



Permanent Mission
of the Czech Republic to the United Nations,
OSCE and other International Organizations
in Vienna

Penzingerstrasse 11-13
A-1140 Vienna
tel.: +431 899 58 140, fax: +431 894 57 98
email: mission.vienna@embassy.mzv.cz
www.mzv.cz/mission.vienna

FSC.EMI/42/15
14 April 2015

ENGLISH only

No: 1170/2015

NOTE VERBALE

The Permanent Mission of the Czech Republic to the United Nations, OSCE and other International Organizations in Vienna presents its compliments to all Missions and Delegations to the OSCE in Vienna and to the Conflict Prevention Centre and, in accordance with the Decision 2/09 of the Forum of Security Co-operation, has the honour to transmit herewith the reply of the Czech Republic to the Questionnaire on the Code of Conduct on Political-Military aspects of Security.

The Permanent Mission of the Czech Republic to the United Nations, OSCE and other International Organizations in Vienna avails itself of this opportunity to renew to all Missions and Delegations to the OSCE and to the Conflict Prevention Centre the assurances of its highest consideration.

Vienna, 14 April 2015



To: all OSCE Delegations and Missions
the Conflict Prevention Centre

V i e n n a

**Information Exchange on the OSCE Code of Conduct
on Politico-Military Aspects of Security
Czech Republic
2014**

Section I: Inter-State elements

1. Account of measures to prevent and combat terrorism

1.1 To which agreements and arrangements (universal, regional, subregional and bilateral) related to preventing and combating terrorism is your State a party?

The Czech Republic is a State Party to all five United Nations conventions on terrorism deposited with the Secretary-General and all (8) multilateral conventions deposited with other depositaries.

The Czech Republic is a State Party to the following international instruments related to the fight against terrorism:

- Convention on Offences and Certain Other Acts Committed on Board Aircraft (Tokyo, 14 September 1963);
- Convention for the Suppression of Unlawful Seizure of Aircraft (The Hague, 16 December 1970);
- Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation (Montreal, 23 September 1971);
- Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents (New York, 14 December 1973);
- International Convention Against the Taking of Hostages (New York, 17 December 1979);
- Convention of the Physical Protection of Nuclear Materials (Vienna, 3 March 1980);
- Protocol for the Suppression of Unlawful Acts of Violence at Airport Serving International Civil Aviation, supplementary to the Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation (Montreal, 24 February 1988);
- Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation (Rome, 1988);
- Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf (Rome, 1988);
- Convention on the Marking of Plastic Explosives for the Purpose of Detection (Montreal, 1 March 1991);
- International Convention for the Suppression of Terrorist Bombings (New York, 15 December 1997);
- International Convention for the Suppression of the Financing of Terrorism (New York, 9 December 1999);
- International Convention for the Suppression of Acts of Nuclear Terrorism (New York, 13 April 2005).

- Convention on the Suppression of Unlawful Acts Relating to International Civil Aviation (Beijing, 10 September 2010, not in force yet, however, the Czech Republic has deposited its instrument of ratification on 2 July 2013)
- Protocol Supplementary to the Convention for the Suppression of Unlawful Seizure of Aircraft (Beijing, 10 September 2010, not in force yet, however, the Czech Republic has deposited its instrument of ratification on 2 July 2013).

Council of Europe

The Czech Republic is a party to the 1977 European Convention on the Suppression of Terrorism. It has actively contributed to the process of amending the Convention. In November 2007 the Czech Republic also signed the Additional protocol of the respective Convention (CETS 190).

The Council of Europe set up the Committee of Experts on Terrorism (CODEXTER) which replaced the GMT (the Multidisciplinary Group on International Action against Terrorism) in 2003 and is still active and coordinates the implementation of activities in the priority areas. This work has resulted in several international instruments and publications. One of the key conclusions is also a general agreement on strengthening cooperation and exchange of best practice in the “Bringing Terrorists to Justice” initiative – a successful prosecution and conviction of perpetrators of acts of terrorism, protection and support for victims of terrorism and protection of police officers and officials involved in the fight against terrorism. The Czech Republic still remains outside the group of states that have successfully implemented a counter-terrorism convention CETS 196. This situation was caused by the previous absence of criminal liability of legal persons in the Czech legal system; without such liability, the Czech Republic was not able to fulfill the convention. However, the Act on Corporate Criminal Liability (418/2011 Coll.) has been adopted to complement existing criminal law. The Act entered into force on 1 January 2012 (see below) enabling the Czech Republic to take steps towards the Council of Europe Convention on the Prevention of Terrorism CETS 196. The Czech Republic is currently participating in negotiations regarding Additional Protocol to the Council of Europe Convention on the Prevention of Terrorism which is supposed to be adopted on 19 May 2015 in Brussels.

Bilateral Agreements

Treaties of the law enforcement cooperation, which include the aspect of the fight against terrorism, and entered into force

Albania

1. Police cooperation – intergovernmental agreement, Prague 27. IV. 2009

Belgium

2. Police Cooperation – memorandum, exchange of letters between the ministers (November 1997 – February 1998);
3. Police Cooperation – Accord entre le Gouvernement de la République Tcheque et le Gouvernement du Royaume de Belgique relatif a la cooperation policiere (Brussels, 27 November 2008)

Bosnia and Herzegovina

4. Agreement between the Czech Republic and Bosnia and Herzegovina on Cooperation in the Fight against Crime, in Particular Terrorism, Illicit Trafficking in Narcotic Drugs and Psychotropic Substances and Organized Crime (Sarajevo, 12 September 2013)

Bulgaria

5. Intergovernmental Agreement; Date and place of signature: Brussels, 30. XI. 2009

Europol

6. Cooperation Agreement; Date and place of signature: Prague, 5. III. 2002;

7. Amendment – exchange of notes (The Hague – 13. II. 2002; Prague – 5. III. 2002).

France

8. Intergovernmental Agreement; Date and place of signature: Prague, 2. IV. 1997

Chile

9. Intergovernmental Agreement; Date and place of signature: Santiago, 23. IX. 1996

Croatia

10. Intergovernmental Agreement; Date and place of signature: Prague, 30. XI. 1999

Italy

11. Intergovernmental Agreement; Date and place of signature: Prague, 22. III. 1999

Israel

12. Agreement between the Czech Republic and the State of Israel on Cooperation in the Fight against Crime (Jerusalem, 7 October 2013)

Kazakhstan

13. Intergovernmental Agreement; Date and place of signature: Almaty, 9. IV. 1998

Kyrgyzstan

14. Intergovernmental Agreement; Date and place of signature: Biskhek, 8. IV. 1998

Cyprus

15. Agreement about the co-operation between MoI's; Date and place of signature: Prague, 7. XII. 1992

Lithuania

16. Agreement about the co-operation between MoI's; Date and place of signature: Vilnius, 29. III. 1996

Latvia

17. Agreement between the Government of the Czech Republic and the Government of the Republic of Latvia on Co-operation in Combating Terrorism, Illicit Trafficking in Narcotic Drugs and Psychotropic Substances and Organised Crime; Date and place of signature: Prague, 14. XI. 2000

Hungary

18. Accord about the co-operation between MoI's; Date and place of signature: Budapest, 11. XI. 1991

19. Intergovernmental Agreement; Date and place of signature: Prague, 16. II. 1996

Macedonia (FYROM)

20. Agreement between the Government of the Czech Republic and the Government of the Republic of Macedonia on Cooperation in the Fight against Crime, Date and place of signature: Prague 9. II. 2010

Moldova

21. Agreement between the Government of the Czech Republic and the Government of the Republic of Moldova on cooperation in combating organized crime, illicit trafficking in narcotic drugs and psychotropic substances, terrorism as well as other kinds of crime, Date and place of signature: Prague 7. VIII. 2003

Montenegro

22. Agreement between the Czech Republic and Montenegro on Cooperation in the Fight against Crime (Podgorica, 22 June 2012)

The Netherlands

23. MoU between MoI's; Date and place of signature: Prague, 5. X. 1993

Poland

24. Agreement about the cooperation in regard to the fight against criminal activities, protection of the public order and cooperation in the border areas, 2. VIII. 2007.

25. Agreement about the co-operation between MoI's; Date and place of signature: Prague, 5. IX. 1991

26. Protocol about the co-operation between MoI's; Date and place of signature: Warsaw, 12. IV. 1995;

27. Accord about the change of the annex to the abovementioned Protocol (12. IV. 1995).

Austria

28. Intergovernmental Agreement; 21. VI. 1988

29. Police cooperation and amendment to Second amending protocol to CoE MLA Convention – treaty, Vienna 14. VII. 2005

30. Cross-border police cooperation centre – intergovernmental agreement, Mikulov 6. IX. 2007

Romania

31. Agreement between the Czech Republic and Romania on cooperation in combating organized crime, illicit trafficking in narcotic drugs, psychotropic substances and precursors, terrorism, as well as other serious crime; Date and place of signature: Prague, 13. XI. 2001

Russian Federation

32. Agreement about the co-operation between MoI's; Date and place of signature: Prague, 21. IV. 1997

33. Agreement between the Czech Republic and the Russian Federation on Cooperation in the Fight against Crime (Prague, 8 December 2011)

Slovakia

34. Agreement about the co-operation and mutual assistance between MoI's; 20. XI. 1992 (with three additional protocols: Bratislava, 21. XI. 1994; Bratislava, 17. III. 1995; Date and place of signature: Bratislava, 18. XI. 1994)

35. Agreement between the Czech Republic and the Slovak Republic on cooperation in combating crime, during protection of public order and state borders protection, No.26/2005 Coll.; Date and place of signature: Bratislava 27. I. 2004

36. MoI cooperation - intergovernmental agreement, Bratislava 13. I. 2010

Slovenia

37. Agreement between the Government of the Czech Republic and the Government of the Republic of Latvia on Suppression of Illicit Trafficking in Narcotic Drugs and Psychotropic Substances and Organised Crime and Combating Terrorism; Date and place of signature: Ljubljana, 22. V. 1998

Serbia

38. Agreement between the Government of the Czech Republic and the Government of the Republic of Serbia on Police Cooperation in the Fight against Crime, Date and place of signature: Prague 17. XII. 2010

Germany

39. Intergovernmental Agreement; Date and place of signature: Prague, 13. IX. 1991

40. Intergovernmental Agreement about the police co-operation and security co-operation in the border area; Date and place of signature: Berlin, 19. IX. 2000

41. Agreement about the co-operation between MoI of the Czech Republic and the MoI of the Free State Bavaria; Date and place of signature: Munich, 26. II. 1991 (with additional protocol – exchange of letters: 14. X. 1993 and 11. XI. 1993)

Switzerland

42. Police cooperation – treaty; Date and place of signature: Prague 31. V. 2005

Tunisia

43. Agreement about the co-operation between MoI's; Prague, 10. V. 1999

Turkey

44. Agreement about the co-operation between MoI's; Date and place of signature: Ankara, 17. I. 1997

Ukraine

45. Intergovernmental Agreement; Date and place of signature: Kiev, 30. VI. 1997 (with additional Protocol, Date and place of signature: Kiev, 5. XI. 1999)

Uzbekistan

46. Intergovernmental Agreement; Date and place of signature: Tashkent, 17. VI. 1998

United Kingdom

47. Intergovernmental Agreement; Date and place of signature: Prague, 23. VII. 1990

United States of America

48. Police cooperation – intergovernmental agreement, Prague 12. XI. 2008

1.2 What national legislation has been adopted in your State to implement the abovementioned agreements and arrangements?

