



MINISTERSTVO VNITRA
ČESKÉ REPUBLIKY

Situation Report on Internal Security and Public Order in the Czech Republic in 2013

(compared to 2012)

Praha 2014

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1. Summary

The situation report on internal security and public order (hereinafter the „Report“) is an informative document submitted by the Ministry of the Interior (MoI) and drawing on sources provided by central public administration bodies and other relevant stakeholders.¹

The report shall in particular:

- Provide an overview of developments, structure and dynamics of crime, its perpetrators and victims;
- Inform about the damage caused and proceeds of crime identified;
- Brief on the government and legislative activities in the field of security policy;
- On the basis of an evaluation of the whole spectrum of crime to identify risks and areas, which require attention of the competent state authorities.²

The report contains both an analysis of the crime in the Czech Republic in 2013 compared to 2012 (annual change indicated in brackets) and informs about the basic indicators of crime in the last decade. The statistical data are based primarily on the data provided by the Police of

the Czech Republic (hereinafter also referred to as the „Czech Police“).³

We recommend to precise and explain the data from annual reports by making use of scientifically proven knowledge flowing from the cooperation with a scientific and academic platform or in its framework.

Situation in the field of internal security and public order

Crime in 2013: situation and trends⁴

In total, **325 366 crimes were detected** in the Czech Republic. This means a year-on-year increase by 20 838 crimes (**+6.8%**).

Hence, the downward trend in crime in the years 2010, resp. 2012 was reversed. In a long-term comparison, however, the total level of crime detected in 2013 stays below the average for the last ten as well as twenty years.⁵

The number of crimes cleared increased to 129 182 (+9014, +7.5%). The percentage increase in the clearance rate is thus even greater than the increase in detected crime. **The clear-up rate** was up by 0.2% to reach 39.7%.

Identified damage dropped by 15.1% to CZK 29.05 billion.

A positive piece of news is the **lowest number of people killed on the roads since 1955** (583 people).

Structure of crime

In terms of territorial distribution, the highest annual increase in crime was recorded in Prague and Ústecký Region (Ústecký kraj). As per 10 000 inhabitants, the trend shows steadily that the inhabitants of Prague, Ústecký Region and Moravian-Silesian Region bear the brunt of the burden.

¹ The report is based on the input provided by the Office of the Government of the Czech Republic, Ministry of the Interior (hereinafter MV or MoI), Police of the Czech Republic, Ministry of Justice, The Supreme Public Prosecutors' Office, Ministry of Finance, Ministry of Culture, Ministry of Social Affairs, Ministry of Education, Youth and Sports, Ministry of Industry and Trade, Ministry of Transport, Ministry of Foreign Affairs, Ministry of Defence, Ministry of Environment, Security Information Service (BIS), National Security Authority, General Inspection of Security Agencies, Industrial Property Office, Union of Towns and Municipalities and Institute of Criminology and Social Prevention.

² Specific measures are dealt with in detail in separate documents; hence this report does not dwell on them and focuses on the synthesis of knowledge.

Measures taken within the scope of competence of the Czech Fire and Rescue Service (hereinafter also referred to as „HZS ČR“) are assessed primarily in the following documents: „Zpráva o stavu zajišťování bezpečnosti ČR“ (Report on ensuring the security of the Czech Republic) and „Zpráva o stavu zajištění bezpečnosti ČR v oblasti ochrany před mimořádnými událostmi“ (Report on the state of play in ensuring security of the Czech Republic in the area of extraordinary events protection).

³ The criminal statistics terminology of the Czech Police has a distinct structure and cannot always match exactly the terminology used by the Criminal Code (e.g. theft pursuant to section 205 of the Criminal Code is broken down to detailed categories of theft in the police statistics).

⁴ The long-term evolution of particular types of crime is recorded in the tables section of this report.

⁵ The IKSP Institute holds the view that **in the long run** the fluctuation recorded between 2012 and 2013 may not have any significance. It is the long-term that matters.

Summary

Lesser or higher increase in the number of detected crimes was recorded for all fundamental crime categories:

Violent crime increased by 331 acts, i.e. **+1.8%**. A total of 18 689 offences were recorded, out of which 69.1% were cleared up.

The most significant increase was recorded in the case of breach of domestic freedom (+401) and dangerous threats (+126).

Among other things there were more acts of violence directed against officials and public authorities. A number of attacks on police officers in the course of street demonstrations was marked by a high degree of aggressiveness, which brought about dozens of injured.

Acts of indecency (vice) were up by 128 acts, i.e. **+6.5%**. A total of 2109 acts were classified as vice, 70.8% were cleared up. In particular, the number of sexual abuse offences was significantly higher.

The number of rapes decreased by 12%.

Property crime⁶ rose by 14 381 acts, i.e. **+7.4%**. There was a total of 209 351 acts recorded, 20.9% were cleared.

There was a marked increase in the number of burglaries as well as ordinary theft.

In absolute numbers, the biggest increase was in the category of so called thefts by break-ins into others' premises (+4433, **+13.6%**), such as cellars, garages, workshops, barns, sheds, backyards, gardens, etc.⁷ Housebreakings rose dramatically (+1192, **+21.8%**). There were more break-ins into restaurants, apartments and summer houses/cottages. For the first time in the last ten years more motor vehicles were stolen.

Economic crime accounts for the biggest share of material damage recorded. In 2013 this category rose by 2743 acts, i.e. **+9.9%**. A total of 30 376 acts were found, the clear-up rate stood at 52.2%.

On a year-to-year basis the biggest increase was found in the number of **credit frauds** (+1811, **+58%**).

The biggest damage caused by economic crime was attributable to **tax evasion** with almost

35% share and material damage over CZK 6.8 billion.

The so-called **other crime** was up primarily due to a higher number of offences filed as obstructions of official decisions, as well as a long-standing dynamic increase in **drug crime**.⁸

Perpetrators

A total of 117 682 **individuals** have been prosecuted and investigated⁹ for criminal offence, which represents an **annual increase** (+4656 persons, **+4.1%**).

The number of minors under 15 years of age who committed crimes otherwise punishable dropped to 1251 (-120, **-8.8%**), the number of juvenile offenders was down to 2939 (-547, **-15.7%**). However, like in 2012, **the Czech Police reports a higher degree of brutality of the young offenders**. Armed assaults, as well as rash actions leading to the most serious crimes were no exception.

In 2013 a total of 61 934 of **repeat offenders** were prosecuted and investigated (+5445, **+9.6%**) – **highest number ever recorded in the Czech Republic**. The share of repeat offenders in the total number of prosecuted and investigated persons has been going up steadily and in 2013 reached the highest level ever recorded: 52.6% (compared to 50% in 2012, 48.5% in 2011 and 29.7% in 2000).

These data suggest that the measures taken by the state authorities focussing on the elimination of repeated crime have proven inefficient.

A total of 7470 (+43) **foreign nationals** were prosecuted and investigated. Their share in the total number of criminals stood at 6.3% in 2013 and has remained stable over the recent years.

There was a sharp increase in the number of drug offenders of Vietnamese nationality,

⁶ In the long-term perspective, its share in total crime perpetrated in the Czech Republic represents more than 60%.

⁷ In this regard the police classification is more detailed than that of the Criminal Code, it breaks theft (§ 205 of Criminal Code) further down according to different tactical criteria.

⁸ In contrast to most other types of crime this is a crime revealed primarily by the Czech Police, whose level of activity has a significant influence on the number of crimes recorded. For more information see Chapter 2.2.7.1. Drug crime.

⁹ The notion of „persons prosecuted and investigated“ refers to preparatory proceedings and includes individuals subject to criminal prosecution or simplified preparatory proceedings, and individuals whose criminal prosecution is inadmissible or useless.

a trend that emerged in 2008¹⁰ remains however rather exceptional in the overall crime committed by foreigners. Organized criminal groups with Vietnamese origin focus primarily on the bulk production and distribution of methamphetamine („pervitin“) and marijuana in the Czech-German border areas.

Current priorities and measures of the security policy¹¹

The internal security priorities of the Ministry of Interior reflect both the long-term and topical risks and threats relating to crime, such as terrorism, organised crime and extremism, corruption and serious economic crime, information and drug crime, etc. Specific attention is paid to the seizure of proceeds of crime.

Anti-terrorist preparedness

The Strategy of the Czech Republic for the Fight against Terrorism – from 2013 onwards („*Strategie České republiky pro boj proti terorismu od roku 2013*“) was adopted by the Czech Government Resolution No 200 of 20 March 2013. It stipulates *inter alia* the measures aimed at minimizing the risks and impacts of potential terrorist attacks in the Czech territory.

It is the Security Information Service (BIS) who is primarily involved in the gathering of intelligence leading to the detection of possible terrorist activities in the Czech Republic.

The anti-terrorism readiness is systematically enhanced by means of exercises involving both public and private stakeholders.

Fight against extremism;¹² security risks posed by the so-called socially excluded localities

In 2013 the Czech Police recorded a total of 211 crimes with extremist features. Annually, this means an increase by 38 acts (+22%).

¹⁰ A total of **199 Vietnamese** (+177, +804.5% compared to 2007) were prosecuted for illegal production and handling of narcotics and psychotropic substances and poisons (§ 283 Criminal Code).

¹¹ More details in the related chapters below.

¹² See the **Report on Extremism and Manifestations of Racism and Xenophobia on the Territory of the Czech Republic in 2013** (*Zpráva o extremismu a projevech rasismu a xenofobie na území České republiky v roce 2013*).

To fight extremism the new coalition government intends to make use of the so-called combative democracy concept (partially inspired by German approach), which is not meant to passively witness the erosion of democracy.

Some regions have seen a **rise of inter-ethnic tensions** in 2013. This resulted in a series of **anti-Romani demonstrations** that could become a bigger concern for the security of the country.¹³

Fight against organised crime

Organised crime and the issues related to it are currently considered the most serious security threat of non-military nature.¹⁴

The government seeks to pursue a policy of more vigorous action against organised crime¹⁵ and is putting in place various measures (policy, organizational, legislative, etc.) both at home and in the international framework. The basic framework for the fight against organised crime is provided by the **Policy for the fight against organised crime for the period 2011–2014** („*Koncepce boje proti organizovanému zločinu na období let 2011–2014*“) adopted by Government Resolution No 598 of 10 August 2011.

Confiscation of the proceeds of crime

The government promotes the seizure and confiscation of the proceeds of crime as efficient means of fighting crime, including organised crime.

In 2013, in the course of criminal proceedings the Czech Police seized the **highest volume of material values ever seized, totalling CZK 8.5 billion**.¹⁶

Fight against corruption

The government anti-corruption policy is set out in the **Government Strategy for the fight**

¹³ For more details see Chapter 2, page 5.

¹⁴ See e.g. the **Second Report on the implementation of the EU Internal Security Strategy** (*Druhá výroční zpráva o implementaci Strategie EU pro vnitřní bezpečnost*), April 2013.

¹⁵ In all cases of suspicion of serious economic and financial crime and organised crime (mainly related to tax, corruption, drug crime, trafficking in humans, etc.) the accused should have the obligation to demonstrate the origin of his property. In case he/she failed to do so, his property would be subject to tax.

¹⁶ For more details see Chapter 2.1., page 9.

against corruption for 2013 and 2014 (*Strategie vlády v boji s korupcí na období let 2013 a 2014*) adopted by Government Resolution No 39 of 16 January 2013.¹⁷

Cyber security and cybercrime

Enhancing the level of security in cyberspace is one of the strategic objectives of the EU.

A draft **Act on cyber security** was adopted by Government Resolution No 2 of 2 January 2014. The objective of the law prepared by the National Security Authority is to make the reaction to cyber threats more efficient and faster. At the same time it is supposed to ensure cooperation between the private and public sector as regards the prevention of attacks on information technologies. This is a first comprehensive attempt to lay down a legal framework in this area.

