaucrat: Education, Power and Sociability of Enlightenment Servants (2 credits);
- Changes of Czech Society since November 1989 (3 credits).

Further information about the above subjects is available on the University’s website: https://is.cuni.cz/studium/predmety/index.php?do=search&nazev=korupce&kod=&match=substring&srch_nazev=0&srch_nazev=1&srch_pam_a=1&srch_pam_s=1&fak=11000&ustav=&trida=&klas=&ujmeno=&utyp=3&pvyjazyk=&sem=&pocet=100&b=Hledej

University of Economics in Prague:

- Corruption and Potential of Media Use in Its Research (6 credits);
- Corruption Prevention in Public Funds Management (6 credits).

Further information about the above subjects is available on the University’s website: <https://insis.vse.cz/katalog/index.pl>

Pardubice University:

- Activities against Corruption (4 credits).

Further information about the above subjects is available on the University’s website: <http://ects.upce.cz/predmet/URBV/PAPK/?lang=cs>

Statistics:

The MEYS does not pursue any statistical monitoring of education against corruption.

2. Please outline actions required to ensure or improve the implementation of article 13(1)(c) on undertaking anti-corruption education programmes in schools and universities and any specific challenges you might be facing in this respect.

We consider the existing form of implementation of Article 13(1)(c) of the Convention at higher education institutions to be sufficient and we do not believe it is necessary to use the instruments that we have at our disposal to develop its implementation further. At the same time, we respect the independence of higher education institutions in determining the content of their study programmes.

3. Do you consider that any technical assistance is required in order to allow you to fully implement this provision? If so, what specific forms of technical assistance would you require?

No.