The Czech Republic has no special anti-terrorism legislation. Terrorism related offences are covered by different sections of the Criminal Code (Act No. 40/2009). The new Criminal Code meets all requirements of the above-mentioned treaties and it also complies e.g. with the requirements of the EU Council Framework Decision 2002/475/JHA on combating terrorism. Currently, terrorism related the following provisions of the Criminal Code cover offences: Section 310 (subversion of the Republic), Section 311 (terrorist attack), Section 312 (terror), Section 272 (public danger), Section 291 (endangering the safety of aircraft and civil vessels), Section 292 (hijacking an aircraft to a foreign country), etc. Other relevant provisions involve sabotage (Sections 314), participation in an organized criminal group (Section 361), endangering of public utilities (Section 276), taking hostages (Section 174), extortion (Section 175), unauthorized acquisition or possession of arms (Section 279), unauthorized production and possession of radioactive material and highly dangerous substances (Section 281), spreading of alarming information (Section 357), etc. The protection of witnesses and victims of criminal offences (including terrorist attacks) is covered by the Code of Criminal Procedure (Act No. 141/1961, as amended). The Czech Republic has also two special acts: Act on a special protection of witness and other persons in connection with criminal proceedings (Act No. 137/2001), and Act on a financial assistance to victims of crime.

Information on national efforts to prevent and combat terrorism, including appropriate information on legislation beyond United Nations conventions and protocols (e.g., pertaining to financing of terrorist groups): The Government of the Czech Republic approved the National Action Plan to Combat Terrorism (Government Decree No. 385 of 10 April 2002). The National Action Plan to Combat Terrorism was up-dated in 2003, in 2004, in 2005 and in 2008. In February 2010 the Government of the Czech Republic approved new Strategy on Fight against Terrorism for the years 2010 – 2012, which replaced previous National Action Plans. Its text goes along with the EU Action Plan on the Fight against Terrorism, as well as

with the EU Counterterrorism Strategy.

As a general rule, international conventions may be applied directly, having precedence over domestic laws, if their provisions are capable of being applied this way (e.g. MLA provisions).

As a document of strategic importance, the Strategy to Fight Terrorism for the period 2010 to 2012 was prepared by MoI and approved by Government Resolution No. 221 of 22 March 2011. Following the Strategy, the Government of the Czech Republic approved in its Resolution No. 826 of 16 November 2010 a list of Current Priorities in the Fight Against Terrorism for the period 2010 to 2012, the contents of which determine tasks and deadlines for their fulfillment. Evaluation of these tasks will take place in 2012.

New piece of legislation - Act on Corporate Criminal Liability - has been adopted to complement existing criminal law. This Act (418/2011 Coll.) entered into force on 1 January 2012. It applies to all forms of legal persons (including churches, foundations and business companies) with the exception of the State and regional and municipal authorities. The main purpose of the Act is to implement various international treaties that require corporate liability for offences stipulated therein (such as terrorism, corruption etc.). The law enables criminal judge to impose fines and other sanctions (including dissolution) on legal persons.

1.3 What are the roles and missions of military, paramilitary and security forces and the police in preventing and combating terrorism in your State?

In the territory of the Czech Republic: the Armed Forces may assist the Police in guarding important places and institutions. The agenda of the fight against terrorism in the Czech Republic falls especially within the competence of the Ministry of Interior, the Police of the Czech Republic and the intelligence services of the Czech Republic. Certain functions and activities in this field require the co-operation of the Ministry of Defence, Ministry of Health and the Ministry of Foreign Affairs. In fact, all the ministries, many other central state authorities, as well as regional authorities, private companies and in fact every resident, can play some role in the counterterrorism activities in the Czech Republic. The Ministry of Interior coordinates crisis management activities in response to terrorist acts and similar incidents seriously endangering critical infrastructure, civilian population and their property, and the public order. The Ministry of Foreign Affairs coordinates the government's response to emergencies abroad that could affect the Czech Republic's interests. The Police of the Czech Republic units involved in the fight against terrorism are subordinated to the Office of the Criminal Police and Investigation Service (Organised Crime Unit, General Crime Department etc.), Deputy Police President for Uniformed Police (Protection Service), Deputy Police President responsible for international co-operation (International Police Cooperation Department – Interpol Prague) and the Office of the Police President (Rapid Response Unit).

The fight against terrorism must be comprehensive, including both traditional police methods and legislative, social, technical as well as foreign policy and military measures. One of these measures was creation of the National Focal Point for Terrorism as a specialised department within the Unit for Combating Organised Crime. It is a specialised central communication, information and analytical department of the Police of the Czech Republic, dealing with relevant information on terrorism and persons suspected of being linked to terrorists or terrorist organisations. Principal goals include gathering and analysing relevant information, monitoring and evaluating the threat of terrorism, preventing and minimizing its impact and

cooperating not only with various partners and institutions abroad, but also with the citizens of the Czech Republic, allowing them to effectively participate in law enforcement activities.

There are three intelligence services in the Czech Republic:

- Security Information Service

The Security Information Service is an intelligence service active within the Czech Republic. It is responsible for acquiring, collecting and evaluating information of major impact on the security of the country, protection of its constitutional setup and economic interests. As an institution, the service is strictly apolitical and does not have any repressive powers – therefore it cannot detain, arrest or interrogate.

- Office for Foreign Relations and Information

The Office for Foreign Relations and Information is an intelligence service of the Czech Republic. Its main goal, effort and mission is to provide foreign intelligence vital for the security and protection of foreign policy interests and economic policy interests of the Czech Republic. Its work comprises gathering and assessment of intelligence which is not available through standard means and activities and which meets the following criteria: 1) it is of foreign origin (though they may be acquired in the territory of the Czech Republic); 2) it relates to the issues we were tasked by the Government to pursue; 3) it is unknown to the particular customer and is usually obtained through intelligence means.

- Military Intelligence Service

Military Intelligence carries out counterintelligence and intelligence tasks within the scope and interests of the Army of the Czech Republic. This intelligence service gathers information from its own intelligence sources including bilateral and multilateral cooperation. Military Intelligence also secures intelligence protection of the Czech and allied contingents in missions abroad.

1.4 Provide any additional relevant information on national efforts to prevent and combat terrorism, e.g., those pertaining *inter alia* to:

— Financing of terrorism;

Criminalisation: FT is criminalised under Penal Code (Act No 40/2009 Coll.) as any support or preparation of a terrorist attack or to a terrorist or any member of a terrorist organization in whatever way: financial, material or other. Both natural and legal persons are punishable for such criminal offences.

Prevention: the AML/CFT Act (Act No 253/2008 Coll.) provides for an effective AML/CFT system which includes obliged (reporting) entities, obligation of identification and customer due diligence, reporting (of suspicious transactions) and record keeping, supervision and adequate, effective and dissuasive sanctions. Moreover, the FAU (Czech FIU) also stays in constant contact with the obliged (reporting) entities and other stakeholders while it provides explanations of legal obligations, guidance, typologies and other feedback to reporting entities and other forms of awareness raising. Recently the Czech FAU has also presented a set of targeted redflags related to ISIL financing and FTF.

FT definition under AML/CFT Act reads as follows:

„Financing of terrorism shall mean:

a) gathering or providing financial or other assets knowing that such assets will be, in full or in part, used to commit a crime of terror¹²), terrorist attack¹³), or a criminal activity intending to facilitate or support such crime¹⁴), or to support an individual or a group of individuals planning such crime, or

b) acting with the intention to remunerate or compensate a person who has committed an act of terror, terrorist attack, or a crime intended to facilitate or support such crime¹⁴), or to an individual close to such person as defined by the Criminal Code¹⁵); or collecting assets to pay such remuneration or compensation.

(3) For the purpose of this Act, activities set forth in para. 1 or 2 may, fully or partially, take place in the territory of the Czech Republic or, fully or partially, outside the territory of the Czech Republic. “

Restrictive measures: the Czech Republic has also a comprehensive Sanctions Act (Act No 69/2006 Coll.). It sets out conditions for a thorough implementation of intl sanctions imposed by UNSCRs or by EU legal measures. All terrorist assets shall be frozen and confiscated. Also when it comes to intl sanctions the Czech Republic realises the importance of all awareness raising efforts and the FAU as the main coordinating authority provides education, explanation etc.

Moreover, there is unique cross reference between the Sanctions Act and the AML/CFT Act:

„A transaction shall always be perceived as suspicious, should:

a) the customer or the beneficial owner be a person against whom the Czech Republic has imposed international sanctions under the Act on Implementation of International Sanctions,

b) the goods or services involved in the transaction fall in the category against which the Czech Republic has imposed international sanctions under the Act on Implementation of International Sanctions, or

c) the customer refuses to reveal identification data of the person they are representing or to undergo the due diligence process. “

— Border controls;

In April 2011, ministers of the interior discussed EC proposal for a Directive on the use of Passenger Name Record data for protection against terrorist offences and serious crime (the so-called European PNR)

— Travel document security;

— Container and supply chain security;

— Security of radioactive sources;

— Aviation security;

Czech security forces continue to focus on the issues of aviation security, especially with regard to, *inter alia*, air cargo, misusing of laser pointers to dazzle and distract pilots, gathering and sharing information on persons with links to terrorist organizations or persons who are known for their radical beliefs and who reside in the Czech Republic. There are also efforts to amend the Act No. 310/2006 Coll. on the Management of safety material, the provisions of which should regulate the sale, acquisition and possession of laser pointers. In the regulatory area we are revising all national programs dealing with aviation security.

— Use of the Internet and other information networks for terrorist purposes;

In 2011, the MoI prepared the National Cyber Security Strategy for the period 2011 to 2015 and Action Plan to outline our commitment to fight cyber terrorism. Both documents were approved by Government Resolution No. 564 of 20 July 2011. MoI has also launched internet portal dedicated to cyber security. In October 2011, however, the authority responsible for cyber security in the Czech Republic changed.

According to Government Resolution No. 278 of 19 October 2011, the National Security Authority (NSA) became the coordinator of cyber security issues in the Czech Republic. The Government has also established the Council for cyber security and approved the creation of the National Center for Cyber Security as part of the NSA.

— Legal co-operation including extradition;
— Co-operation with third countries;

The MoI also co-operates on assistance programs with third countries (countries of the former Soviet Union, the Western Balkans, South Caucasus and the Middle East) and contributes to the stability of internal political situation in these countries, thus indirectly to better security situation in the EU. This co-operation focuses on the area of education and training of police forces in the area of the fight against terrorism and organized crime.

— Safe havens and shelter to terrorists and terrorist organizations.

Intelligence services contribute to national effort as follows:

- Collect intelligence related to any plans and activities constituting a military threat to the Czech Republic;
- Collect data on foreign intelligence services in the field of defence;
- Collect intelligence on plans and activities aimed against the Czech Republic's defence;
- Collect intelligence on activities endangering classified information related to the Czech Republic's defence;
- Collect intelligence related to any plans and activities posing a terrorism and extremism threat to the Czech Republic in the field of the Defence Department authority.

2. Stationing of armed forces on foreign territory

2.1 Provide information on stationing of your States armed forces on the territory of other participating States in accordance with freely negotiated agreements as well as in accordance with international law.