Support to crime victims

The government supports an effective implementation of the legislation on protection and compensation of victims of crimes. As of 1 August 2013 all substantial parts of **Act No 45/2013 on victims of crime (Crime victims Act) entered into force**.¹⁸

This Act provides for a comprehensive legal framework in the field of victims' protection, significantly enhancing their procedural rights and increases financial assistance they can apply for.

Projects co-financed from foreign sources

In 2013 the Czech Police continued with the activities relating to preparation and implementation of security-related projects co-financed from the EU sources and other forms of foreign assistance.

In 2013 the total financial value of the projects co-financed from the integrated operational programme (EU structural funds) reached almost CZK 1.25 billion; the amount in the framework of the Swiss-Czech collaboration reached a total of CZK 295.5 million.

Police of the Czech Republic – stabilisation and strengthening of direct performance of policing

The government intends to improve the internal security of the Czech Republic also by increasing the number of police officers as well as by strengthening the so-called direct policing performance.

A primary objective for 2014 is the **stabilization of the security forces**, recruitment, and training of new professionals and to prevent untimely departures of experienced staff.

In the framework of personnel planning for 2013 (total number of posts: 38 996) 673 command posts were abolished, while the number of posts in the direct policing rose by 606 as of 1 January 2013. Against this backdrop the new arrivals in 2013 were recruited primarily for the benefit of the basic policing service.

(For further measures, see particular chapters of the report.)

¹⁷ More detailed information on corruption, specific tasks and other related activities can be found in Chapter 2.2.3.

¹⁸ The Act was published in the collection of laws on 25 February 2013. The Chamber of Deputies of the Czech Parliament adopted it under its No 617 of 18.12.2012.

2. Evolution of specific categories of crime and security threats

The number of crimes committed in the Czech Republic in 2013 rose by 6.8% compared to the previous year: the highest increase was recorded in thefts, drug-related crime, credit fraud, etc. The level of crime recorded was the highest since 2010, however it stayed below the average and middle values of the last ten as well as twenty years.

Despite the rise of crime **61% of citizens trust the Czech Police**, which is **the highest number since 1993**; these findings stem from a September 2013 survey conducted by the „Centrum pro výzkum veřejného mínění“ (*Centre for Public Opinion Research*).

In terms of security risks the year 2013 was marked by the highest number of prosecuted and investigated repeat offenders ever recorded, as well as a more pronounced extremist activity.

According to the report by the Security Information Service titled „BIS Information on the developments of the extremist scene in 2nd quarter of 2013“ („*Informace BIS o vývoji na extremistické scéně ve 2. čtvrtletí roku 2013*“) some regions witnessed an increase in ethnic tensions. This resulted in a series of anti-Romani demonstrations (particularly in Duchcov, České Budějovice and Ostrava).

During these events the public order police was often confronted with right-wing extremists or local youth.

These actions were organized and stirred mainly by the right-wing extremists, but ordinary citizens took part as well. The BIS has found that in a long-term perspective the anti-Romani sentiment of a part of the Czech public could become a bigger concern for the security of the country than the more extreme, though less numerous and well monitored, groups of right-wing extremists. This is because citizens are more concerned by insufficiently addressed petty crime or disruptions of public order in their neighbourhood.

The Czech Police responded to this trend by stepping up its security measures, not only in relation to the unrest, but also to the very functioning of extremist groups.

In September 2013 the Ministry of the Interior presented a **package of measures to be taken in order to reduce the security risks in socially excluded localities** („*Souhrn návrhů opatření ke snižování bezpečnostních rizik v sociálně vyloučených lokalitách*“).

2.1 Basic data on criminal offences and misdemeanours

Criminal acts identified:

325 366 (+6.8%, +20 838)

Criminal acts cleared:

129 182 (+7.5%, +9014)

Cleared subsequently:

13 025 (-180)

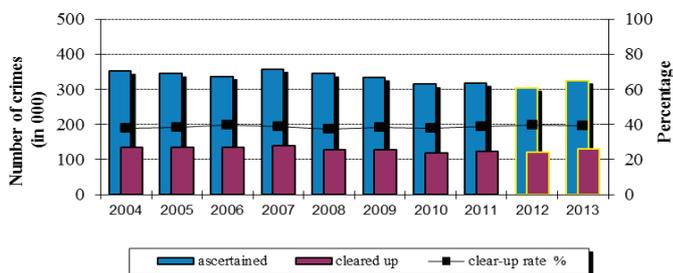
Clear-up rate:

39.7%, (+0.2%)

Amount of damage caused:

CZK 29.05 billion (CZK -5.2 billion)

Development of Total Crime in the Czech Republic from 2004 until 2013



A total of **325 366 criminal acts** were identified in 2013, as well as some **1.33 million misdemeanours**, out of which approximately 963 000 concerned road safety.

There was an annual increase in the number of criminal acts identified: by **20 838 acts, i.e. 6.8%**, the highest year-on-year percentage increase since 1994. Analogic

increases in overall crime were recorded in 1998 (+5.5%, +22 276 acts) or 2007 (+6.2%, +20 945 acts). The presidential amnesty declared (under No 1/2013) on 1 January 2013 is to be considered one of the causes of increased crime. In 2013 the amnestied committed 5294 acts; out of 6456 individuals released the Czech Police prosecuted a total of 2471 persons. Account needs to be

taken of a considerable latency crime rate among the persons granted general pardon.

In spite of this exceptional surge the year **2013 has seen the fourth lowest rate in identified criminal acts in the last 20 years.**

The rate of cleared crime has gone up by 7.5%, meaning that its dynamics was greater than that of the increase in criminal acts recorded.

The Czech Police cleared a total of 142 207 criminal acts, out of which 13 025 were cleared up „subsequently“.¹⁹ The clearance rate rose by 0.2% to 39.7%.

As in previous years the highest share (57.8%) in total crime represented **theft**²⁰ (according to § 205 of the Criminal Code). Together with criminal acts of **wilful damage** (§ 228 Criminal Code), **obstruction of official decision and banishment** (§ 337) and **child neglect** (§ 196) those acts accounted for approximately 71% of total recorded crime.

The material damage identified dropped by 15.1% to approx. CZK 29.05 billion. Largest damage was caused by criminal acts, such as tax evasion (6.8 billion), fraud (3.9 billion) and breach of duty in administration of other person's property (2.4 billion). When calculated to one-act-basis, the highest average damage was attributable to the breach of duty in administration of other person's property (10.5 million/one act).

Damage identified²¹ rose by 5.2% and amounted to CZK 63.9 million (+3.1 million).

While 2012 has seen a drop in recorded crime in all basic categories, the year 2013 has witnessed quite an opposite trend.

Violent crime went up by only 331 acts, i.e. **+1.8%**. A total of 18 689 acts were recorded, 69.1% of them cleared.

Highest increase was reported for breach of domestic freedom (+401 acts, +14.1%) and dangerous threats (+126 acts, +5.7%).

There were more acts of violence directed against officials and public authorities. A number of attacks on police officers during demonstrations featured a high degree of aggressiveness that claimed dozens of injured.

The number of murders decreased to 182 acts (-6 acts, -3.2%), clear-up rate of this offence dropped to 90.7% (93.1% in 2012). The number of robberies, which has been going down steadily since 2010, dropped further on a year-on-year basis - by 9.8%. Most significant drop was in robberies in financial institutions (-32.1%).

Morality crime (vice) has gone up by 128 acts, i.e. **+6.5%**. A total of 2109 morality crimes were filed, 70.8% of them cleared up. The number of sexual abuse was particularly high. 52 cases of procurement were recorded (+10, +23.8%).

The number of reported rapes decreased by 12% to 589 acts.

Property crime²² got up by 14 381 acts, i.e. **+7.4%**. A total of 209 351 acts established, 20.9% of them cleared up.

Both burglaries and plain theft were on the rise (e.g. pickpocketing, bicycle thefts or apartment burglaries). The long-term downward trend in the so-called car crime ended in 2013 (car thefts, car break-ins, spare parts theft). More motor vehicles were stolen for the first time in ten years.

Burglaries and break-ins into shops, restaurants, apartments and sheds did rise as well. Private house burglaries shot up dramatically (+1192, +21.8%). Although the clear-up rate of this particular type of crime remains only around 25%, the number of cleared up cases points to a stepped up activity of the Czech Police (+516 acts cleared up, +46%). In absolute terms the highest increase was recorded for the so-called theft by break-ins into unspecified premises (+4 433, +13.6%).²³

In the category of so-called other criminal acts the **drug crime** has been rising dynamically. Broken down to subcategories: illicit production and handling of narcotics and psychotropic substances and poisons (§ 283 of the Criminal Code) +21%; keeping of narcotics and psychotropic substances and poisons (§ 284) +59.1%; unauthorised cultivation of plants containing intoxicating or psychotropic substances (§ 285) +16.6%.

²² The percentage share in total crime has long remained steady: more than 60%.

²³ E.g.: cellars, garages, workshops, barns, sheds, garden gazebos, backyards, gardens, etc. In this regard the police classification is more detailed than that of the Criminal Code, it breaks theft (§ 205 of Criminal Code) further down according to different tactical criteria.

¹⁹ Crimes recorded in previous years.

²⁰ Including **burglaries**, whose share in total theft accounted for approx. 33%.

²¹ The so-called „seized values“ (right at the crime scene, or slightly afterwards).

Economic crime in 2013 increased by 2743 acts, i.e. +9.9%. A total of 30 376 acts were recorded, 52.2% cleared up.

Economic crime had a 67.4% share in the overall damage established. (70.5% in 2012, 58% in 2011). **Tax evasion** accounted for almost 35% of the damage caused by economic crime, or CZK 6.8 billion.

Credit fraud has increased most considerably: (+1811 acts, +58%).

Selected measures²⁴

Public order

Act No 494/2012 on the amendment of Act No 200/1990 on misdemeanours, as amended, Act No 40/2009 Criminal Code, as amended by Act No 306/2009, and certain other acts, entered into force on 15 January 2013. This Act introduced into the Act on misdemeanours the sanction of **ban on residence** (§ 15a Act on misdemeanours), which can be imposed regardless of perpetrator's nationality for up to three months.

In order to prevent disruptions of public order especially during highly-attended events the regional police directorates have established **public order units and special public order units**. Prior to their deployment, **police conflict-prevention teams** (AKT) work actively with individuals who might engage in skirmishes with the riot police. The conflict-prevention teams seek to discourage such individuals from engaging in unlawful behaviour.

In 2013 the public order units were deployed in a total of 7095 cases (5348 in 2012). Annual increase was reported in the following cases: assemblies, demonstrations involving extremists (130 interventions), techno parties and music events (97 interventions), reinforcements (5294). The number of interventions decreased in the case of risky sports events (708 interventions); it was stagnant in the case of other demonstrations and assemblies.

Passenger rail transport protection: only 565 escorts (-21 093) were carried out.

A total of 12 535 (-2424) individuals were taken to police stations by the public order police. 33 120 (+781) individuals were detained in

accordance with § 26 and § 27 of the Law on Police. There were 5127 (-1124) persons apprehended in accordance with § 69 of the Criminal Procedure Code. A total of 29 116 (-2021) suspects were apprehended in accordance with § 76/1 of the Criminal Procedure Code.

There were 22 463 (-1664) individuals placed to police stations cells according to § 28 of the Law on Police. A total of 4992 (-14) individuals were taken to anti-alcohol institutions. There were 51 803 (-8561) escorts of individuals whose personal freedom had to be constrained.

In 2013 a total of 316 (-33) attacks on police officers were reported, in 176 (-5) cases resulting in injuries of police officers.