- *Legal base (international law, national law, freely negotiated agreement);*
- *Type of agreement (bilateral, multilateral);*
- *Decision-making process in case of deployment of troops;*
- *Military activity in international operations (UN/ NATO/ EU/ coalitions).*

The stationing of the Armed Forces of the Czech Republic (ACR) on the territory of other states is regulated by (where applicable):

- the provisions of the Agreement between the Parties to the North Atlantic Treaty regarding the status of their armed forces, done in London on June 19, 1951 and ratified by the Czech Republic in 2000;
- the provisions of the Agreement among the States Parties to the North Atlantic Treaty and the Other States participating in the Partnership for Peace regarding the status of their armed forces, and its additional protocol, done in Brussels on June 19, 1995 and ratified by the Czech Republic in 1996.

Operations abroad are of a high priority of the Czech Republic/Ministry of Defence (MoD). Our contribution to operations is based on commitments stemming from membership in international organisations (NATO, EU, UN and OSCE).

Strategic documents which serve as a basis for our contribution to international operations are the Security Strategy (2015) and Defence Strategy (2012).

The Czech Republic's international operations strategy is based on sharing security interests with other member states of NATO and EU. We believe that potential security threats can be faced only on the basis of international cooperation.

The legal provision necessary for foreign deployment of ACR is covered by the Constitution of the Czech Republic (Constitutional Act No. 1/1993 of the Collection of Laws), Art. 39 and 43.

Deployment of ACR and national assets outside the Czech Republic's territory requires an approval by the Parliament. As an exception, e.g. in case of urgency, the Government can decide on such a deployment for up to 60 days in case of 1) fulfilment of international treaty obligations concerning collective defence; 2) participation at consensual peace operations authorized by international organization to which the Czech Republic is a member; 3) participation at natural disaster, industrial or ecologic incidents rescue operations.

3. Implementation of other international commitments related to the Code of Conduct

3.1 Provide information on how your State ensures that commitments in the field of arms control, disarmament and confidence and security building as an element of indivisible security are implemented in good faith.

- *Doctrine, strategy, legislation and institutional measures (legally and politically binding commitments to indivisibility of security and their implementation);*
- *National practice of dealing with and countering threats and challenges to indivisibility of security;*
- *Actual contribution to the international efforts aiming at insurance of indivisibility of security (international burden sharing).*

The fundamental framework for formulation and implementation of the **defence policy** is given by the Constitution of the Czech Republic, the Constitutional Act No. 110/1998 on Security of the Czech Republic as amended, and other associated Acts. It is further elaborated in the Defence Strategy of the Czech Republic.

The overall purpose of the **Czech defence policy** is to protect the security of the Czech Republic, and contribute to the security of the Euro-Atlantic area by maintaining and developing multilateral security and defence institutions. The Czech Republic ensures the defence of its sovereignty and territorial integrity within the framework of North Atlantic Treaty Organization (NATO) collective defence in accordance with Article 5 of the North

Atlantic Treaty. This, together with its support to the development of the European Union (EU) military capabilities and the deepening of cooperation with partner countries, constitutes the basic guarantees and principles for safeguarding its defence and strengthening national security. The United Nations (UN) and the Organization for Security and Co-operation in Europe (OSCE) memberships play an important role in the formulation and implementation of the Czech defence policy as well.

The defence policy of the Czech Republic is based on a comprehensive approach to the national military and non-military capabilities and on concerting its external and internal aspects. It reflects basic security policy premises, such as conflict prevention and peaceful conflict resolution primarily through non-violent diplomatic means and collective approach to security. The present international security environment, its multifaceted nature and the unpredictability of security threats require a close international defence co-operation.

Doctrine of the Armed Forces of the Czech Republic (ACR Doctrine) generally formulates the current approach of the Czech Republic towards meeting the ACR's fundamental role – defence of the Czech Republic, state sovereignty and territorial integrity; fulfilment of commitments of the Czech Republic as a NATO member.

3.2 Provide information on how your State pursues arms control, disarmament and confidence- and security-building measures with a view to enhancing security and stability in the OSCE area.

- *Specific internal regulations (institutions, guidelines and principles) in implementation of arms control, disarmament and confidence-and security-building measures;*
- *National pertinent activities and participation in the corresponding international arrangements (negotiated agreements, international workshops, deployment of troops, military exercises, international operations. Etc.);*
- *Promotion of security enhancement measures (implementation, modernization, universalization of international treaties and etc.), provision of support and assistance.*

Arms control and non-proliferation belong to one of priorities of the Czech foreign policy. It makes an effort to actively prevent armed conflicts through preventive diplomacy with emphasis on multilateral cooperation. Should a crisis or armed conflict arise, the Czech Republic seeks timely resolution by diplomatic means whenever possible.

The Czech Republic as the party to the below given international Treaties and Conventions in the field of arms control, disarmament, confidence and security building measures and export control regimes, implemented in it's national legislation:

- Biological Weapons Convention, implemented by Act No. 281/2002 of the Collection of Laws;
- Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction, implemented by Act. No. 19/1997 of the Collection of Laws;
- Non-Proliferation of Nuclear Weapons, implemented by Act No. č. 18/1997 of the Collection of Laws;
- Comprehensive Nuclear-Test-Ban Treaty;
- Anti-Personnel Landmine Convention, implemented by Act No. 305/1999 of the Collection of Laws;

- Convention on Cluster Munitions, implemented by Act No. 213/2011 of the Collection of Laws;
- Convention on Certain Conventional Weapons, implemented by Communication from MFA No. 21/1999 of the Collection of Laws and by Communication from MFA 115/2006 of the Collection of Laws;
- United Nations Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects and the Implementation of the International Instrument to Enable States to Identify and Trace in a Timely and Reliable Manner, Illicit Small Arms and Light Weapons;
- Treaty on Conventional Armed Forces in Europe, implemented by Act No. 229/2013 of the Collection of Laws;
- Vienna Document, implemented by internal regulation of the Ministry of Defense;
- Global Exchange of Military Informations implemented by internal regulation of the Ministry of Defense;
- Open Skies Treaty implemented by internal regulation of the Ministry of Defense;
- International Control Regimes on dual use goods implemented by Council Regulation (EC) No 428/2009 and by Act. No 594/2004 of the Collection of Laws (Zangger Committee, Nuclear Suppliers Group, Australia Group, Missile Technology Control, Hague Code of Conduct, The Wassenaar Arrangement on Export Controls for Conventional Arms and Dual Use Goods and Technologies);
- Arms Trade Treaty, ratified by the Czech Republic on September 25, 2014

The Czech Republic in 2014 implemented all commitments stemming from all above given international agreements. Their implementation is regularly reported to the pertinent organizations. Information exchange is taking place where agreed.

In accordance with Czech law, promulgated treaties, to the ratification of which the Parliament has given its consent and by which the Czech Republic is bound, form a part of the legal order; if a treaty provides something other than that which a statute provides, the treaty shall apply. Where necessary the provisions are implemented by special laws. In other cases the provisions are self-executing in the Czech Republic.

The Criminal Code of the Czech Republic (Act No. 40/2009 of the Collection of Laws) includes paragraph no. 280, called “Development, production and possession of prohibited means of combat”. This provision determines that it is a crime to develop, produce, import, export, store or accumulate weapons or means of combat prohibited by law or international treaty, or to dispose of these weapons or means of combat in any other way. This provision further determines possible punishment for such a crime – imprisonment for a term of two years up to eight years.

The Czech Republic according to the **Treaty on Conventional Armed Forces in Europe**:

- received one inspection;
- organized and conducted one multinational inspection abroad (with participation of four inspectors from four countries);

- organized three multinational training inspections (with participation of twenty seven inspectors from ten countries);
- took part in four allied inspection teams abroad;

according to the **Vienna Document**:

- received two inspections and one evaluation visit;
- organized one evaluation visit and two inspections of specified area (with participation of five inspectors from five countries);
- organized visit to air base and other military facility with participation of 48 guests from 26 countries;
- took part in nine visits to air bases and other military facilities and in show of new types of weapons;
- took part in ten inspections as a part of foreign teams;
- participated as an assistant in two inspections conducted in accordance with Article IV of the Dayton Peace Agreement;

under **Treaty on Open Skies**:

- received one observation flight and conducted one joint observation flight;

according to the **Convention on Chemical Weapons**:

- received one inspection from OPCW.

Section II: Intra-State elements

1. National planning and decision-making process

1.1 What is the national planning and decision-making process in determining / approving military posture and defence expenditures in your State?

- *The role of the executive, including the head of state and/or government, as well as key governmental security and defence advisory bodies;*
- *Institutions and procedures ensuring democratic oversight and public scrutiny;*
- *Checks and balances and chain of command in relation to democratic accountability and transparency;*
- *Relationship between defence policy and the military posture;*
- *Planning and accounting processes in the defence sector;*
- *Figures on the defence budget and expenditures;*
- *Restructuring, modernization and privatization programmes in the defence sector.*

The Government of the Czech Republic and all local and regional government bodies are responsible for safeguarding, within their respective areas of competence, the security of the population, the defence of the country's sovereignty and territorial integrity, and the preservation of the prerequisites for the democratic rule of law. A comprehensive, functioning and dynamically developing security system provides the institutional means to attain these aims.

In general, the basis for the **defence planning system** is laid down in national legislation. The key institutions of defence planning include the Parliament (at the supreme level), the Government and the National Security Council as the Government's working and co-ordination body. The Ministry of Defence plays a crucial role in overall management of defence planning and in co-ordination of measures ensuring the state's readiness for defence. Within the MoD, it is the Defence Policy and Strategy Division that has the lead in defence planning, being responsible for defining long-term goals and objectives. The Economic Division has overall responsibility for administration of both the medium-term planning and budgeting.

Definition of defence planning

Defence planning is a set of processes designed to develop and sustain adequate military capabilities to fulfil the tasks of Czech national and collective defence and other security tasks resulting from national legislation and the Czech Republic's membership in international organizations, particularly NATO, EU, UN and OSCE. It is a consistent, policy-based and organizationally managed objective-driven activity in relation to external developments, the Czech Republic's international defence commitments, assessment of development trends in the security environment, evaluation of the achieved status and available resources. An objective-based management is applied to planning as a comprehensive management method, in which the decision-making authority is vested with goal managers. It is performed at all echelons of control in order for the resulting plan to serve as an input for follow-on processes, including budgeting and realization of the acquisition process. A single-standard structure of

objectives interconnects planning with the budget, realization of financial operations and accounting.

Steps of the defence planning process

National defence planning is a one-year process with 4 steps:

1. Political guidance: in this step a single ministerial guidance that sets the goals and objectives is issued;
2. Defining requirements: in this step national goals and objectives are further elaborated;
3. Implementation: in this step, goals and objectives are implemented through medium-term plans;
4. Review: the product of this step is a defence review report.

Defence planning in relation to NATO

Czech and NATO defence planning processes are interlinked. As the first step of the defence planning process of the Czech Republic a ministerial guidance is issued. This guidance draws not only on national documents but also on NATO documents, particularly the Political Guidance. Also, the ministerial guidance takes into consideration the NATO Capability Targets (CT) assigned to the Czech Republic and the NATO report that assesses the defence plans and capabilities available to the Czech Republic. CTs represent the minimum capability requirements the Czech Republic needs to contribute to collective defence. CTs are streamlined into national Medium-Term Plans along with their resource implications. An overview of the implementation of CTs allocated to the Czech Republic forms part of the national annual defence review report and is thus fed back into the next defence planning cycle.

Defence planning institutions and their changes

The foundation of the defence planning system is laid down in national legislation. The key institutions of defence planning include the Parliament (at the supreme level), the Government, and the National Security Council as the Government's working and coordination body. The MoD plays a crucial role in overall management of defence planning and in coordination of measures ensuring national defence readiness. Within the MoD, it is the Deputy Minister for Defence Policy and Strategy who is responsible for defence planning. Subordinate to the Deputy Minister, the Defence Policy and Strategy Division is responsible for defining strategic goals and objectives, reviewing their implementation and conducting the medium-term planning process.

Figures on the defence budget and expenditures

State Budget of the Czech Republic for the year 2015 was approved by the Czech Parliament and published in the Act No. 345/2014 Coll., State Budget of the Czech Republic for the year 2015. The total amount of the State Budget expenditures is CZK 1,218,455,071 thousand; index 2015/2014 is 1.01. The 2015 MoD Budget Chapter amounts to CZK 43,783,137 thousand, index 2015/2014 is 1.04. The military expenditures, as defined by the Vienna Document based on the UN methodology, represent the amount of CZK 43,725,407.23 thousand for the fiscal year 2015.

1.2 How does your State ensure that its military capabilities take into account the legitimate security concerns of other States as well as the need to contribute to international security and stability?

- *Doctrine, strategy, national legal framework of decision-making process (security policy guidelines and procedures);*
- *Enhancement of institutional crisis management capacity, contribution to prevention of conflicts, peace-building, peace-enforcement, post-conflict stabilization and development;*
- *Adherence to pertinent international obligations, initiation or promotion of advanced global and regional security undertakings;*
- *National traditions and/or sub-regional security co-operation;*
- *Multilateral co-operation, indivisible security, international transparency, and arms control;*
- *Contribution to international peace and constabulary missions.*

The structure of the security system includes the President of the Republic, the Parliament of the Czech Republic, the Government, the State Security Council and its working bodies, central, regional and municipal authorities, the armed forces, armed security corps, intelligence services, and rescue and emergency services. As the supreme executive authority, the Government is responsible for the management and operational capability of the entire security system.

To safeguard its security interests, the Czech Republic creates and develops a comprehensive, hierarchically organised security system which is a combination of the political (domestic and foreign), military, internal security, population protection, economic, financial, legislative, legal and social levels. The primary basis of this system is to express legislatively the competence and mutual links of the individual components (legislative, executive, juridical, local and regional government, legal entities and individuals) and their links outside the security system, to establish their duties. The security system provides an institutional framework/tool for the creation and implementation of the Czech Republic's security policy.

The Czech Republic's security policy is based on the principle of the indivisibility of security and is inseparable from security in the Euro-Atlantic area and from global security. Therefore, one of the country's long-term interests is to maintain the effective role of the UN and to promote unity in the Euro-Atlantic area. The Czech Republic cannot be indifferent to the fate of other nations, countries, and regions; it is ready to contribute, within its capacities, to the international community's efforts to address security problems and mitigate their consequences.

The Czech Republic shares its security and defence interests also with other NATO member states. The Ministry of Defence is responsible for national defence and coordination of its preparation. The ACR plan, prepare and implement defence of their territory within the framework of NATO collective defence and in accordance with Article 5 of the Washington Treaty.

The ACR cooperate with foreign military forces by the authority of international agreements. Furthermore, they participate in various activities to support peace and security, especially in international operations and missions. Based on analyses of the strategic environment, the participation in international crisis response operations will present the most probable form of the ACR combat employment in the near future, both inside and outside NATO/EU states. Whether gradual or simultaneous, the missions will include the following operations:

peacemaking, peace support and peacekeeping, post-conflict reconstruction, stabilisation of state authorities and assistance in introducing the rule of law. The ACR transfer their capacities, together with those capabilities that are functionally appropriate to the character, environment and intensity of the conflict, under the authority of the designated bodies of the Alliance in such a scope as declared in the Political-Military Ambitions of the Czech Republic, while supporting their operational activities. Similar procedures are applied in conducting operations led by the EU or an ad hoc coalition. As declared in the Political-Military Ambitions of the Czech Republic, the ACR contribute their forces and equipment under the authority of the designated bodies of the Alliance and support their operational activities. International operations can include assistance in evacuation of civilians, alleviating or coping with the aftermath of disasters, humanitarian operations or search and rescue operations. As a part of missions in international operations, the ACR can also be engaged in reshaping or building a local defence sector through mentoring and training of the local armed forces.

In today's evolving security environment of complex operations, the objectives cannot be achieved merely by military instruments. The ACR are able to coordinate their activities with other actors involved in responding to a crisis situation, primarily with civilian governmental and non-governmental organizations. The ACR have appropriate capabilities to accomplish their missions in cooperation with the above-stated actors. The complexity of operations and the variety of actors cooperating in different phases of operations necessitate a flexible and multitasking approach from the deployed elements of the ACR. The ACR initiate the cooperation with other actors, if possible, already in the planning phase of operations. Various forms of cooperation between the units of the ACR and a local population can become a part of missions being accomplished in crisis response international operations outside NATO and EU territories. During the period of deployment in an environment culturally distinct from that of NATO/EU, the deployed personnel shall respect its specific features.

In 2014 the Czech Republic contributed its forces primarily to operations in Afghanistan (ISAF), in the Balkans (Kosovo Forces - KFOR, European Forces - EUFOR ALTHEA) and in Air Policing (NATO) over Iceland. The Czech Republic dispatched military personnel to the EU Training Mission in Mali (EUTM), EU counter-piracy mission NAVFOR ATALANTA and to the mission of the Multinational Force and Observers in Sinai. Our military officers are deployed as observers in UN peacekeeping missions to the Democratic Republic of Congo, Afghanistan and Kosovo. The Czech Republic continued to assign units to the NATO Response Force (NRF) and to the UN (United Nations Standby Arrangements System, UNSAS) in given period. Political mandate defining contribution of the Czech Republic to operations abroad in 2015-2016 with outlook to 2017 was approved in October 2014.

2. Existing structures and processes

2.1 What are the constitutionally established procedures for ensuring democratic political control of military, paramilitary and internal security forces, intelligence services and the police?

- *Constitutionally established procedures for ensuring civilian control and democratic oversight;*
- *Cross-departmental co-ordination and public scrutiny beyond the State;*
- *Special information about civilian control and reforms in the police;*

- *Structure, oversight, reform, and privacy protection in relation to civilian/domestic intelligence services;*
- *Special information regarding the basis structure of the armed security sector;*
- *Special information about civilian control and reforms on paramilitary and/or internal security force;*
- *Trends towards privatization in the security sector/PMSCs.*

Military forces

The Czech Republic strictly applies the principles of civilian management and democratic control over the armed forces, as stipulated in the Constitution of the Czech Republic and other legal documents functionally distributed among the individual pillars of state authority. The division of the decision-making responsibility and authority between the civilian and military components is respected. Defence issues, including ways of using finances allocated from public sources for building national defence and also the position of the armed forces in the society, concern all the citizens. In this regard information openness on the part of the Ministry of Defence and armed forces is supported.

Intelligence services

The Act on the Intelligence Services of the Czech Republic (Act No. 153/1994 of the Collection of Laws), the Act on the Security Information Service (civilian counter-intelligence, Act No. 154/1994 of the Collection of Laws) and the Act on Military Intelligence (Act. No. 289/2005 of the Collection of Laws) constitute a legal framework for the activities of intelligence services in the Czech Republic. The intelligence services of the Czech Republic (namely the Office for Foreign Relations and Information, the Security Information Service, the Military Intelligence) fall within the responsibility of the Government. The Intelligence Activity Committee represents a permanent body of the National Security Council for the management, coordination and control of the intelligence activities. The intelligence services are subject to the control of the Parliament through its Subcommittee for Intelligence Services and two permanently established commissions - the Permanent Commission for the Control of the Military Intelligence and the Permanent Commission for the Control of the Security Information Office. The intelligence services are also subject to the control of the Supreme Audit Office in the matters related to the management of state property and resources. In accordance with the new amendment to the Act on the Intelligence Services of the Czech Republic, those services may be also subject to the other control stipulated by the special Act with the consent of the director of such intelligence service.

2.2 How is the fulfilment of these procedures ensured, and which constitutionally established authorities/institutions are responsible for exercising these procedures?

- *Further procedures, institutions and best practices at the executive and legislative levels (beyond 2.1).*

Political control is exercised through the parliamentary mechanism for approving the state budget, including the defence budget. In order to investigate a matter of public concern, the Chamber of Deputies may establish an investigating commission at the request of at least one fifth of Deputies.

2.3 What are the roles and missions of military, paramilitary and security forces, and how does your State control that such forces act solely within the constitutional framework?

- *National and international threat assessment/information on respective adaptations to a changing international security environment;*
- *Foreign defence vs. internal security (assistance) missions of the armed forces; including subsidiary policing and public order missions;*
- *Additional information on the status and missions of paramilitary and security forces and their respective assignment to internal security missions and/or international peace and constabulary missions;*
- *Specific information on paramilitary and/or security forces; or explanation why precisely you do not maintain such forces; or: information how you otherwise define these forces according to the tradition of your national security framework.*

Analysis of the security environment in which the Czech Republic finds itself can identify specific threats to national security. As a responsible member of international organisations, the Czech Republic also numbers among relevant security threats those which have no direct impact on its own security, but do threaten its allies:

- Terrorism;
- Proliferation of weapons of mass destruction and their means of delivery;
- Cyber attacks;
- Instability and regional conflicts in and around the Euro-Atlantic area;
- Negative aspects of international migration;
- Organised crime and corruption;
- Threats to the operation of critical infrastructure;
- Interruptions to supplies of strategic raw materials or energy;
- Disasters of natural and anthropogenic provenance and other emergencies.

Functions in Support of the Czech National and NATO Collective Defence:

The Czech Republic shares its security and defence interests with other NATO member states. The Ministry of Defence is responsible for national defence and coordination of its preparation. The ACR plan, prepare and implement defence of their territory within the framework of NATO collective defence and in accordance with Article 5 of the Washington Treaty.

Defence operations can be either of a high or low intensity, and may be conducted inside or outside the Czech territory at various distances from its border. High intensity operations are conducted with use of maximum military forces and equipment deployed by NATO allies, whereas low intensity operations can be carried out with a smaller amount of NATO capacities. Decisions on the character and intensity of retaliation against an armed attack on one or more allies are made by NATO member states in compliance with the Alliance's principles and procedures.

Defence can be conducted in two basic modes depending on the situation: In an armed conflict where the sovereignty and territorial integrity of the Czech Republic are endangered, while defending either its own territory or the territory of nearby allies, the state of war is declared. In terms of its organizational structure and command & control arrangements, the Ministry of Defence is transformed to a wartime organization. The Czech Republic transfers its forces and equipment earmarked in NATO defence planning under the authority of the

designated bodies of the Alliance. The General Staff of the ACR retains the command authority over those forces which have not been moved under the allied command. The ACR support their own units deployed in operations while engaging in preparatory activities for defending the Czech territory and receiving military support from NATO allies. Military bodies assume the responsibility for running air traffic control within the Czech Republic airspace.

The Czech Republic does not have to necessarily declare a state of war for the defence of a remote territory of an allied state. In such an event, forces and equipment earmarked in NATO defence planning are transferred under the authority of the designated NATO bodies. The ACR support their own units deployed in operations, continue in conducting activities in their peacetime establishment and implement the planned preliminary measures to prepare for elevated alert levels. Situations of low intensity threats against the Czech territory can be dealt with by the armed forces either by themselves or with NATO support.