Policing vis-à-vis minorities and measures aimed at reducing security risks in the so-called socially excluded localities²⁵

The issue of minorities is taken care of by working groups of devoted liaison officers attached to regional police directorates. The members of these working groups work actively in their respective localities and are in a direct contact with the representatives of minorities. The working groups put forward preventive or

²⁵ In recent years the situation has gone worse, particularly in the municipalities with a higher number of so-called socially excluded persons. With more people moving to these localities, the number of misdemeanours and criminal acts gets higher; there are disruptions of public order, the non-standard life situation of people experiencing social exclusion is being misused. Social and interethnic tensions are growing. Moreover, the issue is misused by right-wing extremists seeking to obtain support of the locals. The situation is placing more demands on the work of both the Czech Police and municipal police.

Already back in 2011, in response to the worsening of the situation, the government adopted Resolution No 699 on the **Strategy of fight against social exclusion for the period 2011 to 2015** („Strategie boje proti sociálnímu vyloučení na období let 2011 až 2015“), a paper prepared by the Agency for Social Inclusion attached to the Office of the Government. One of its relevant working groups prepared in 2013 a proposal for **measures to tackle social unrest**, which was adopted by the government by way of its Resolution No 935. The measures are meant to help to address root causes that in 2013 led to a series of anti-Romani unrest; the measures focus on the promotion of social work and employment in the so-called socially excluded localities, public services performance, housing issues, illegal work inspections, reaction to untrue information, etc.

The **Strategy for social inclusion for 2014–2020** („Strategie sociálního začleňování 2014–2020“) was submitted for the government approval by the Ministry of Labour and Social Affairs in January 2014.

²⁴ More in specific thematic chapters.

intervention measures to the police or public administration bodies. At the same time they are involved in addressing the security challenges in the socially excluded localities.

In May 2013 the interior minister approved an updated **Strategy for the work of the Czech Police with minorities for the period 2013–2014** (*Strategie pro práci Policie ČR ve vztahu k menšinám pro období let 2013–2014*), a document, which sets out new strategic objectives: the development of systemic measures for policing of minorities and training of Czech Police officers with focus on minorities. Eight fundamental actions were identified in order to implement these objectives: e.g. the implementation of the „Czech Police standards for policing work with minorities“ and „Methodology for assessments of the Czech Police’s work in the field of minorities“ into the Czech Police’s internal set of regulations and practice, as well as issuing of a „Methodology for policing in the field of minorities“, putting in place of projects aimed at establishing police experts for the work in the socially excluded communities and a project named „Efficient development and better competence of human resources“.

In July 2013 the minister of the interior convened a working group for mitigation of security threats in socially excluded localities, which drafted a **package of measures to be taken in order to reduce the security risks in socially excluded localities**. The measures are based on two pillars.

The first pillar consists of preventive and intervention measures that include the initiation of collaboration with a given municipality and implementation of a comprehensive programme of crime prevention named Úsvit („Dawn“). This pillar includes *inter alia*:

- Increase of the number of crime prevention assistants;
- Introduction of camera systems in towns;
- Methodological assistance to municipalities when dealing with sensitive demonstrations.

The second pillar, which consists of measures for the stabilization of security situation, includes e.g.:

- Targeted intervention or thorough sanctioning of crime with extremist features;

- Standardization of policing work when dealing with high security-risk assemblies (or gatherings);
- Improved communication of the police with the public;
- Short-term strengthening of the number of public order police in localities prone to escalation of tensions;
- More widespread use of the so-called „turf policeman“, which means more pedestrian than car patrols;
- Introduction of police experts on the work in socially excluded sites;
- Consistent monitoring of the neo-Nazi structures with the focus on emerging entities seeking to establish themselves on the scene.

Integration of foreigners

Awareness of all stakeholders is considered one of the means to prevent illegal action of foreign nationals in the Czech Republic. A lot of useful information can be found on the web portal www.cizinci.cz, administered by the **Ministry of Labour and Social Affairs** (MPSV) in collaboration with the Ministry of the Interior. There is information on, *inter alia*, financing of projects in the area of integration of foreigners, projects implemented, information materials in electronic form, etc. Updated information on conditions of employment of foreign nationals in the Czech Republic can be found on: www.portal.mpsv.cz.

Methyl case²⁶

The special investigation team of the so-called Methyl case continued its activity in 2013, while the busiest period was in 2012.²⁷ Between September 2012 and January 2014 a total of 49 people (39 in 2012, 9 persons in 2013 and one in January 2014) died as a result of consumption of poisonous alcohol. Dozens of others were hospitalized.

Biggest harm caused by methylalcohol was recorded in the following regions: Moravian-Silesian, Olomoucký, Zlínský, South-Moravian and Central-Bohemian.

As of 10 January 2014 84 individuals were charged, most of them for putting public health in jeopardy by negligence by contaminated foodstuffs and other substances, seven were charged for causing public danger. First judicial rulings with imprisonment sentences were issued in 2013.

Confiscation of the proceeds of crime²⁸

In 2013, in the framework of criminal proceedings, the Czech Police **seized the biggest volume of material values ever recorded, totalling CZK 8.5 billion.**²⁹ This is more than

²⁶ Two other unscheduled inspection operations were carried out by the Czech Customs in 2013 as a follow-up to the „Methyl Case“ („735 – Part II“ and SKLO). The two operations focussed on checks in establishments that offer, store or sell spirits or tobacco products. Other inspection bodies took part as well (Czech Agriculture and Food Inspection Authority, Czech Trade Inspection Authority and competent bodies from regional hygienic stations).

In the framework of operation „735 – Part II“, a total of 813 establishments were checked, breaches of tax regulations were found in 138 cases. In total 6166 litres of spirits, 121 kg of tobacco and 16 940 cigarettes were seized. The total tax evasion amounted to CZK 846 547.

In operation SKLO the customs officials inspected 871 establishments, 73 of them in market halls, breaches of tax regulations were found in 129 cases; in total 4280 litres of spirits, 905 kg of tobacco, 235 474 cigarettes and 536 litres of beer were seized. The tax evasion amounted to CZK 2 673 136.

²⁷ It consisted basically in the illicit production and distribution of alcohol with a high percentage share of harmful methylalcohol.

²⁸ Identification and seizure of proceeds of crime has been developing in the Czech Republic since 2010.

²⁹ The biggest volume of material values has been seized in accordance with the provisions of § 79a of the Criminal Procedure Code (seizure of financial means on a bank account), totalling CZK 3701 million (555 mil. seized in 2012) by means of 535 decisions (416 cases in 2012). Significant amounts were seized also in accordance with the provisions of § 79d (real estate): CZK 1067 million. Alternative value in accordance with § 79f was seized in 624

45% increase compared to the up-until-now best result from 2012, whereby CZK 5.8 billion were seized (4.3 billion in 2011.; 1.28 billion in 2010).

The following factors had a particular impact on this positive trend:

- Quality system of financial investigation set up by the Czech Police, which was, back in 2012, recommended as an example to be followed by other EU member states;
- Structure and personnel stability of specialists on financial investigations within the Czech Police as a whole;
- Thorough supervision by the management and support of the police hierarchy;
- The issue of seizures and tracking of proceeds of crime becomes a standard part of the criminal proceedings in cases, in which a material damage was caused or if the perpetrator reached benefit for himself or other person.

The largest volume of property in 2013 was seized by the officers of the ÚOKFK (Anti-corruption and Financial Crime Unit of the Czech Police) – a total of CZK 5 398 million, which amounts to 63% of the total value seized by the Czech Police.

The issue enjoys a great deal of support from the Supreme Public Prosecutor's Office³⁰ and prosecutors take part in devoted trainings and meetings of heads of financial investigation units organized by the ÚOKFK.

cases, the seizures amounted to CZK 1354 million, a lower amount in comparison with 2012 (property in a total value of CZK 2179 million seized in 2012). A very positive trend consists in the fact that a recourse is much more often taken to seizures for the benefit of the person who suffered injury, in accordance with § 47 of the Criminal Procedure Code, the total amount reached CZK 352 million (81 million in 2012). Seizures in accordance with § 347, CZK 224 million have also increased significantly (only 36 million CZK seized in 2012) as well as seizures of property on the basis of legal assistance according to the provisions of § 427 (total of property seized: CZK 92.5 million).

³⁰ The Supreme Public Prosecutor's Office is unambiguously of the view that „**crime must not pay off**“. That is why it closely follows the results in the area of identification, seizure and confiscation of the proceeds of crime. With a view to assess the most relevant aspect, as well as to increase the effectiveness of public prosecutor's actions, the supreme public prosecutor initiated the drafting of a special report on issues that have to do with the identification, seizures and confiscations of the proceeds of crime.

Programmes co-financed from the EU sources and other kinds of external assistance

In 2013 the Czech Police continued the implementation of projects co-financed, or designed for co-financing, from the EU structural funds, EU Community funds, Swiss-Czech cooperation programme and the Norwegian funds.

In terms of financial volume, the largest share of projects is traditionally co-financed from the integrated operational programme (EU Structural Funds). Within its scope the following actions were ongoing:

- Final implementation phase of project titled Contact and Coordination Centres II, aimed at building of a national network of these centres;
- Implementation of projects **Localisation and recording devices** – procurement of technologies to be installed on board of police cars in order to enhance action readiness;
- **Integration of operations centres** – aimed at streamlining and increasing the efficiency of operational management and deployment of forces and resources, including interoperability at regional level.

All these project are submitted by individual regional police directorates and **overall financial value reaches almost CZK 1.25 billion.**

In the framework of the **Swiss-Czech cooperation** it was possible in 2013 to adopt and start with the implementation of a set of 11 projects with a different thematic scope, whose results will generally lead to positive effects in terms of disaster prevention and managements, fight against organised crime, economic crime and corruption. The overall budgeted value is approximately **CZK 295.5 million.**

Internal Control of the Police of the Czech Republic

There were a total of 562 (-41) inspections at all management levels. Of the total number of inspections, in 64 (-31) cases various corrective measures were adopted, disciplinary measures were imposed in 28 (+2) cases, etc. Further training was given in 52 (-13) cases. A breach of rules without any subsequent damage was the most common irregularity found.

Security research, development and innovation

The Ministry of the Interior is in charge of the national security research, development and innovation action. Two programmes were launched for the period 2010 to 2015:

- Security Research Programme of the Czech Republic 2010 to 2015 („*Program bezpečnostního výzkumu ČR v letech 2010–2015*“) (published under UV č. 50/2009)

The programme is implemented by means of a **public tender**. It focuses on the increase of security of citizens using the latest technology, improvements in the identifications of threats to critical infrastructure and improved emergency management; another aim is also to stimulate the market for security technologies. Currently, there are **134 ongoing projects with a total amount of CZK 1 878 430 thousand.**

- The programme titled Security Research for the State for the years 2010 to 2015 („*Bezpečnostní výzkum pro potřeby státu v letech 2010 až 2015*“) (published under UV č. 49/2009) is implemented by means of **public tenders** in the area of research and development, the total financial allocation being CZK 800 million (in the course of the implementation the budget was cut to CZK 607.9 million) based on the state administration needs in areas related to the internal security of the country, protection of stability of the economic and financial system of the state and civil emergency planning with a focus on crisis and disaster management response. A total of **32 projects are being financed through public tendering, in an overall value of CZK 444 271 thousand.**

An overview of all projects, including brief descriptions, is available at:

<http://www.mvcr.cz/bezpecnostni-vyzkum.aspx>.

(For more information see Chapter 3.4.1)

Institute of Criminology and Social Prevention (IKSP)

In 2013 the IKSP, as a research branch of the Ministry of Justice, provided its research

contribution to some issues that are dealt with in this report.

The IKSP is a research workplace within the structure of the Ministry of Justice. It focuses on social-science criminological research aimed at creating, maintaining and updating the knowledge base on the state and developments in the criminal policy, crime and socially pathological phenomena. It also processes relevant empiric and conceptual approaches from abroad and contributes to the development of criminology in general.

Research studies, articles and translated expert documents are available at: www.kriminologie.cz.

The main users of the IKSP's outputs are primarily various organisations under the competence of the Ministry of Justice (the Ministry itself, justice bodies, Prison Service, Probation and Mediation Service), then Ministry of the Interior, particularly various services and units of the Czech Police, Ministry of Labour and Social Affairs and Ministry of Education.