Roles and missions of Armed Forces as defined by the Act on Armed Forces of the Czech Republic (Act No. 219/1999 of the Collection of Laws.):

- a) To make ready and to defend the Czech Republic against external attack.
- b) To perform the tasks arising from international obligations of the Czech Republic concerning collective (self-) defence.
- c) Safeguarding of premises important for state defence.
- d) To perform the tasks of the Police (only in case the Police resources are not sufficient to reach internal order and security and only for period of necessity).
- e) To perform salvage operations during disasters or calamities or other significant situations jeopardizing lives, health, high asset values or environment or to remove the disaster effects.
- f) To remove other imminent danger by military engineering.
- g) To arrange for air transportation of state agents; medical and other air service.
- h) To ensure transportation services according to the Government resolutions.
- i) To provide for cultural, educational, sport and other social events.
- j) To perform humanitarian tasks of civil defence.

Czech Republic possesses neither Other Forces, nor paramilitary units; however there are specific units like Castle Guard and Reserve Forces.

The Castle Guard is an element of the Czech Republic Armed Forces. Its primary mission is to guard presidential residences/sites, temporary presidential residencies and to provide security to presidential guests. It organizes and co-ordinates military parades of honour, especially during visits of foreign governments' official representatives.

The Active Reserve Forces is a part of Reserve Forces Armed Forces of the Czech Republic. The active reserve forces is established in compliance with the Act No. 585/2004 Coll., on liability to conscription service and its ensuring (Defence Act). Members of active reserve forces are organized in 22 units. The typical tasks of active reservists in peacetime are natural disaster relief and guarding the sites important for national defence if security situation deteriorates.

The training of Reserve forces is organized and conducted by the Regional Military Commands (Reg MCs) in compliance with the Act No. 585/2004 of the Collection of Laws, on National Service (National Service Act). Members of active reserve forces are organized in 23 units. The training of Infantry Troops is organized in a three-year training cycle. Each

Company passes annually a one-week training, which is organized by the Reg MCs Directors. The typical tasks of active reservists in peacetime are natural disaster relief and guarding the sites important for national defence if security situation deteriorates.

3. Procedures related to different forces personnel

3.1 What kind of procedures for recruitment and call-up of personnel for service in your military, paramilitary and internal security forces does your State have?

- *Information regarding reform programmes and eventual professionalization of the armed forces (if applicable) and respective legal framework related to the suspension of conscription;*
- *Additional specific information regarding compulsory national service beyond the armed forces and/or voluntary military service in non-conventional armed institutions;*
- *Policy and legislation (if applicable) on employment of civil servants and employees with civilian background in defence ministerial structures; including special provisions regarding equal job opportunities for women;*
- *Special information regarding the contracting/outsourcing of private military and security services and respective legal status of such personnel.*

The Act No. 332/2014 Coll., amending the Act No. 221/1999 Coll., on Career Soldiers, and some other related acts, comes into effect on 1 July 2015. The Amendment to Career Soldiers Act implements EU legislation into the legal order of the Czech Republic. It specifies the rules of organising time of service of military professionals (e.g. basic weekly service time of 40 hours, rules for taking a break when on duty, compensatory rest between duties and during the week). The Amendment to Career Soldier Act now modifies the management system of military professionals' career, which is complemented by a change of the remuneration scheme.

In 2014, the MoD developed draft amendments to Act No. 219/1999 Coll., on the Armed Forces of the Czech Republic, to Act No. 585/2004 Coll., on the Scope of Liability to Conscription and on Military Administrative Bureaus (Conscription Act) and a bill on the Service of Reserve Personnel, which shall supersede the present Act No. 220/1999 Coll., on Mandatory or Alternative Service and Military Exercises and Training and on Some Legal Issues of Reserve Personnel. At present, changes in conscription legislation are being discussed. The changes should come into effect at 1 January 2016.

The Act No. 234/2014 Coll., on Civil Service was adopted in 2014 in compliance with the requirements imposed by the EU for single rules concerning the employability of civil servants. The MoD has prepared a change in the organisational structure of the MoD by 1 January 2015 in such a way as to correspond to the levels of control under the Act on Civil Service. In order to implement the Act on Civil Service, a State Secretary Division was established in the MoD on 1 January 2015. Human Resources Development Planning and Modelling is subject to cooperation of MoD State Secretary Division and Security and Military Strategy Studies Centre at the Defence University (DU) in Brno.

On 17 January 2014, the Minister of Defence approved the Internal Anti-Corruption Programme for the MoD. On 1 January 2015, a new Internal Control Code and Complaints and Petitions Code came into effect.

The Humanitarian Service continued in 2014 to support projects of primary prevention of risky behaviour of the personnel of the MoD. To take care of families of soldiers deployed in foreign missions, Family Commission has been established. Its tasks and activity are specified in the regulation Oper-1-5 Deploying Forces and Assets of the MoD in Foreign Operations, approved by the Chief of the General Staff of the Armed Forces of the Czech Republic on 25 November 2014. The primary mission of the Commission is to help family members and mitigate the negative effects of the soldiers' absence. The Family Commission consists of specialists who offer expert and counselling services in the Czech Republic: personal contact, visit, talk, or specific practical aid (particularly lawyers, psychologists, economists, chaplains, command sergeant majors and members of the Humanitarian Service).

Military forces

In the domain of capability planning, the process will continue of achieving ACR military capabilities and their employment in operations as part of delivering on the Czech Republic's international commitments. In line with the White Paper on Defence, interoperability, deployability and sustainability of forces and assets will be increased (in accordance with NATO and EU standards), as well as protection of deployed forces, rationalisation of command structures, and preparation of MoD forces and assets for operational deployments. A high premium will be placed on the provision of conditions for host nation support in the Czech national territory in the context of developments in the security environment. The Czech Republic only has a single set of forces to be used both in NATO and EU operations.

In the context of delivering the necessary capabilities of ACR there is a process currently underway of finalising a major policy document, the 2025 ACR Development Concept, which will be submitted in accordance with Section 6 of the Act No. 219/1999 Coll., on the Armed Forces of the Czech Republic.

The key chapter of the ACR Development Concept is the "ACR Objective Status in 2025". That part defines the priorities for development of ACR by the end of 2025. Progressive attainment of all capabilities is defined timewise and comprises the assignment for development of subordinate concepts.

ACR will continue to develop and provide forces assigned into individual rotations of the NATO Response Force (NRF), which go through the period of training, harmonisation and certification into the stage of operational readiness for twelve months, as well as the EU Battle Groups (EU BG) that are on standby alert for the period of six months. The Czech Republic has committed 150 service personnel to the Very High Readiness Joint Task Force.

The basic rules of the National Service Act are:

Duration of national service

The national service obligation starts on the day following the citizen's 18th birthday and terminates on the day of his/her 60th birthday. The citizen fulfils the obligation in time of national emergency or in time of war.

Voluntary national service

In time of national emergency or in time of war, a citizen who is not subject to the national service obligation, and a citizen of a nation participating in the defence systems of international organizations of which the Czech Republic is a member, can voluntarily perform

his/her national service, on the basis of a written application, starting from the day following his/her 18th birthday.

Voluntary performance of the national service

In situations other than national emergency or time of war, a citizen or a soldier in mandatory reserve can voluntarily perform national service if he/she applies in writing for admission as a regular professional soldier.

In situations other than national emergency or time of war, a citizen or a soldier in mandatory reserve can voluntarily perform national service if he/she applies for inclusion into the active reserve. This is possible from the day following his/her 18th birthday.

The active reserve contract is concluded for the period of 3 years.

The national service terminates:

- on the effective date of the decision issued after completion of the recruitment procedure saying that the citizen is not fit for active military service,
- on the effective date of the decision issued in the revision procedure saying that the citizen is not fit for active military service,
- on the effective date of the decision which deprived the citizen or the soldier of legal capacity or limited his/her legal capacity, or
- on the day the citizen or the soldier loses citizenship of the Czech Republic;
- when soldier in mandatory reserve refuses to perform emergency military service for conscientious or religious objection.

Act No. 221/1999 of the Collection of Laws on Career Soldiers, governs the service of professional soldiers.

3.2 What kind of exemptions or alternatives to military service does your State have?

- *National provisions regarding exemptions from compulsory military service (if applicable);*
- *Deferral of (compulsory) military service;*
- *Criteria of exclusion and (as distinct from) exemption from military service;*
- *National provisions regarding conscientious objection and/or alternative civilian national service (if applicable);*
- *Criteria of exclusion and (as distinct from) exemption from military service;*
- *Alternative ways of serving compulsory military service (as distinct from alternative civilian service);*
- *Criteria of alternative (civilian) service;*
- *Procedures for applying for alternative service;*
- *Length of alternative service;*
- *Types of alternative service.*

Not applicable

3.3 What are the legal and administrative procedures to protect the rights of all forces personnel as well as conscripts?

- *Rights of military and security forces personnel;*

- *Limitation and/or restrictions on rights; - 11*
- *Legal and administrative procedures protecting those rights;*
- *Establishment of policies to prevent and address cases of sexual harassment and sexual discrimination of forces personnel;*
- *Rights to submit complaints, applications, requests, petitions, remonstrance;*
- *Rights to appeal disciplinary punishments and/or measures;*
- *Ombudspersons;*
- *Appeals to courts of law;*
- *Social protection, benefits, and/or pay package;*
- *Professional working conditions and gender-sensitive environment;*
- *Special duties of armed forces personnel;*
- *Specific disciplinary issues and the duty to obey;*
- *Service personnel's representatives and/or associations and/or labour unions;*
- *Special provisions for ranks and conscripts;*
- *Establishment of ethical standards for internal conduct;*
- *Policy and reform of human resource management;*

The status of Armed Forces personnel is governed by a package of laws, brought into force in 1999. The Criminal Code of the Czech Republic does not make difference between the Armed Forces personnel and civilian population. However, in case a member of the Armed Forces breaches disciplinary rules, he is liable to disciplinary sanctions imposed by competent commander. The Criminal Code of the Czech Republic also defines “Military Criminal Acts” in Section XII.

Rights of military personnel are basically the same as of other civilians, save for a few exceptions done by

- Constitutional Act No. 2/1993 of the Collection of Laws – Charter of Fundamental Rights and Freedoms, art. 27 says i.a. that members of the armed forces do not have the right to strike.
- Other rights are restricted by the Act No. 221/1999 of the Collection of Laws, on Career Soldiers, in part III §44 -47. These involve rights of assembly and association, right to freely express religion or faith and economic rights.

The human rights authorities in the MoD (Ministry and the Armed Forces), comprise the Supervision and Inspection Division (SID), headed by the Deputy for SID, Inspectorate of Minister of Defence (IMD), headed by the Director of the IMD, Main Inspector for the Human Rights Protection (MIHRP) and the First Unit focused on inspection of human rights protection. In their respective purviews and assigned scope of responsibilities, the following MoD functionaries and components are also involved in human right protection: state secretary in the sphere of equal opportunities and protection of ethnic minorities, director of personnel support directorate in the sphere of socially pathological phenomena, medical service, humane service, psychological service, chaplainry, Military Police and commander, chiefs and directors at all echelons of command.

The system of remunerating soldiers supports their vertical and horizontal career movements in the structure of the armed forces. This measure shall guarantee their individual as well as professional growth and also provides flexibility to react to changing needs and requirements. In line with the Czech Government’s statement of policy, the Ministry of Defence strives to preserve the income level of the personnel of the ACR.

Soldiers who terminated their active service under exactly specified conditions are entitled for military retirement allowance. The instrument (possibility of) Retirement allowance serves as

a motivational stimulus for joining the armed forces and encouraging individual growth and longevity of active duty. At the same time, this is an instrument to ensure an appropriate social standard after entering civilian life and an expression of social compensation for being restrained on individual rights and freedoms during their active duty.