The Inter-ministerial committee for crime prevention is also one of the users. Through this committee the production of IKSP is made available to the local administration bodies and municipalities that take part in the implementation of the Crime Prevention Strategy, as well as to the Government committee for the coordination of anti-drug policy, etc.

The IKSP is involved in international cooperation, where it contributes to the research activities and drafting of background documents, information and reports on crime patterns, criminal policy and other related documents that are required from the Czech Republic by international bodies, like the UN, EU, Council of Europe, or other European and non-governmental organisations.

In 2013, following a public tender, the IKSP was working on **three research tasks that were supported by a financial contribution from the Security Research Programme of the Czech Republic 2010–2015** (ref. BV II/2 - VS, call issued by the MoI): research task titled „Current

situation concerning extremist movements in the Czech Republic with a focus on their potential support by the youth and on dissemination of ideological content of extremist nature across the internet“; second research topic was „Early intervention system as a means for crime reduction“ and third „Violent crime with sexual features in the Czech Republic with a focus on its current forms, more efficient detection and sanctioning of perpetrators, and on ways to protect the public from sexually motivated violence“. The first research was successfully concluded on 31 December 2013, the other two are going according to plan.

In 2013 the IKSP concluded a two-year **research named „Simplified forms of criminal proceedings: possibilities and limitations“.**

The researched dealt with the legal framework for summary preparatory proceedings and simplified judicial proceedings (jointly referred to as „simplified proceedings“) and its applications in practice, as well as other procedural instruments that are supposed to contribute to shortening and simplifying of the criminal proceedings.

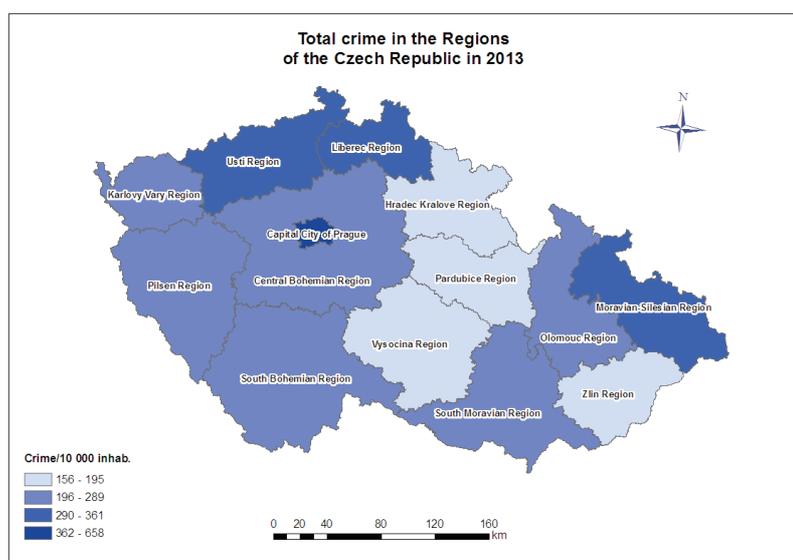
Judicial statistics show that over time the simplified proceedings has gradually developed into a sort of procedure that is equal, in terms of number of cases handled, to the „ordinary“ procedure. In the last years more than half of the criminal cases have been heard in the simplified procedure and more than a half of the perpetrators were sentenced in the framework of such procedure.

2.1.1 Territorial break-down of crime

Czech Republic: basic data as of 2013:

Total area in km²: 78 867

Number of crimes /
10 thousand inhabitants: 309 (+19)



After conversion of the total crime to 10 thousands inhabitants (so-called crime index) it appears that Prague has for a long period been most affected by crime (658 crimes in 2013, 583 in 2012).

Other highly affected regions are the same as in 2012: Ústecký (361), Moravian-Silesian (349) and Liberecký (318).

Analogically, the lowest levels were recorded in the following regions: Zlínský (156), Vysočina (171) and Pardubický (176).

All 14 regions have seen an increase in detected crime in 2013. The highest increase was recorded in Prague (+13.4%), followed by Ústecký kraj (+8.8%) and Karlovarský (+8.1%).

In Prague³¹, a total of 82 005 crimes (+9660, +13.4%) were detected in 2013.

The geographical area of Prague accounts roughly for 0.6% of the Czech territory.

³¹ Prague, as the only big city in the Czech Republic, and in contrast to the other regions, features completely specific crime factors. The objective factors include primarily the high density of population, the nature of economic structures, large commercial network, a large number of businessmen, intensive construction activity, size and quality of infrastructure, concentration of public administration bodies, intensity of travel and tourism, concentration of historical sites and monuments, etc. As for the subjective causes: anonymity of perpetrators, high-risk youth groups, large choice of crime opportunities or social conditions of certain communities.

Approximately ¼ of total crime recorded in the Czech Republic is concentrated in this small area every year (25.2% in 2013). On an annual basis the share of Prague in total crime rose by 2%.

Basically, the above-mentioned factors play their part in all kinds of crime that are recorded in the statistics. Their effect is most pronounced in the **street property crime**. For example in 2013, out of all pocket theft detected in the country, 56.9% was recorded in Prague; it stood at 49.1% in the case of other theft on persons, 49.1% for theft of motor vehicles spare parts, 38.3% for thefts of personal belongings from cars and 32.8% in the case of car theft.

Repeat offenders committed 59,9% of all acts that were cleared up. Their share of **burglaries** stood at **90.9%**.

Crime by foreign nationals also **concentrates in Prague**. In 2013 Prague had a 32.3% share of total cleared-up crime perpetrated by foreigners. Foreign nationals accounted for 15.4% of total clarified crime in Prague, while on a national scale, their share is 6.8%. Regarding violent crime, 246 acts were proved to foreign nationals (i.e. 17.7% share), 56 of those were robberies (18.2%).

Moravian-Silesian Region has for long been showing a second largest share (13.2% in 2013) of total crime in the Czech Republic. A total of 42 853 (+2230, +5.5%) crimes were detected in 2013.

Important crime factors in this region are as follows:

- Unfavourable social structure: high unemployment³², high proportion of citizens with low legal awareness and lower education,
- Exceptionally high share of repeat offenders,
- Socially excluded Roma communities, agile right-wing extremist scene,
- High proportion of violent crime, rising brutality of attacks, spectators' violence (including in lower football leagues),
- Frequent addiction of perpetrators to addictive substances,
- Presidential amnesty of January 2013 was an additional crime factor.

In 2013, 569 of perpetrators (+1301, +17.9%) in Moravian-Silesian region were reported to be **jobless**, i.e. **53.5%** of the total number of prosecuted persons.

Repeat offenders have for considerable time been an extremely **serious problem** for the region, not only in terms of their high share in total cleared-up crime, but also for their knowledge of policing work and procedures and the „proficiency“ in their crimes. In 2013 the repeat offenders made for 60.5% of all the prosecuted and investigated individuals, while they committed **67.3%** of the total cleared-up crime.

Violent crime has been a significant feature of the Moravian-Silesian region for quite some time. In total 2852 violent crimes were reported in 2013, thus 15.3% of the total national figures (followed by the Ústecký region with 2070 criminal acts). However, calculated per 10 000 the Moravian-Silesian region only comes at 3rd place.

The region witnessed 11 (-9, -45.0%) murders, 90.2% cleared up. Murders with the use of a knife are clearly the prevailing way, and there is a considerable impact of alcohol in this type of crime.

As for **property crime**, the following significant annual changes have been reported in the Moravian-Silesian region:

- Burglaries in restaurants and pubs: 448 (+119; **+36.2%**),

- Apartment burglaries: 615 (+81; **+15.2%**),
- Burglaries in private houses: 824 (+154; +23.0%),
- Burglaries in summer-houses/sheds: 312 (+79; +33.9%).

The annual increase in restaurant-and-pub burglaries exceeds more than ten times the average national increase, in the case of summer-houses/sheds burglaries the increase exceeded the national average more than seven times. As for the theft by apartment burglaries, the increase was more than three times higher than national average.

Private-house burglaries³³: increase was recorded particularly in the territory of Frýdek-Místek police district (+86 cases, **+67.7%**; already back in 2012 there was an increase by 59%).

Ostrava saw a new phenomenon in 2013: citizens' assemblies (or gatherings) and marches, primarily right-wing extremists, that feature skirmishes between radicals and police – for example 62 individuals suspected of various unlawful behaviour were detained on 24 August 2013. There were five more gatherings in different parts of Ostrava, further two in Vítkov (Opava district), Havířov and Krnov.

Ústecký region is affected by similar crime factors as Moravia-Silesia. Security issues arise particularly in the socially excluded localities³⁴ or they can be linked to worsened economic situation that prevails in the region. The **involvement of the numerous Vietnamese community in drug-related crime has been growing** since 2011.

A total of 29 848 (+2421, +8.8%) crimes were reported in Ústecký region in 2013. **Burglaries or break-ins to different premises** were the most common crime in the region.³⁵

³² As of 31 December 2013 the unemployment rate in the region was the second highest in the country and stood at 10.5%. The district of Bruntál had even the highest rate for CZ – 14.3 %, Karviná district – 12.5%, 4th place nationally.

³³ Three property crime perpetrators were detained in August 2013. They were behind 150 private-house burglaries between October 2012 and August 2013. The perpetrators were proved to be active in nine Czech regions. Their method of break-ins consisted in the drilling of the door or window frame and using a special mechanism to get in. Total value of property stolen exceeded CZK 3.5 million and the damage on houses was estimated at CZK 1 million.

³⁴ Several anti-Romani marches took place in the town of Duchcov in 2013.

³⁵ E.g. cellars, garages, workshops, barns, sheds, garden gazebos, backyards, gardens, etc. In this regard the police classification is more detailed than that of the Criminal

Crime index for this crime (57.3 acts/10 000 inhabitants) is close to double the national average and did increase compared to previous year.

Ústecký region features the **highest violent crime index in the Czech Republic**.

From the perspective of the Czech Police territorial districts – that usually correspond to the Czech administrative districts – the order of districts by number of detected crimes is as follows: Ostrava, Brno, Karviná, Olomouc, Plzeň, Liberec, České Budějovice, Most, Frýdek-Místek, Ústí nad Labem, Teplice, Děčín, Opava, Kladno, Mladá Boleslav. **There is a high share of districts belonging to Ústecký and Moravian-Silesian region.**

The capital of Prague has a status of its own, that is why it does not feature in this ranking.

In terms of clear-up the **Karlovarský region** was, as in previous years, the **most successful** in 2013, where 68.4% of detected crime was cleared up. *This is a noteworthy fact that indicates – against the backdrop of a relatively high crime index and considerable annual increase in recorded crime – that even a relatively high crime burden does not necessarily go hand in hand with a low clearance rate, otherwise rather common.*

More than 50% clear-up rate – similarly to 2012 – was reported by Plzeňský region (53.8%), Zlínský (54.3%) and Vysočina (53%).

The lowest clear-up is typical for the capital of Prague, where there are very particular crime factors related to the „big city features“. In 2013 the clear-up rate stood at 21.6%.

Measures

There were a large number of preventive actions taken by the Czech Police regional directorates in 2013. They focused on the priorities and security situation of the relevant territories or police districts.³⁶

³⁶ For example:

- In Prague the prevention addressed topical issues like: crime against the elderly, threats of attacks at schools,

Nation-wide measures were carried out as well.³⁷

(For measures see also Chapter 2.2.1 Property crime, 2.2.10 Information crime, 2.2.11 Road safety, etc.

More details are to be found in the relevant tables and graphics, p. 32–36.)

high number of road accidents involving pedestrians, misuse of the police hot line number 158, etc.