More attention is paid to programmes that support families of those personnel who are deployed on operations outside Czech territory, develop infrastructure in military garrisons, improve working conditions at worksites, provide medical care for war veterans and military pensioners, and run recreational sport and cultural activities. A comprehensive psychological service and chaplaincy are important attributes of such care for personnel.

The soldiers are financially compensated for their duty to be stationed in locations as required by the armed forces, such as for housing and commute associated expenses if separated from their families. Upon request, the Ministry of Defence provides paid lodging to soldiers.

War veterans, especially those who were directly engaged in international military operations, risked their life in perilous locations. As an expression of gratitude and respect from society, they have been granted social and other benefits ensuring a dignified life. In addition, other entities of the public administration are involved, to a large extent, in care for war veterans.

4. Implementation of other political norms, principles, decisions and international humanitarian law

4.1 How does your State ensure that International Humanitarian Law and Law of War are made widely available, e.g., through military training programmes and regulations?

- *Changing strategic environment and possible challenges to the implementation and application of IHL;*
- *Establishment of a Code of Conduct to prevent and address cases of sexual exploitation or sexual abuse of civilians by forces personnel;*
- *Collaboration with civil society in the promotion and training of IHL;*
- *Trained legal advisors and experts assigned to the ministry of defence and military commands;*
- *Pre-deployment and refresher training, including on human and cultural rights and gender issues on violence against women, counselling in trauma situation, in - 12*
- *particular relating to sexual violence for personnel deployed in peace and constabulary missions;*
- *IHL training to non-military and non-statutory forces.*

System of military preparation in the Czech Republic consists of career training of an individual, regular daily training of individuals or units and ad-hoc training, be it specialised courses for individuals or pre-deployment training of particular units. IHL is included in the current general training programs of Training Command – Military Academy. Moreover, outside of prescribed compulsory structure of IHL training, twice a year there is conducted an advanced IHL course for interested military and civilian personnel of the ACR. It is performed in cooperation with Czech Red Cross society.

In result, it is guaranteed that every individual military professional meets IHL since the very beginning of his or her career, during regular annual training, whenever he or she wants to step up in the rank chart and before any deployment to a real operation.

As a necessary complement to the training, there is an education of officers. It is especially important with respect to the fact that international humanitarian law imposes special obligations on commanders. With this regard a handbook on IHL for commanders has been issued in December 2007. In the Czech Republic, military academic education is centralized within the Defence University located in Brno. This institution provides appropriate education, including mandatory lectures of IHL to all future commanders and members of their staffs. There is a significant amount of these lectures both in Bachelor's curriculum and Master's curriculum.

The compendium of IHL (basic information and text of applicable international treaties) is widely available to every member of the ACR via Ministry of Defence intranet web page. Further information can be obtained, for instance at Czech Red Cross Society web page. Occasionally, there are published thematically oriented articles on IHL in Ministry of Defence's review A-Report.

4.2 What has been done to ensure that armed forces personnel are aware of being individually accountable under national and international law for their actions?

- *Specific reference to individual legal liability, including as applicable to superior and subordinate personnel, and relevant provisions under international penal law;*
- *General information on international humanitarian as well as international human rights and penal law (beyond 4.1).*

Accountability for individual actions of ACR personnel under national and international is incorporated into Czech laws and regulations. ACR personnel are periodically informed of this fact in the course of their training and preparation (see answer to 4.1).

Obligations of ACR personnel are stated in Art. 48 of Act on Career Soldiers (Act No. 221/1999 of the Collection of Laws), as subsequently amended. In paragraph 2 letter f) of this Article a soldier is obliged, inter alia, to follow legal regulations, war and humanitarian international law, international treaties and superiors' commands during the service. Subsequent paragraph 2 of this Article allows a soldier to refuse the performance of a superior's command if a criminal offence would be committed by performing this command. According to Art. 49 of Act on Career Soldiers (Act No. 221/1999 of the Collection of Laws), as subsequently amended, commanders are responsible for familiarizing their soldiers with their duties and obligations, for ensuring that soldiers do not commit offences and for commencing a proper disciplinary or criminal action against soldiers who commit an offence. Criminal offences related to the breach of international humanitarian law and crimes against humanity and peace are included in Chapter XIII of the Criminal Code (Act No. 40/2009 of the Collection of Laws), as subsequently amended.

4.3 How does your State ensure that armed forces are not used to limit the peaceful and lawful exercise of human and civil rights by persons as individuals or as representatives of groups nor to deprive them of national, religious, cultural, linguistic or ethnic identity?

- *Constitutional prescriptions and safeguards regulating (and restricting) the armed forces deployment for internal security missions;*
- *Special prescriptions regarding the protection of and proportionality of use of force against individuals and groups involved in legal public manifestations and protests;*
- *Constitutional and legal provisions protecting national minorities;*

- *Gender and cultural rights training, including in preparation of personnel deployed in peace and constabulary missions;*
- *Protection of cultural and religious rights of service personnel.*

Art. 9 of Act on Armed Forces of the Czech Republic (Act No. 219/1999 of the Collection of Laws), as subsequently amended, expressly states which are tasks of the armed forces e.g. preparation for defence of the Czech Republic, tasks arising from international obligations, guarding of premises important for defence of the state etc. According to strict limitation set forth in this article, armed forces cannot perform other tasks (see also II 2.3). Moreover Art. 12 expressly states, that activity of armed forces are under control of constitutional authorities or authorities to which such control is entrusted by especial act (Art. 12), thus in case of transgression of competences it is upon civilian authorities to act accordingly. Special safeguard is placed in Art. 11 of the above-mentioned act in relation to prohibited actions of armed forces. Expressly it is forbidden direct intervention of armed forces against participants of a strike held in protection of their rights and entitled economical and social interests of employees.

4.4 What has been done to provide for the individual service member's exercise of his or her civil rights and how does your State ensure that the country's armed forces are politically neutral?

- *Constitutional and legal restrictions of the exercise of civil rights and fundamental freedoms by service personnel;*
- *Rights and freedoms of service personnel to participate in lawful demonstrations and other political gatherings;*
- *Constitutional provisions and legal incentives to safeguard the political neutrality of the military command and the armed forces as an institution.*

Human rights of soldiers are embodied in Constitutional Act No. 2/1993 of the Collection of Laws, Charter of Fundamental Rights and Freedoms (which is applicable for every person under jurisdiction of the Czech Republic and is part of Czech constitutional legal order). Limits of basic rights and freedoms may be imposed only by enacted law and based on conditions set forth in Human Rights Charter. As military personnel represents a special group whose rights may be limited for fulfilling their tasks, it is Act on Armed Forces of the Czech Republic (Act No. 219/1999 of the Collection of Laws), as subsequently amended, which represents such enacted law. Art. 4 of this Act prohibits any political activity in armed forces. Such prohibition is further specified in Art. 45 of Act on Career Soldiers (Act No. 221/1999 of the Collection of Laws), as subsequently amended, and it forbids members of the armed forces to be members of any political parties or movements.

4.5 How does your State ensure that its defence policy and doctrine are consistent with international law?

- *Regular review of strategic and doctrinal documents, rules of engagement and operation plans;*
- *Provision of legal advisors on various aspects of international law.*

The process of ensuring that defence policy and doctrine of the Czech Republic are consistent with international law is based on compliance of these documents with applicable law, primarily the Constitution of the Czech Republic; Constitutional Act No. 110/1998 of the Collection of Laws, On Security of the Czech Republic; Act No. 219/1999 of the Collection of Laws, On the Armed Forces of the Czech Republic; Act No. 221/1999 of the Collection of Laws, On Career Soldiers; Act No. 222/1999 of the Collection of Laws, On Arrangements for Defence of the Czech Republic; Act No. 585/2004 of the Collection of Laws, on National Service (National Service Act).

The Constitution of the Czech Republic (Constitutional Act No. 1/1993 of the Collection of Laws), as subsequently amended, is based on premise that the Czech Republic observes its obligations arising from international law (Art. 1 par. 2). This article doesn't make a difference between obligations arising from international treaties and international customs. Thus any defence policy and doctrine has to be implemented and created in accordance with international treaties to which the Czech Republic is a Party and applicable customs. From institutional point of view the consistency of defence policy and doctrine with international law is ensured on different levels. E.g. by existence of Board for Defence Planning and Board for coordination of foreign security policy under Security Council of State, which was established according to Art. 9 of the Constitution of the Czech Republic, Security Council of State have been created. These Boards has been established for coordination of security issues, preparation of proposals for its provisions; or e.g. government on an ad hoc basis approves delegation and their mandate for their participation on international negotiations.

Section III: Public access and contact information

1. Public access

1.1 How is the public informed about the provisions of the Code of Conduct?

- *PR strategy;*
- *Tasks/range of activity;*
- *Contact place/contact person (answering of letters, calls, etc.);*
- *Public access to information and documents related to the armed forces;*
- *Public access to parliamentary debates;*
- *Exhibitions/shows/ demonstration of new weapons and equipment;*
- *Possibilities to visit the troops (events, open door days);*
- *Engagement in public schools;*
- *Seminaries, workshops, presentation;*
- *Press releases/press conferences and public discussions;*
- *Publications (journals, newspapers, annual reviews)/CD-ROM/TV/radio/Internet (websites);*
- *Public access to information and promotion of general awareness on the Code of Conduct beyond the politico-military establishment.*

Generally the public has access to information pertaining to the Armed Forces and its activities in ways mentioned in III/1.3 below. Specifically there are e.g. regularly issued articles related to Code on Conduct in military periodical “Czech Military Review”, which is published also in digital form on the Ministry of Defence web page: www.army.cz.

1.2 What additional information related to the Code of Conduct, e.g., replies to the Questionnaire on the Code of Conduct, is made publicly available in your State?

- *Specific information regarding the public availability of national replies to the Questionnaire;*
- *Specific information regarding national progress made in the implementation process of the Code’s provisions;*
- *Further information regarding national initiatives to promotion of the Code of Conduct either domestically or internationally, including beyond the OSCE.*

See III/1.1

1.3 How does your State ensure public access to information related to your State’s armed forces?

- *Constitutional and legal basis safeguarding and regulating public access to (including the restriction of) information;*
- *Special provisions on secrecy and classification of security and defence related data, data protection and information security;*
- *Special provisions regulating to the protection of privacy;*
- *Institutions involved and best practices of public relations management;*
- *Debates and open hearings in parliament;*
- *Official governmental statements in parliament;*
- *Publication of the defence budget, including on procurement;*

- *Open doors days, e.g., at military garrisons;*
- *Militia army;*
- *Press releases through the department of information/public relations department;*
- *Departmental websites and multiple-used of the Internet to disseminate information;*
- *Proactive use of press and information offices at both the MoD and defence staff;*
- *Armed forces media centre;*
- *Military periodicals;*
- *Dissemination of information through multimedia;*
- *Joint seminars held with non-governmental, academic, and research communities;*
- *Special information regarding international transparency;*
- *Harmonization of public relations strategies with defence allies and partner countries.*

Every citizen can take advantage of the Freedom of Information Act (Act No. 106/1999 of the Collection of Laws) according to which every state institute has duty to provide any information requested by any citizen.

Czech Republic ensures public access to information related to military also through public web page of the Ministry of Defence: www.army.cz.

Furthermore the MOD Media and Public Communication Department provides the public with comprehensive information on national security policy and activities of the Armed Forces.

Valuable source of information are also Ministry of Defence periodicals like A-report or Armed Forces Review.