Throughout the year there were **588 information sessions and lectures** for vulnerable groups of citizens, their primary focus was on prevention. As regards the media, collaboration continued with the following news channels: TV Nova, TV Prima, Czech Television (ČT), TV Barrandov and TV Metropol. The collaboration with the TV Prima programme „KRIMI zprávy“ proved to be most helpful.

- In Moravia-Silesia the following preventive regional projects took place: „Bezpečí ve stáří“, „Bezpečnější Ostrava“, „Bezpečné nakupování a parkování“, „STOP kriminalitě na Karvinsku“, „Automobil není trezor“ (*Security in the old age, Safer Ostrava, Safe shopping and parking, Your car is not a strongbox*), etc.
- Ústecký region launched a new project in 2013: „**Správným směrem**“ (*In the right direction*), which aims to establish effective collaboration of all stakeholders involved in the drug prevention, as well as to design a set of measures to address specific drug-related problems in a given locality. The project draws on financial support of the regional council president. In Ústecký region only, there are more than 1900 active participants involved in the preventive action. The drug-prevention is mainly done by means of workshops, lectures for the general public and students; there are many accompanying projects too. In 2014 this project is going to move to South-Bohemia region and then to other Czech regions.

³⁷ For example:

- **Obezřetnost se vyplatí** (*Vigilance pays off*). A preventive and information campaign of the Czech Police aimed at pickpocketing. It has been taking place twice a year since 2011.
- Media campaign „**Místo činu? Domov!**“ (*Crime scene? Your home!*), launched in 2010, is meant to inform the public about domestic violence and how to deal with it. The campaign is carried out through the media, leaflets, audio-video spots and movies. It won a competition organized by the Czech branch of ASIS International in 2013.

Code, it breaks theft (§ 205 of Criminal Code) further down according to different tactical criteria.

2.1.2 Perpetrators

Crime statistics

Number of persons prosecuted and investigated:
117 682 (+4656, +4.1%)
Of those: men: 85.8% (-0.5%)
women: 14.2% (+0.5%)

Prosecutor Offices' and court statistics

Number of persons charged:
34 275 (-3709, -9.8%)
Number of persons proposed to trial in summary
preparatory proceedings:
63 759 (+6554, +11.5%)

Number of convicted: 77 976 (+6505, +9.1%)

A total of **117 682** (+4656, +4.1%) individuals were investigated and prosecuted by the Czech Police. There was an average ratio of 1.2 cleared-up crimes per on perpetrator.

The share of women in the total numbers is steadily low; it has been rising slightly since 2008. Their share got to 14.2% (+0.5%) in 2013.³⁸

Annually, the highest increase was in the number of perpetrators of the following crimes:

- credit fraud (+1374, +51.1%)
- obstruction of the course of official decisions (+1353, +12.8% individuals)
- burglary 10 197 (+581, +6%).

Most perpetrators were prosecuted and investigated for the following crimes:

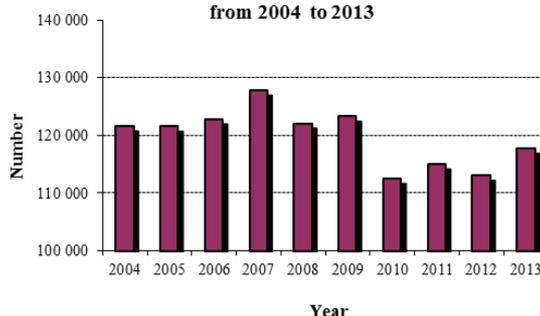
- plain theft (20 642 individuals)
- child neglect (13 280 individuals)
- obstruction of the course of official decision and banishment (11 898 individuals)
- burglary (10 197 individuals).

Perpetrators of these four types of crime made up roughly 47.6% of all persons prosecuted and investigated by the Czech Police.

In total 187 persons (-15, -7.4%) were prosecuted and investigated for the crime of **murder**. A total of 13 133 (-9, -0.1%) persons were prosecuted for violent crime. In this category the highest increase was in the number of perpetrators of breach of domestic freedom

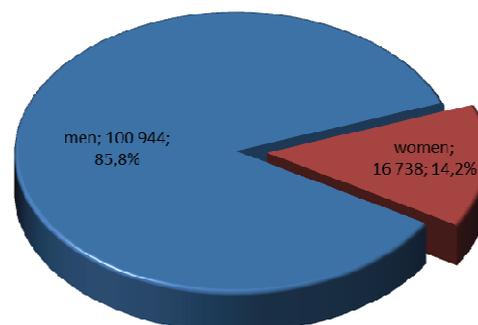
³⁸ Women are most often prosecuted for theft, credit fraud, child neglect, obstruction of the course of official decision, fraud and embezzlement.

Development in the Number of Prosecuted and Investigated Persons in the Czech Republic from 2004 to 2013



(+159, +11.5%) and most persons were prosecuted for the crime of deliberate bodily harm (4 524).

The share of men and women prosecuted and Investigated In the Czech Republic In 2013



34 275 persons were charged. The Supreme Public Prosecutor's Office confirms that a great deal of crime is now processed by means of simplified procedure, i.e. **summary preparatory proceedings**, followed-up by simplified procedure before single judge and concluded by a court criminal order.³⁹ The summary

³⁹ **The Supreme Prosecutor's Office points to the fact that following the countless amendments the criminal procedure code has become very difficult to apply; this concerns particularly the standard preparatory procedure and preparatory procedure with extended investigation.**

The new criminal code brought about the replacement of so-called material side of crime by a **formal concept of definition of crime and the principle of subsidiarity of criminal repression** by virtue of § 12(2) of the Criminal Code, without any substantial strengthening of the principle of opportunity in the criminal procedural law. **In practice**

preparatory proceedings has gradually become the most decisive form of the preparatory proceedings. The total **charge rate** fluctuates around 92%. The Supreme Public Prosecutor's Office maintains that, to a high extent, this figure is to be considered as limit.

A total of **63 988 individuals went through the summary preparatory proceedings** in 2013, 63759 individuals were issued with a punishment proposal.⁴⁰

Number of minors under 15 years of age investigated for acts, which would have otherwise been punishable, dropped to its lowest level ever recorded, and so did the number of prosecuted and investigated minors (see Chapter 2.1.2.1.).

Probation and Mediation Service's offices recorded a total of 26 044 new cases, representing an annual decrease by 16% (31 170 cases in 2012).⁴¹

The number of cases recorded in the framework of executive proceedings (*vykonávací řízení*) continued to be rather high (14 774 in total) in contrast to 11 270 cases handled in preparatory proceedings; the percentage share of the preparatory proceedings cases was up by 3% in comparison with 2012, i.e. from 40% to 43%.

As regards the preparatory proceedings and court proceedings concerning adult perpetrators, the Probation and Mediation Service was mostly invited to:

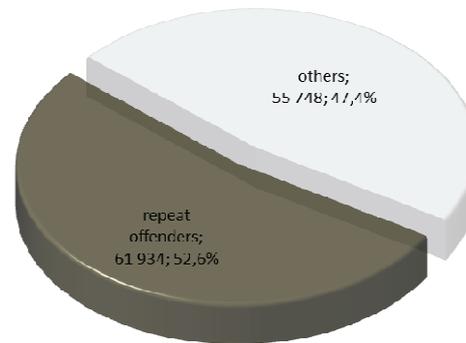
- produce an opinion on the possibility to impose a punishment in the form of community service (51% of cases).
- mediate in order to find a solution to conflicts and to prepare the ground for the possibility of imposing an alternative punishment and measures (38% of cases).

the relevant bodies involved in criminal proceedings try to cope with such a new concept and it is not obvious to find a suitable solution, since the issue is influenced by different opinions both as regards case law and across the academic ground.

⁴⁰ Data provided by the Ministry of Justice Supervision Department.

⁴¹ However, the total number of cases handled by the Probation and Mediation Service in 2013 was higher, because it includes cases the PMS staff have been working on for several years (mainly suspended sentences with supervision or conditional releases with supervision).

The share of repeat offenders in prosecuted and investigated persons in the Czech Republic in 2013



In the framework of executive proceedings concerning adult perpetrators the biggest workload for the Service related to the community service punishment (48% of cases) and execution of supervisory tasks (33%).

Repeat offenders' crime⁴²

The number of prosecuted repeat offenders rose annually to 61 934⁴³ (+5445, +9.6%), the highest ever recorded number in the Czech Republic.

334 repeat offenders were aged 15 to 18 years.

The share of repeat offenders in the total number of prosecuted and investigated has for long been rising in order to reach in 2013 the highest rate ever recorded: **52.6%** (50% in 2012, 48.5% in 2011, 29.7% in 2000).

The number of crimes committed by repeat offenders increased as well. In 2013 **the repeat offenders perpetrated 83 894 crimes (+9079, +12.1%)**, of them 77 murders, 1086 robberies, 199 rapes and 12 398 burglaries.

The repeat offenders' **share** of cleared-up crime shows a **long-term tendency to grow** and reached **59%** in 2013 (56.1% in 2012, 54.9% in

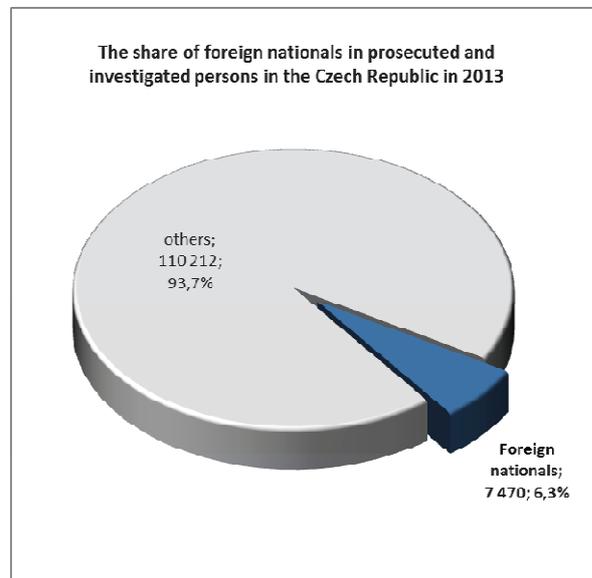
⁴² In the Czech Police statistics a „repeat offender“ is understood to be a perpetrator of a deliberate criminal act who had been sentenced for another deliberate crime in the past. In other related statistics (judicial, penitentiary) the definition is understood differently.

⁴³ **Compared to 1995 the number of repeat offenders prosecuted and investigated in 2013 increased by 87.5%**, by 60.2% compared to 2000. In 2000 the Czech Police prosecuted and investigated 38 664 repeat offenders and 33 035 in 1995.

2011, 35.6% in 2000) of all acts that were cleared-up.

The inefficiency of measures to prevent and combat repeated crime is obvious.

Crime committed by foreign nationals



Although foreign nationals account for approximately 0.5% of Czech population, they committed 9595 (+270) criminal acts in 2013, i.e. 6.8% (-0.2%) of the total crime cleared-up.

A total of 7470 **foreign nationals**⁴⁴ were prosecuted or investigated, i.e. **6.3% of the total number of prosecuted and investigated persons**. Compared to 2012 figures the number of prosecuted foreigners decreased slightly by 43 (-0.6%).

Drug crime perpetrated by Vietnamese foreign nationals has been rising sharply since 2008. For example, 199 Vietnamese were prosecuted and investigated in 2013 for illicit production and handling of narcotics and psychotropic substances and poisons (§ 283) (22 in 2007, 139 in 2011, 194 individuals in 2012).

Foreign nationals have a very high share in the total number of perpetrators of crime committed in an organized group (29.1% in 2013) or murders (11.8% in 2013, 13.9% in 2012).

Foreigners are most commonly involved in crimes like trade mark rights infringement,

⁴⁴ Out of this number 75 foreigners were aged between 15 and 18 and 36 were less than 15 years old.

(78.5% share) or forgery and falsification of official documents.