The MoD Internal Communication Portal web service entered routine operation in 2012. All MoD personnel are able to access the portal for legal regulations, bylaws and documents relating to the course of their service (working) relationship. The portal publishes selection procedures to fill vacant posts. The portal's discussion forum enables sharing and discussing observations and experiences in relation to service (work) in the MoD Department. The forum is used as a feedback to inform decisions of MoD senior officials. A vacancy search service is being prepared for users of the portal as well as a career modelling tool within the career management system limits.

2. Contact information

2.1 Provide information on the national point of contact for the implementation of the Code of Conduct.

- *Ministry, section, as well as postal address, e-mail, and phone of contact person in charge;*
- *Additional information regarding the point of contact at the national mission to the OSCE;*
- *Additional information on how the national reply to the Questionnaire has been prepared.*

Ministry of Foreign Affairs, Security Policy Department, OSCE Unit.

Tel.: 00420 224 182 806

Fax: 00420 224 182 877

E-mail: obp@mzv.cz

Additional text pertaining to women, peace and security

In the Ministry of Defence (MoD) and the Armed Forces of the Czech Republic (ACR), the issue of equal opportunities of women and men has been coordinated by the MoD State Secretary since 2001, or the coordinator for equal opportunities of women and men (hereinafter Coordinator). The crucial policy focusing on equal opportunities and dealing with all areas (legal prerequisites, education, analyses, research, cooperation, inspection) is the MoD regulation titled *Order of the Minister of Defence of the Czech Republic "Promoting the Principle of Equality of Men and Women within the Ministry of Defence"*. There exists a document *Pers-51-1 "Equal Treatment of Men and Women"*, which serves as reference for all civilian employees and service personnel.

The chapter dealing with equal opportunities of women and men is a part of the "*MoD Activity Plan*" and was elaborated in more detail in the "*MoD Organisational Units' cross-departmental task plan*"; this chapter is also evaluated.

I. PREVENTION (*education/training/publicity*)

Training of civilian employees and service personnel within the MoD and ACR was based on the "*Specialized Regulation for Conducting Military and Professional Training for components of the Czech Armed Forces*", "*Programme for Command and Operational Training*" and the MoD regulation "*Prevention of Socio Pathological Phenomena*" (the topic of equal opportunities of men and women is covered under these documents). Within their training programme, each organisational component and military unit was presented with this subject at least once (minimum 1 hour). The Coordinator gave 19 lectures focussing on gender from various perspectives (Equal Opportunities of Women and Men in MoD Conditions, Why Are Women Raising From Their Chairs and Men Grinding Their Teeth?, Gender Equality – Let's Get Rid of Negative Stereotypes and Prejudice in Thinking, Language and Acts, Equal Opportunities of Women and Men in the Eyes of Statistics, What is the Message of Gender to Men, or Who is Afraid of Gender?).

For employees with the power of decision, concept and other technical employees and methodologists in charge of the prevention of socio pathological phenomena, the coordinator has organized in cooperation with the Public Defender of Rights (Ombudsman) a thirteenth series of lectures on the issue "Discrimination Based on Sex From the Ombudsman's Perspective (with an emphasis on work-life balance)". The lectures in the total length of 2 hours were attended in total by 92 of the aforementioned male and female employees.

Gender non-discrimination has been firmly integrated in the education programme of students of the *University of Defence (UoD)*.

The subject of human rights is dealt with at *Training Command – Military Academy* as a part of activities connected with the issue of socio pathological phenomena. The topics covered include equal opportunities and sexual harassment, ethics, quality of life, major socio pathological phenomena in ACR and the international humanitarian law.

The topic "Quality of life of military professionals and major socio pathological phenomena in the society" has become an intrinsic part of the Basic Training Course curriculum (military professionals – recruits).

The senior NCOs' curriculum offers the "Military Legislation" course and a "Debate with a lawyer". The aim of the debate is to revise the acquired knowledge of the military legislation

on practical examples and motivate the audience to respect the legislation in everyday situations at the military unit. Two lessons are dedicated to this topic as well as to the issue of equal opportunities and other current issues. Junior NCOs have a similar curriculum.

Within the Officers' curriculum the General Training module offers a course "Human Resources Management". One of the topics covered in the course is "Socio Pathological Phenomena Prevention in ACR" and the aim is to deepen the understanding of socio pathological phenomena in the armed forces and the risk they represent, and to understand the commander's role in controlling and preventing such phenomena. The topics covered within the 4-hour course are sexual harassment, mobbing and bossing, equal status of women and men, etc.

In the curriculum of the NATO civilian personnel to be trained for missions there is a 60-minute lecture "Gender Perspective" given by an instructor experienced in lecturing abroad.

Within the specialized training of personnel sent to foreign missions there is a 2-hour course on sexual harassment, equal opportunities of women and men and the specific ways of treating women in performance of missions with coalition partners. Before every rotation for foreign operation the unit and contingent members have to become familiar with the cultural differences in treating women living in the countries they are to deploy in.

In 2014, the *media* were constantly monitoring the status of women in the armed forces, both at national and regional levels. The monitoring section of the MoD Public Diplomacy Department (MoD PDD) archived more than 80 pages of printed press reports and records by various media covering this subject.

II. PARTICIPATION

1. Decision-making positions

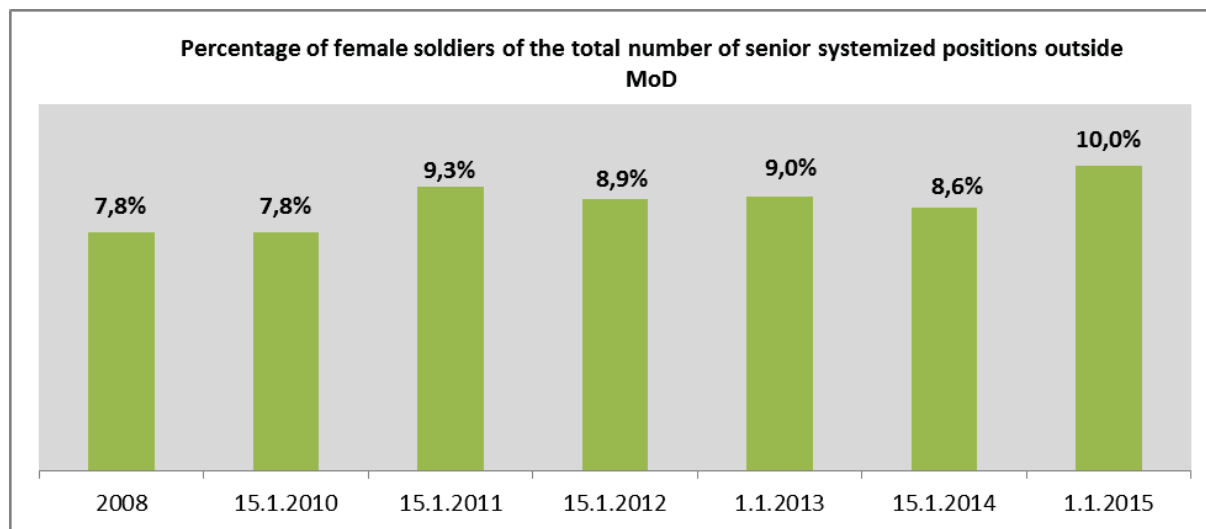
a) Percentage of women at senior positions or performing highly specialized working duties at the Ministry of Defence over a 10-year period (selected years) – at December 31 – central institution:

Year	Deputy MoD %	Division/ Dpt. Director %	Section Head %	Other Specialized Employees %
2001	25.0	0.0	4.8	31.6
2003	16.7	1.8	10.5	52.1
2005	16.7	3.3	15.6	50.0
2006	20.0	4.6	11.5	34.8
2007	0.0	4.3	8.0	36.6
2008	0.0	3.6	7.9	36.8
2009	0.0	5.8	8.3	37.9
2010	0.0	6.9	15.8	40.5
2012	0.0	16.1	17.4	39.4
2013	20.0	20.4	19.8	35.0
2014	0.0	17.0	22.4	36.4

The representation of women at senior positions and performing highly specialized working duties is, with regard to the "specificity" of the Ministry of Defence and in connection with continuously performed organisational changes and changes in location, positive. Although it is possible to adopt temporary exceptional measures aimed at promoting

the principle of equal opportunities of men and women in the sense of the provision under article 3 MoD Order¹, no such measure has been necessary.

b) Percentage of female soldiers at senior systemized positions within the armed forces:



c) Rank overview among women – selected ranks and age:

Rank	at Jan 1, 2014	Average age	at Jan 1, 2015	Average age
73 Colonel	6	46.2	7	49
72 Lieutenant-Colonel	45	43.8	49	43
71 Major	144	39.5	145	40
64 Captain	239	36.8	243	37.6
63 First Lieutenant	362	33.5	374	34
62 Lieutenant	244	32.2	247	32.7
53 Senior Warrant Officer	55	42.4	58	43
52 Warrant Officer	311	40.0	301	41
43 Master Sergeant	455	38.7	458	39
42 Sergeant First Class	410	35.7	370	36.6
41 Staff Sergeant	96	34.5	98	35

¹ “The senior employees in charge are monitoring the measures laid down with respect to equal opportunities of men and women from the policy, regulatory and decision-making point of view. They shall make sure every obstacle that would impede equal working conditions, especially regarding access to education, professional training, promotions and equal remuneration, is eliminated. For this purpose, they are entitled, in compliance with their scope of authority, to prescribe and implement measures (as temporary exceptional measures) in order to remove possible disadvantages in the gender representation.”

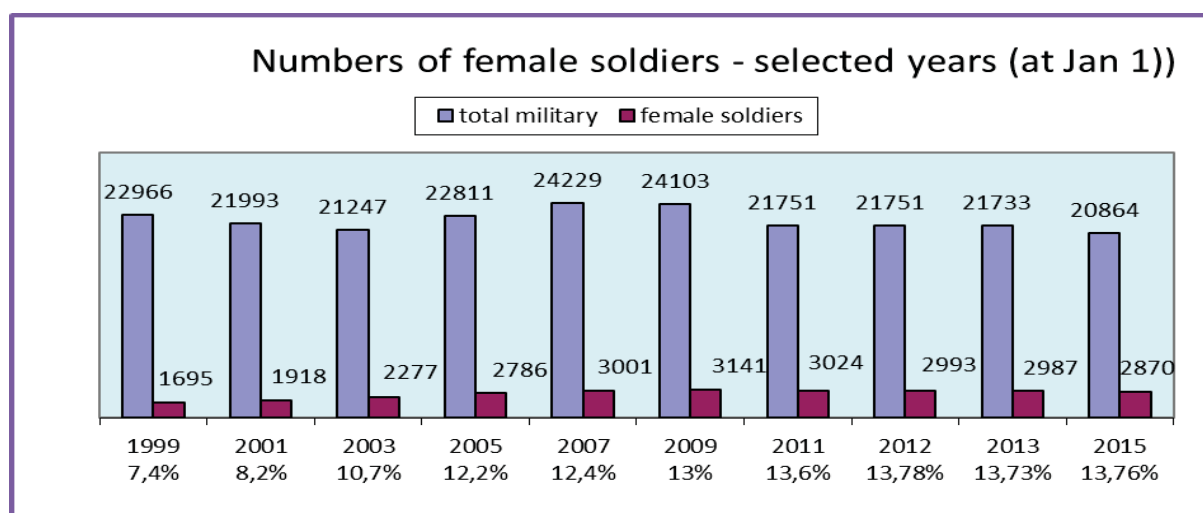
18 Sergeant	165	35.5	156	36
17 Corporal	143	34.4	132	34.4
12 Private First Class	67	31.4	55	32.6
7 Master Sergeant-trainee	9	26.1	7	25.6
6 Sergeant First Class-trainee	30	25.3	20	24.8
5 Staff Sergeant-trainee	22	23.7	28	24.4
4 Sergeant-trainee	34	23.2	33	23
3 Corporal-trainee	36	22.1	28	22
2 Private First Class-trainee	-	-	55	21.7
1 Private-trainee	-	-	6	25

d) Introduction of a regular analysis of data on women and men

The Coordinator has been developing quantitative gender analyses on an annual basis since 2002. The analysis results of the evaluated period were submitted to the MoD State Secretary and a member of Government Council for Equal Opportunities of Women and Men. These analyses can include recommendations for accepting or rejecting additional measures in order to effectively promote equal approach to men and women and their equal treatment among civilian employees and service personnel. From the results of an overall quantitative gender analysis for 2014 no such need followed.