There were 4916 foreigners (+7) sentenced in 2012, i.e. 6.3%.⁴⁵ Most of them were Slovak nationals (2023, +57, +2.9%), followed by Ukrainians (732, -46, -5.9%), then nationals of the **Socialist Republic of Vietnam (561, +55, +10.9%) with a considerable annual increase reported**, Republic of Poland (257, -30, -10.5%) and Romania (169, +10, +6.3%).

(For further data see tables and graphics on p. 12–15.)

Crime committed by officials and civilian staff of security forces⁴⁶

Within the scope of its competence the **General Inspection of Security Forces** (hereinafter referred to as „the inspection“) recorded **unlawful action by 390 (-83) persons**,⁴⁷ out of which one case concerned a legal person established in the Czech Republic.

Based on the statistics-data analysis it is possible to state that there was an **overall decrease in crime covered by the inspection**. The biggest drop was recorded in the case of the Czech Police staff.

Criminal prosecution was instituted on a suspicion in the framework of summary preparatory proceedings was carried out in the following cases:

- 153 (-75) officers and 11 civilian staff of the Czech Police,
- 40(-6) officers and 3 civilian staff of the Prison Service,

⁴⁵ According to the **IKSP Institute** the share of foreign nationals in recorded criminality in the Czech Republic continues to be rather low compared to a number of European countries (e.g. foreigners sentenced in Germany accounted for 22.8%, 29.7% in Austria, 11.9% in France – 2006 data).

⁴⁶ Further information is to be found in the **Report on GIBS activity (Zpráva o činnosti GIBS)**, which was, in accordance with § 57(4) of Act No 341/2011, submitted to the Czech government, Security Committee of the Chamber of Deputies and the Standing Commission for GIBS Inspection of the Chamber of Deputies. The report states the GIBS's results in the field of criminal proceedings in 2013.

⁴⁷ The inspection deals with crimes committed by officers and civilian staff of the Czech Police, the Prison Service and the Customs Administration. It also investigates into criminal activity of civilians in complicity with perpetrators from the ranks of the above-mentioned security forces.

- 12 (+3) officers and 1 civilian staff of the Customs Administration.

One proposal to institute criminal proceedings against an official of the inspection has been filed.

Criminal proceedings, including against a legal person, were instituted or a proposal was filed or a suspicion was delivered in the case of 48 (-9) civilians.

In the framework of summary preparatory proceedings in 2013 there was a total of 269 (-86) individuals, in whose case the criminal proceedings were initiated, or a proposal was filed or a suspicion delivered.

The inspection brought **criminal charges against 196 (-23) perpetrators** in 2013. Out of those: 126 (-35) Czech Police officers, 21 (-1) Prison Service officers, 10 (+6) customs officers, 7 (+1) Czech Police civilian staff, 2 Prison Service civilian staff, 1 (+1) Customs Administration staff and 29 (+5) civilians.

In 2013 the inspection recorded a total of **407 (-60) crimes** committed by 269 (-86) persons; out of those: 244 (-57) were to be perpetrated by a Czech Police officer, 16 (+1) by Czech Police civilian staff, 56 (-3) by a Prison Service officer, 3 (-1) by Prison Service civilian staff, 17 (+6) by Customs officer, 1 (+1) by Customs Administration civilian staff, 1 by the inspection staff, 67 (-9) by a civilian and 2 (+2) by a legal person.

Most cases (93) concerned economic crime, i.e. roughly 23% of the total.

The inspection recorded a total of **315 (-81) cases of unlawful action by security forces officers**. Most of the persons concerned were up to five years of service, 90 (-41) in total, which make for more than a quarter of perpetrators.

In **46 criminal files** the inspection was carrying out steps in criminal proceedings for crimes with **corruption features**.

In the case of 23 (-3) perpetrators (of them 12 Czech Police officers) criminal proceedings were instituted, or suspicion was notified in the framework of summary preparatory procedure.

There was one case (+1) with extremist features, when the inspection took criminal proceedings action. There was no case leading to criminal prosecution.

As regards household violence, the inspection undertook criminal proceedings steps

in 18 criminal files, criminal prosecution was initiated against 9 (+2) perpetrators.

A total of 89 (+11, +14.1%) Czech Police officers were sentenced by courts.⁴⁸ Abuse of official authority (§ 158 Criminal Code) was the most common crime (17 perpetrators), followed by acceptance of bribes (§ 160 Cr. Code), committed by four Czech Police officers. A total of 25 Czech Police officers received sentences for abuse of official figure's authority (§ 329 Criminal Code).

Crime committed by military staff in active service

Public order and security in the ranks of the Czech Armed forces in 2013 is considered stable. The Military Police checked out 879 (-40, -4.4%) unlawful action suspicions in the reporting period. It was investigating a total of 303 criminal suspicions (+19, +6.7%) and 598 misdemeanours, 306 (51.2%) of those related to road traffic.

Compared to 2012 the property crime increased, thus confirming the trend of the previous years, i.e. the number of property crime cases significantly exceeds the number of military crimes.

The following suspicions were, for example, investigated by the Military Police:

- 237 property crimes (+33, +13.8%),
- 27 generally dangerous crimes, 11 cases of public danger under influence of an addictive substance (-3, -11.1%),
- 19 military crimes (-4, -17.4%),
- 12 public order disruption crimes (-5, -29.4%),
- 8 life-and-health threatening crimes (-8, -50%),
- 6 economic crimes (-9, -60%),
- 2 crimes showing extremist features.

88% out of the 288 suspicion cases that were closed by Military Police were cleared-up. In total, 72 suspects were handed to a Czech Police investigator or public prosecutor in order to initiate steps in criminal proceedings.

The measures taken by Military Police in the last two years in order to improve the security situation in the Ministry of Defence's scope of

⁴⁸ Source: Ministry of Justice Supervision Department.

competence proved to be relevant and continued throughout 2013. The measures concerned in particular the issue of extremism and protection of property.

The preventive action within the scope of competence of the Ministry of Defence takes the form of **prevention of socially undesirable phenomena** within the crime-prevention and anti-drug programme. There is a special committee to coordinate the action.

There were **108 MoD preventive projects (82 – crime prevention, 26 – anti-drug prevention)**. The crime prevention programme covers a broad scope of issues (e.g. extremism, criminal action, financial literacy, interpersonal issues, communication, aggressiveness, psychological debriefings and health, hazardous sexual behaviour, family and family background in relation to child upbringing and prevention of undesirable phenomena, sects, radicalism, race intolerance, terrorism, etc.).

There were 1005 preventive checks carried out by Military Police during the reporting period.

In 2013, **47** active military personnel were **sentenced**. Most cases concerned the causing of public danger under influence of an addictive substance (§ 274 Criminal Code) – 21 individuals, disorderly conduct (§ 358) – 7 individuals, and bodily harm (§ 146) – 3 individuals.

Crime committed by legal persons

The criminal liability of legal persons has made part of the Czech legal framework for two years. So it is no longer just individuals who are liable for crimes. A visible upward trend can be observed in the reporting categories. A total of 51 legal persons were subject to criminal prosecution in 2013 (18 in 2012).

The Supreme Public Prosecutor's Office reports that in most cases the legal persons are prosecuted for tax evasion or similar issues pursuant to § 240 of the Criminal Code, unpaid taxes, social insurance payments and the like according to § 241 and fraud according to § 209 of the Criminal Code.

Measures

In total, **77 976 (+6505, +9.1%) individuals were effectively sentenced by courts** in 2013.

Most sentences were issued in the Moravia-Silesia court district – 14 489 individuals, followed by Northern Bohemia – 12 404.

The number of people sentenced for theft rose by 1311, 363 more individuals were sentenced for disorderly conduct. An increase by 175 individuals was recorded in the case of bodily harm. The number of persons sentenced for murder rose by 14 (up from 107 in 2012 to 121 in 2013). Four individuals more were sentenced for robbery.

The share of different types of punishment (including criminal measures for the youth) has remained substantially stable. Suspended jail sentences were most frequent – 57 465 individuals, i.e. 74% of the total number of persons sentenced, custodial jail sentences were issued to 8579 individuals, i.e. 11%, community service punishment concerned 6746 persons, i.e. 8.7% and financial penalty went to 2491 individuals, i.e. 3.2%.

Custodial jail sentences were issued mostly in the duration of one year – 4 694 individuals (54.7% of the total unconditioned sentences), followed by one-to-five-years duration – 3332 persons (38.9%). Five-to-fifteen-years sentences were given to 511 individuals (6%), exceptional punishment (15 to 25 years) was issued to 42 individuals and two individuals received life sentences.

On January 1st 2013 the president of the republic granted general **amnesty**.⁴⁹ Unconditioned sentences were thus forgiven to around 20 thousand sentenced individuals. Approximately 6456 prisoners were released.

As of 31 December 2013, a total of 14 303 sentenced and 2 315 charged individuals were **jailed** (2012 figures: 20 435 sentenced and 2178 charged).

The Czech Prison Service focused primarily on the mainstreaming of the prevention of repeat crime. Compared to 2012 and mainly due to the amnesty granted a drop in the following categories was observed:

- number of persons serving their sentence in specialized penitentiary departments, while

⁴⁹ According to the Supreme Public Prosecutor's Office it should be underlined that the presidential amnesty partially relieved overcrowded prisons, the question is however, if the issue in question should not rather be addressed by systemic measures, primarily in the criminal policy area.

preserving the quality of programmes implemented,

- the number of sentenced in the penitentiary exit units and custodial prisons and in the number of programmes implemented to prepare prisoners for release,
- the number of individuals serving their sentence in the drug-free zones of prisons and custodial prisons,
- the number of sentenced put in training and retraining programmes.

The **standardized „3Z Programme“** (*Zastav se, Zamysli se, Změň se / Hold on, Think, Change yourself*) was implemented according to circumstances. The programme targets the largest prison population (adult males aged 25–40, sentenced 2–3 times mainly for property crime). Another similar **standardized programme titled GREPP** (work with perpetrators of child-related violent crimes like torture, commercial or non-commercial sexual child abuse). The **TP 21 JUNIOR** programme for the youth prisoners focused on reducing of the violent behaviour, while the **KEMP** programme dealt with adults jailed for violent crime. Finally, **PARDON** programme was tailored to prisoners with a problematic car-driving record.

As regards anti-drug policy new tasks for 2013 were set out by the **Prison Service anti-drug work plan for 2013 to 2015** (*Plán činnosti Vězeňské služby v protidrogové politice na období 2013 až 2015*). The plan mirrors tasks set out in the Action plan for the implementation of the National Anti-drug strategy for the period 2013 to 2015 (*Národní strategie protidrogové politiky na období 2013 až 2015*). The drug-treatment specialized capacity increased thanks to the opening of a new facility in the prison of Kuřim.

The health services continued to provide detoxification and substitution treatment, anti-addiction treatment, as well as protective treatment of drug addiction, alcohol addiction and treatment for pathologic gamblers. Prisons continued to collaborate with various NGOs that offer anti-drug services.

The „Fragile chance" project („Křehká šance“)

The Probation and Mediation Service in partnership with the Prison Service carried on with their project named „Fragile chance“ that was supported from the ESF Human resources and employment operational programme (support to social integration and social services) (ref.:

CZ.1.04/3.1.00/73.00004). The project responds to the need to prepare convicts that might qualify for a conditional release for a comeback to normal life and successful integration into society. The project takes account of the requirement to integrate released individual in a safe manner, to prevent repeated criminal activity and make it possible for the victim to obtain information on the planned release of the perpetrator and to express his/her concerns and needs.⁵⁰

An innovated work methodology, based on the lessons learned from the pilot project on conditional releases that was running between 2009 and 2012, was finalized in 2013. Corresponding training of personnel took place as well. Further, a list of collaborating assistants was drawn up. In total, the commissions handled 52 convicts' cases in 2013.

Further training activities for Probation and Mediation Service staff called „Working with risk – risk assessment and needs“ – took place in 2013.⁵¹ The trainings were followed-up by hands-on workshops in order to discuss the staff's practical experience from the work with convicts. Seven case-history workshops took place in 2013, 36 Probation and Mediation Service staff participated.

SARPO – comprehensive risk and needs analysis

The Probation and Mediation Service worked on the electronic version of its instrument called SARPO (*Souhrnná Analýza Rizik a Potřeb Odsouzených – Comprehensive convicts' risks and needs analysis*), which is considered a precondition for the implementation of the PMS second pilot project.

Drug tests

The objective of testing is to improve the work with risks, since testing the clients for drug

⁵⁰ In the framework of this project the system of commissions for conditional release expanded to another nine prisons (Liberec, Stráž pod Ralskem, Rýnovice, Heřmanice, Opava, Karviná, Bělušice, Příbram, Plzeň).

⁵¹ A new strategy was adopted for 2013 with the aim to enlarge the team of qualified lecturers so that each regional court district had at its disposal a lecturer or a two-member lecturing team. Eight new lecturers were trained (the PMS currently has 13 lecturers). Six seminars on „Handling the risks – risks and needs assessments“ took place and 72 Probation and Mediation staff were trained.

use is key for the analysis made by the PMS staff and subsequently for criminal proceedings bodies. Drug testing within the Probation and Mediation Service is subject to constant monitoring, both in terms of total number of tests and their results. The quality of tests carried out is assured by continuous training of relevant staff. The 2013 data show that the number of tests has gradually stabilized around 3500–4000 tests per year. Roughly 25% of the tests carried out detected the presence of drugs and psychotropic substances. Most detections concerned marijuana (58.6%, 225 detections) and methamphetamine (47.9% positive tests, 184 detections).

Debt remediation

The Alliance against debt (APD) followed on its results in the previous year. Its primary focus was on the „Development of probation and rationalisation programmes – stronger prevention and protection of the society against repeated crime“ – this programme covers topics like consumer credits and alternative programmes of debt discharge.

The issues were addressed at the working sessions of APD organization committee.⁵² The work has produced a set of suggestions to be presented in the form of APD opinion to the Ministry of Justice expert group that will discuss a proposal to introduce the so-called individual voluntary agreement instrument (IVA). The set of suggestions identifies the key areas to be further addressed (e.g. specification and definition of financial claims, claims handling, modalities of a redemption fund, possibilities of financial supervision (financial guardianship), sanction modalities, etc.).

The Alliance against debt welcomed new members in 2013: the Czech Credit Bureau (including CNCB and CBCB) and the Social advisory centre of the town of Jirkov. To date, the APD has almost 30 members.

A number of training and awareness events were organized in relation to the issue of indebtedness. They focused on ways of working with over indebted clients (170 probation staff were trained).

Continuous training for Probation and Mediation Service personnel

A pre-defined project titled „System of further, specific training for the PMS personnel“ was approved for financing from the Norway financial mechanisms.

See further information in Chapter 3.2 Crime Prevention.

⁵² Three round tables were organized with the participation of, among others, a Swiss expert Mr. Peter Gründler (VEBO – Association for the Development of probation in Eastern Europe). Featured topics included a presentation of Swiss best practices (personal debt remediation) as well as principles of the considered individual voluntary agreement instrument (IVA) and an update on the insolvency law amendments. The round-tables participants included the representatives of Provident Financial, Poradna při finanční tísni, relevant registers (SOLUS, Czech Credit Bureau) and a number of NGOs. Alternative debt discharge programmes were discussed at the November 2013 round tables and will stay on the 2014 agenda.

2.1.2.1 Youth crime

Children – perpetrators of crimes otherwise punishable

1251 (-120, -8.8%)

Number of crimes otherwise punishable committed by children

1286 (-177, -12.1%)

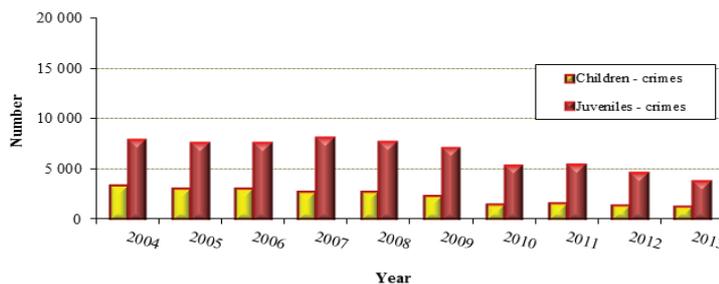
Minors – perpetrators of crime

2939 (-547, -15.7%)

Number of crimes by minors

3845(-868, -18.4%)

Development in Crimes Committed by Children and Juveniles Recorded by the Czech Police in the CR from 2004 to 2013



There was a considerable drop in youth crime in 2013 compared to the previous years, both in the case of under-15-year olds and minors. According to the police data, children under 15 years committed 1251 (-8.8%) acts in 2013; the figure for minors stood at 3845 (-18.4%) acts.

The Supreme Public Prosecutor's Office is of the view (voiced already back in 2011) that one of the causes of the low numbers of youth offenders (as well as children under 15) can be seen in **non-disclosure of identity** (including age) **of unknown criminal offenders**.⁵³

As in 2012 the Czech Police has observed a higher degree of brutality of attacks. Sadly, violent armed attacks and rash reactions leading the most serious crimes were no exception.

Out of 2939 minor perpetrators the Czech Police recorded 334 repeat offender and 495 individuals who had been investigated in the past.

According to the Czech Police the youth delinquency begins already with early school attendance. Children under 15 are involved mainly in petty theft or bullying. Delinquency starts to get more serious around 12 years of age.

The economic and social situation of a family impacts heavily on youth behaviour. The young offenders often come from broken or disrupted families; a combination of various factors usually comes into play. The youth offenders often come from children's homes, where they are placed because of dysfunctional family background and child neglect by their parents. The overall

⁵³ For comparison, the data from the past are mentioned below – they might serve as invitation to reflect on the reasons for such low numbers of youth crime recorded: 1996: 13 392 young offenders, i.e. 4.5x more than in 2013; 1996 to 2001: annual average of young offenders stood at 10 808, i.e. almost three times as much as in 2013, etc.

structure of population in a given area is one of the most important factors.

The Czech Police observes that the so-called **socially excluded localities and dormitory quarters** are a big source of concern. Families that get into such an environment adopt specific behavioural patterns linked to socially pathological phenomena and various addictions. In such circumstances, crime and other unlawful activities are not perceived negatively, but as a legitimate means of subsistence. Children from such localities have usually a negative stance towards education. All the factors combined, this creates a significant crime potential.

Youth crime is often committed under the influence of drugs or other addictive substances. In many cases the financial means thus obtained are used to purchase alcohol or drugs.

Children under 15 get most often involved in plain theft, such as thefts in apartments and family houses, pickpocketing and the like. In 2013 the Czech Police detected a total of 299 cases of simple theft, but also 217 burglaries.

In 2013, children under 15 year of age committed **three murders**, 90 robberies and 83 acts of deliberate bodily harm. There were 55 cases of blackmail by children under 15 years of age.

There were 78 criminal acts of sexual abuse.

Most crimes by **young offenders** were filed as **property crime** (2052), broken down to:

- 897 burglaries, primarily thefts in unspecified premises (453 acts), family houses (112), week-end/summer houses (87), flats (62 acts).

- 1002 acts of plain theft, primarily theft in unspecified premises (254 acts), theft of two-wheeled motor vehicles (153), theft in flats and family houses (140 acts).

Violent crime (677 acts): mainly deliberate bodily harm (239 acts), robbery (212), blackmail (85) and breach of domestic freedom. **Young offenders committed 7 murders in 2013** and one manslaughter through negligence.

Vice crime (216 acts): sexual abuse (165 acts) and rape (34).

The Czech Police recorded 135 youth criminal acts filed as **illicit production and handling of narcotics and psychotropic substances and poisons**.

Internet crime remains a long-term concern. The youth are not only involved as offenders, but as victims, too. Sharing of personal information (pictures and videos with sexual contents) that are subsequently abused is the most usual phenomenon.

(More details in tables and graphics, p.16 to 17.)

Measures⁵⁴

According to the Crime Prevention Strategy of the Czech Republic 2012 to 2015 („strategy“) the body in charge of prevention is the Ministry of Education. However, the Czech Police has constantly been active in this field and various events and projects were taking place, etc.:

- Visits to all categories of schools by prevention workers and police specialists with a large number of lecturing and information activities,⁵⁵ bearing in mind – with regard to the strategy – that the so-called secondary prevention is the preferred option

⁵⁴ Further measures are set out in the 2013 Report on the implementation of the tasks arising from the crime prevention strategy of the Czech Republic for the years 2012 to 2015 (*Zpráva o plnění úkolů vyplývajících ze Strategie prevence kriminality v České republice na léta 2012 až 2015 za rok 2013*), to be submitted to the Chamber of Deputies of the Parliament together with this document.

⁵⁵ Issues discussed at meetings are chosen according to the age of each group and requirements of the host school. Road safety, bullying, cyber-bullying, juvenile crime responsibility, alcohol and drugs, domestic violence and prevention of violence on girls are some of the most frequent topics.

(solutions to particular problems in schools and their surroundings)

- A project destined for teachers titled „Dealing with extraordinary situations in schooling facilities“ (*Postup při mimořádných událostech ve školských zařízeních*)
- „Play, but don’t ride a tiger“ (*Hraj si, ale nezahrávej*) – campaign to prevent misuse of emergency hot lines
- Children’s days (Dny pro děti)
- „Day with the Czech Police“ (*Den s PČR*)
- „Prevention Day“ (*Den prevence*)
- „In the right direction“ (*Správným směrem*), a National Anti-Drug Police Centre project aimed at anti-drug prevention in vocational schools and secondary schools, etc.

A total of **1983 young offenders were sentenced in 2013**. Most sentences were issued by courts in Moravia-Silesia – 487, followed by Northern Bohemia – 368 and South Moravia – 362 individuals. Property crime was the most frequent category.

In most cases the young offenders were given suspended jail sentences with probation period – 990 individuals in total, community service punishment – 291 individuals. Unconditioned criminal measures were imposed on 78 individuals. In 250 cases the courts have refrained from imposing punishment.

As regards **the youth crime prevention**, the Ministry of the Interior collaborated with the departments represented in the inter-ministerial working group on harmonisation and transformation of vulnerable children care system that operates under the auspices of the Ministry of Labour and Social Affairs. The Crime Prevention Department of MoI is in charge of a number of specific projects that draw on financing from the regional level and supports, primarily, projects aimed at working with vulnerable categories of youth.

Probation and Mediation Service activities

The Probation and Mediation Service (the service) is actively involved in the **accreditation procedure of the Ministry of Justice designed for probation programmes for young offenders**.

The Ministry of Justice accreditation valid for the period 1 January 2014 to 31 December 2016 was issued to 12 probation programmes. The probation programmes' implementation reports are published regularly on: www.pmscr.cz.

The Probation and Mediation Service takes part in the **grant allocation procedure for young criminals' probation programmes**. Nine probation programmes were submitted for approval to the Ministry of Justice in early 2014.

The Probation and Mediation Service has responded to the need to expand the youth probation programmes by putting into practice several international projects:

- „Onto the right path“ (*Na správnou cestu*) – Implementation of new probation programmes and restorative justice for the young perpetrators – strengthening of expert collaboration between institutions“ (financed from the ESF, Human resources and employment operational programme, and from the budget of the Czech Republic). The objective of the project is to develop effective tools to address youth crime, particularly when it comes to crime with violent or aggressive features, to implement restorative programmes reducing the risk of repeated crime, facilitate the social integration of young criminals and foster efficient ways to cooperate and coordinate experts and relevant institutions. Two programmes were finalized under this project – a probation programme „Against violence“ (*Proti násilí*) focussed on the limitation of violent behaviour by the youth perpetrators and a restorative justice programme „Family group conferences“ (*Rodinné skupinové konference*).
- The project titled „**Training for a systemic development of probation and restorative justice programmes**“ (*Vzdělávání pro systémový rozvoj probačních programů a programů restorativní justice*), financed from the ESF, Human resources and employment operational programme, enabled the production of lecturing material for three new training courses: „**Teams for the Youth**“, „**Probation programme against violence**“ and „**Restorative justice programme: family group conferences**“. A total of 35 participants participated.
- As for the project called „Development of probation and re-socialization programmes – stronger prevention and protection of society against repeated crime“, the RUBIKON Centrum was chosen as the implementing body for an innovated programme for the young, named „PUNKT rodina“. This programme focuses on group and individual ways of working with young perpetrators and on propping up their families when dealing with the consequences of the committed criminal activities.⁵⁶ The Probation and Mediation Service issued in 2013 a call for public tender titled „Programme for adult perpetrators of crime related to traffic, particularly driving under the influence of alcohol“.