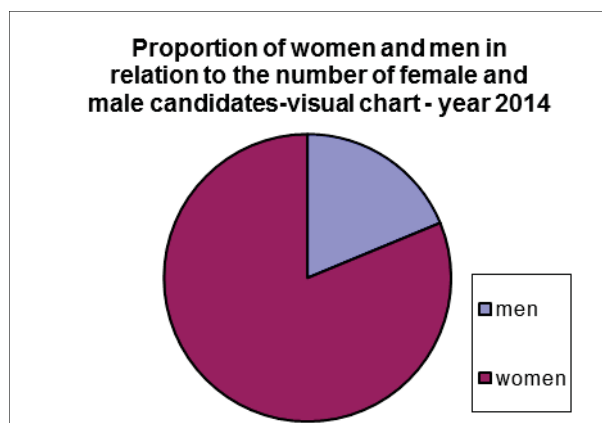
Results of selected analyses (besides those mentioned above):

The percentage of female soldiers in the total number of military professionals confirms that the Czech Armed Forces are open to women in the long-term – see the following chart:



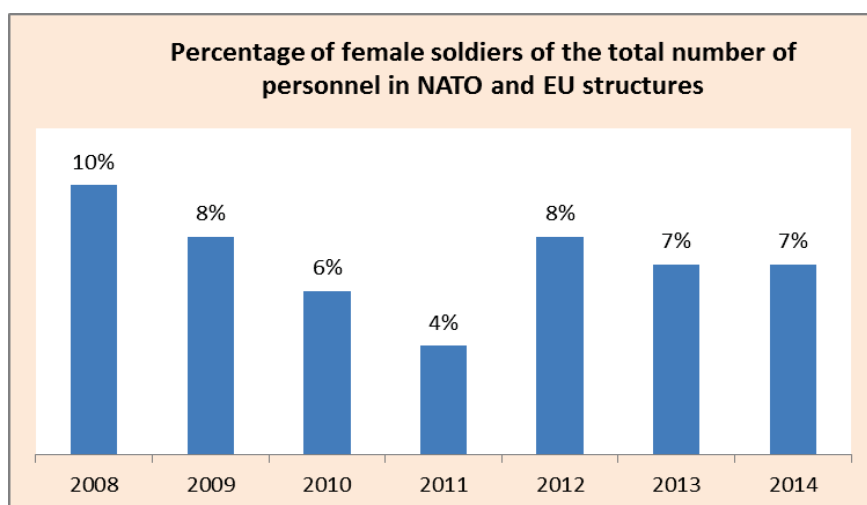
Recruitment in 2014 and success rate of women (candidates – successful candidates):

Year 2014		applicant	candidate	Enlisted
	Man	3327	1727	306
	Woman	45	23	18
	Total	3372	1750	324



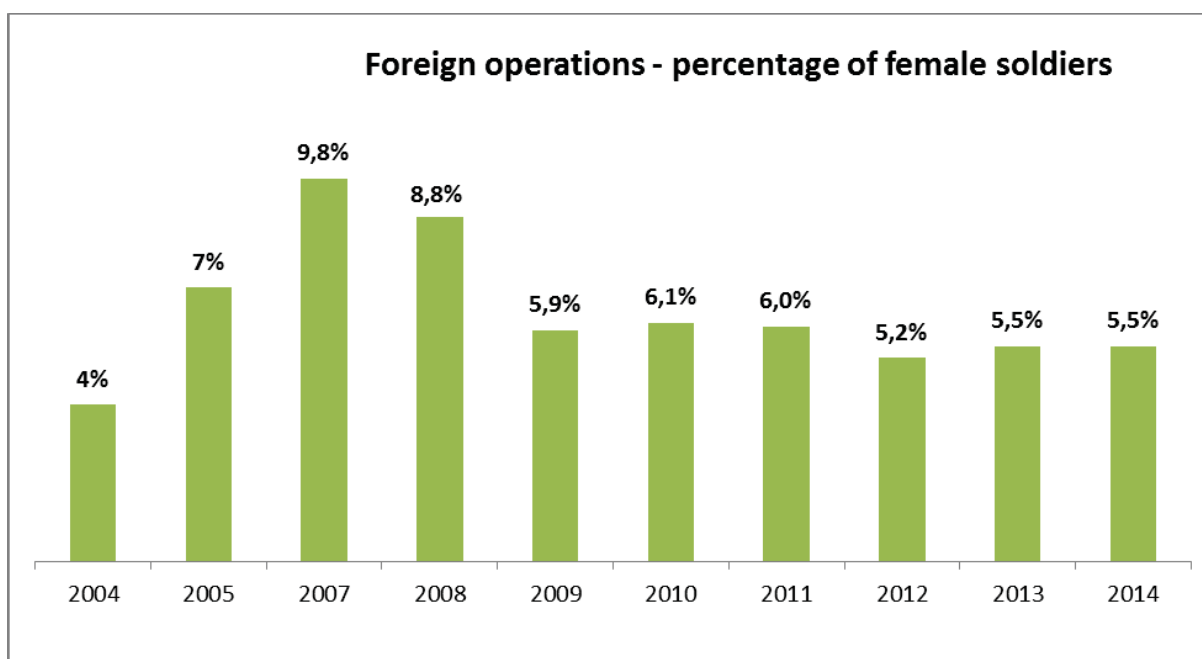
Women in NATO and EU structures (military diplomacy abroad):

Personnel in NATO and EU structures	total personnel	men	women	percentage of women of the total number of persons
number of persons in the structures at Dec 31 2014	163	152	11	6.7
number of persons sent to structures in 2014	64	60	4	6.2



Civilian male and female employees in NATO and EU structures	total personnel	men	women	percentage of women of the total number of persons
number of persons in the structures at Dec 31 2014	34	24	10	29.4

2. Foreign Operations and Observer Missions



7 % of female soldiers were deployed in **military observer operations** in 2014. The Czech Armed Forces has performed the tasks mandated by the UN Security Council under international command of specific foreign operations; the participation of the Czech Armed Forces in post-conflict arrangements is limited by the mandate for each operation, while the tasks of respecting the international humanitarian rights and protection of women and girls from violence are universally valid for all foreign operations.

Female soldiers have been deployed in foreign operations mostly as members of an selected unit and their presence over the years has to be always viewed in the context of the operational tasks performed by the Czech Armed Forces contingents in the respective calendar year. The nature of the tasks performed by members of the Czech Armed Forces contingents has changed over time year and, similarly, the practical employment of female soldiers has changed as well. This may include, for example, the need to deploy specific specialties, which are, even in the Czech Republic, practiced – for various objective reasons – exclusively by male soldiers.

The Psychology Group of the Training Command – Military Academy incorporated the topics of sexual harassment, equal opportunities of women and men as well as specificity of treating women in their service tasks with other coalition partners into the *specialised predeployment training*. The issue of cultural differences in contact with women in countries where units and contingents are deployed is covered in a separate course within the preparation before every rotation for foreign missions.

III. PROTECTION

The body in charge of *inspecting* observance of human rights and observance of equal opportunities of women and men is the Inspection of the Minister of Defence (IMoD). The position of the Chief Inspector of Human Rights Protection was established at the IMoD already in 1997. Protection of human rights is one of IMoD's areas of activity.

In 2014 the IMoD had received three complaints regarding unequal treatment. However, none of the cases were an example of breaching the principle of equality of men and women.

During standard check regarding violation of human rights it is verified whether the respondents have witnessed violation of the principle of equal opportunities or sexual harassment. On 1 April 2013 the IMoD launched an anonymous mailbox at: ombudsman@army.cz.

The IMoD and the Inspectorate of the Chief of General Staff (CGS), looked into one anonymous filing regarding sexual harassment in 2014, which was classified unjustified. The issue of sexual harassment is monitored on a regular basis.

In 2012, an anonymous survey regarding sexual harassment was commenced. There were in total 777 male and female respondents from among civilian employees and service personnel. The questionnaire and outcome from this survey were part of evaluation material in 2013.

In the winter term of the academic year 2013/2014 a similar survey was commenced at the University of Defence. The total of 179 students (143 male and 36 female) were addressed via the questionnaire. They were students in third year of on-campus Bachelor study and students in second year of Master's study at the Faculty of Economics and Management and the Faculty of Military Technologies. This survey continued in the winter term of the academic year 2014/2015 and the respondents were male and female students in second year of Master's postgraduate programme at the Faculty of Military Leadership and the Faculty of Military Technologies. A questionnaire was given to 63 students, of those 52 men and 11 women. From the results of both surveys it followed that at the Defence University sexual harassment has occurred but that it was particularly softer forms of harassment (verbal).

In 2014 took place a survey in the form of a questionnaire entitled "An Analysis of the Occurrence of Risks Connected with Socio Pathological Phenomena in the Environment of the ACR". From this survey it followed that the *least* common pathological phenomenon in the ACR is sexual harassment (0.6%), domestic violence and suicide (both 1%).

IV. ADDITIONAL INFORMATION

Cooperation with other institutions and organisations:

MoD State Secretary *at national level*

- a) represents MoD in the Government Council for Equal Opportunities of Men and Women and creates working conditions for the cooperation with other ministries;
- b) is in charge of the MoD representation in the committees of the Government Council for human rights;
- c) discusses the issue of enforcing the principle of equal treatment of men and women at work and the issue of creating the necessary conditions for implementing this principle with trade unions which operate at the MoD (Bohemian-Moravian Trade Union of Civilian Army Employees, Independent Trade Association of MoD Employees).

Permanent female delegate of the ACR in NATO Committee on Gender Perspectives at the *international level*

- a) is in charge of cooperation, or within the activity of the NATO Committee on Gender Perspectives it contributes to the activity of this institution all year round and is responsible for ensuring the participation of observers of the ACR in events (conferences) which the committee organises;
- b) permanent delegate and conference participants (observers) are obliged to process the acquired knowledge and information and make a summarised report, which they submit after their return from the event to the Chief of the General Staff of the ACR. These summarised reports are used during educational activities of MoD chief employees.

In the period evaluated the MoD Legislative and Legal Section cooperated with Open Society, C.I.C. on the preparation of a “Methodology of Evaluating the Impacts on the Equality of Women and Men for the Materials Submitted to the Government of the Czech Republic”.

A specific form of cooperation was initiated with the society Jagello 2000 in connection with the intention to organise an international conference with a preliminary title “The Status of Women in the NATO Armed Forces”.

Currently the proposal of an “Action Plan of the MoD to perform UN Security Council Resolution 1325, on Women, Peace and Security” is ready.