„**Romani mentoring**“ (previously called Služba Mentor) is a service provided by the RUBIKON Centre that the PMS service has long been using successfully. The goal of this service is to reduce the risk of repeated crime and social exclusion of the Romani for whom the Probation Service ensures an alternative punishment, and to increase the efficiency of the PMS's work with these clients. In 2013 the Romani mentoring continued in the framework of a three-year project „**Romani help Romani**“, financed from the ESF Human resources and employment operational programme and from the budget of the Czech Republic, implemented by the RUBIKON Centre in partnership with the Probation Service. In Ostrava, Děčín and Most the Roma mentoring received support also from other sources (MoI crime prevention programme). The Romani mentoring service was taking place in the following court districts: South Bohemia, North Bohemia, Moravia-Silesia, Central Bohemia, East Bohemia and Western Bohemia.

Vulnerable child-care system

The ministry of Education, Youth and Sports (the „MŠMT“) follows in its work the tasks and objectives set out in the „**Action Plan for the implementation of the national strategy for children rights protection for the years 2012 to 2015**“ (*Akční plán k naplnění Národní strategie*

⁵⁶ The programme is an innovated version of the former probation programme titled „Training programme – the minors“. First batch of lecturers was trained who will start to work with selected PMS clients. Almost all PMS centres are involved in the implementation of the programme.

ochrany práv dětí na období 2012–2015), a programme coordinated by the Ministry of Labour and Social Affairs („MPSV“).

Drawing on previously adopted documents the Ministry of Education (MŠMT) prepared in 2013 a **Proposal of systemic changes in the area of institutionalized care and preventively-educational care.**⁵⁷

Main objectives of the Proposal are to:

- create a modern, effective and accessible system ensuring a professional care to clients (children and their families);
- strengthen ambulant services in order to intensify prevention;
- strive for the return of children to their families, if that is in the best interest of the child, particularly by means of a close collaboration with families (children and parents' reflection groups, family mediation, alternating stays, boosting parents' responsibility for the family life, etc.).

The systemic change consists in the development of preventive aspects in order to gradually prevent risky behaviour in children and thus avoid institutional education. **A February 2013 analysis shows that risks-showing behaviour is one of the features of children placed to institutional or protective care or preventively-educational care.** That is why it is necessary to overhaul the system and change the approach to and philosophy of education – from clearly behavioural approaches towards meeting the individual needs of each child on his way to a sound personal development.

In 2013 the Ministry of Education (MŠMT) drafted an amendment to Act No 109/2002, which responds to the provisions of the new civil code as regards the institutional care. New quality standards for preventively-educational care are being tested at the moment.

*(More information on MŠMT activities in the field of vulnerable children's care see www.msmt.cz, *Institucionální výchova*.)*

The issue of risk-showing behaviour is elaborated in the following documents of the

⁵⁷ National action plan to transform and harmonize the system of care of vulnerable children, the MŠMT framework concept concerning the transformation of the system of surrogate care in school establishments and the preventively educational care, National strategy of children rights' protection.

Ministry of Education (MŠMT):

- National strategy of primary prevention of children risk behaviour for the years 2013–2018;
- Methodical recommendation on primary prevention of risk-showing behaviour in children, pupils and students in schooling establishments;
- Ministry of Education Methodical guideline to address bullying in schools and schooling establishments;
- Other related documents and regulations aimed at prevention of risk-showing behaviour.⁵⁸

The MŠMT issued a **National strategy of prevention of risk-showing behaviour in children and youth within the scope of competence of the Ministry of Education for the years 2013–2018.** The document is available on: www.msmt.cz. Also in 2013 the Ministry issued a guideline to address bullying in schools.

A **Minimum Prevention Programme** is being implemented by schools in collaboration with teachers, NGOs or other bodies, as appropriate.

Every year the MŠMT allocates approximately CZK 20 million on drug prevention and crime prevention, as well as other forms of risky behaviour. For this purpose the ministry has issued a new **Methodology for provision of grants from the state budget for the sake of implementation of risk-behaviour prevention activities for the years 2013–2018.** For 2013 the Ministry allocated CZK 18.5 million.

The MŠMT supports a network of **preventive services within the framework of vulnerable childcare system** (support to educational care centres, pedagogical and psychological advisory centres, advisory school centres).

⁵⁸ Primarily the following documents: Act No 561/2004 on pre-school, primary, secondary and vocational and other education, as amended; Act No 109/2002 on execution of institutionalized or protective education in school establishments and on preventively-educational care in school establishments, as amended; Act No 359/1999 on socially-preventive protection of children, as amended; Act No 379/2005 on protective measures against the damage caused by tobacco products, alcohol and other addictive substances, as amended.

Pedagogical and psychological advisory centres were supported in 2013 by the Ministry in the framework of its Programme for the implementation of activities to prevent risk-showing behaviour. The Pedagogical and psychological advisory centres received an allocation of CZK 5 million in 2013.

The educational care centres and the network of preventive services within the system of vulnerable child care system were further strengthened by Act No 333/2012 on the amendment of Act No 109/2002 on execution of institutionalized or protective education in school establishments and on preventively-educational care in school establishments, as amended.

There were two national conferences on prevention hosted by the MŠMT in 2013 – the

2.1.3 Victims of crime

If mankind is to last in a cultural and civilized way it has to contain crime in a persistent manner. Victimology studies show that the extent of crime is much larger than what can be recorded in police statistics.

In 2013 the Czech Police recorded a total of 47 164 victims of crime.⁵⁹ Annually, the number increased by 886 individuals.

Victims of crime feature in the official statistics⁶⁰ only alternatively, as targets of attacks, alongside objects of general and economic crime, etc. **The numbers of victims cited relate only to selected types of crime** (in particular, violent crime and vice, bodily harm through negligence, corrupting the morals of youth, etc.; in property crime, the records register the victims of pickpocketing, theft and theft related to sexual intercourse).

The victims (injured) of burglaries, car theft, bicycle theft and various other forms of crime stay out of the official police statistics.

Despite these limitations the criminal statistics continues to be the only statistics at the

⁵⁹ The notion of „victim“, including context, shall be legally distinguished from a broader notion of „injured“ as defined in § 43 of the Criminal Procedure Code.

⁶⁰ A database-statistical system that is meant primarily to provide statistical data on criminal offences and perpetrators thereof.

target audience were the staff of regional school establishments, prevention coordinators, pedagogical and psychological advisory centres personnel, etc.

A **new quality assessment system (certification) for providers of programmes of primary prevention of all forms of risk behaviour**. The National Educational Institute is in charge of the organization of the certification process. For this purpose the Institute established a devoted certification unit. In order to be eligible for grants in 2014 it is necessary to hold the quality certificate or to have a valid application.

(More details on the MŠMT activities in the field of prevention of risk behaviour are available at: www.msmt.cz, Special Education; link to Prevention.)

disposal of criminal proceedings bodies that contains broader data on victims of crime.

Crime on defenceless persons, children and elderly people is particularly contemptible.

According to police statistics **children under 15 year of age**⁶¹ were in 2013 most frequently victims of vice crime (886 victims), most of them of sexual abuse (732 victims). A total of 247 crimes were filed as production and handling of child pornography. In total, 559 children under 15 years of age became victims of violent crime (of those: 129 robberies and 146 cases of deliberate bodily harm).

Minors between 15 and 18 years of age are most usually victims of theft (mainly pickpocketing) – 1038 recorded victims – and violent crime (deliberate bodily harm and robberies). The 2013 records show 227 minor-victims of deliberate bodily harm and 145 minor-victims of robberies.

There were 23 murders of **elderly persons** aged 61 or more. The elderly become an easy target sought after primarily for petty theft and pickpocketing or fraudulent wheedling of cash. Records show 449 robberies, 271 deliberate

⁶¹ This breakdown of age categories does not concern attacked groups, since these often are mixed in terms of age.

bodily harm cases and 63 criminal acts filed as abuse of a person living in a shared household, committed on persons more than 61 years old.

The instrument of „banishment of perpetrator“ is a significant measure to help the victims of domestic violence. A total of 1238 (-9) individuals were banished in relation to domestic violence, of them 1199 men and 39 women.

(Further details in tables and charts, p.18-20.)

Measures (selection)

Better position of the injured in criminal proceedings

The Act No 45/2013 on victims of crime entered into force on 1 August 2013 (**law on victims of crime**). Its fundamental objective is three-fold:

- creates a comprehensive regulation in the field of victims' protection;
- expands the rights of victims beyond the existing level or regulation;
- removes the shortcomings of the existing implementation of the European regulations on the situation of victims in criminal proceedings.

The law on victims of crimes stipulates primarily the following victims' rights:

- right to professional help (coming from the non-profit sector, Probation and Mediation Service and advocates registered in the providers' register), which is, for selected groups of victims, provided free of charge; the professional assistance services include: psychological, social and legal counselling, legal assistance and restorative justice programmes;
- right to be informed in a clear and comprehensive way;
- privacy protection;
- right of protection by criminal proceedings bodies against secondary victimization, primarily by limiting contact with the perpetrator, specific rules for the conduct of interrogation and provision of explanation by the victim;
- victim's declaration on the impact of crime on her/his life (victim impact statement);

- right to financial compensation (the right to financial compensation is newly conferred also to victims of sex-related crimes against human dignity (rape, sexual coercion or extortion, etc.), the amounts allocated have increased too; the compensation claim shifted from the perpetrator to the state, and this so to the extent of assistance granted).

Two implementation regulations were issued in 2013 in order to apply the new law.⁶²

The law on victims of crimes was accompanied by the amendment of the Criminal Procedure Code that introduced so-called preliminary measures in criminal proceedings. The objective of this instrument is to protect the injured and his close relatives, to prevent the accused from further involvement in criminal activity and to ensure an efficient course of criminal proceedings.

The **IKSP Institute** prepared a project titled „**New phenomena in violent crime, including domestic violence**“⁶³ (*Nové jevy v násilné kriminalitě včetně domácího násilí*) and applied for financing in a public tender in the framework of the Security Research Programme of the Czech Republic for the years 2010–2015.

A survey among female victims of domestic violence was carried out by the IKSP. The women involved were victims of violence by their life partner who, as a consequence, sought refuge in the devoted asylum facilities across the country. The following findings have, among others, come out of the survey:

- 93.3% of respondents (out of 120 women) were physically attacked by their life partner at least once before they left him.

⁶² Implementing decree No 225/2013 stipulating the model forms and languages of EU Member States used in cross-border cases of financial compensation provided to victims of crime (in force since 1 August 2013) and implementing decree No 119/2013 on quality standards for services provided in accordance with the law on victims of crimes (in force since 5 June 2013).

⁶³ The objective of the research project is to identify and describe new phenomena in violent crime, characteristics of different crime phenomena and their perpetrators, including detailed case records of concrete cases and their generalisation. Changes in the extent of violence used will be subject of assessment – the shift towards more brutal behaviour of perpetrators to victims. Particular attention will be paid to various forms of domestic violence, in particular to conjugal violence and its impact on the adult victims and perpetrators.

- More than four fifths of the physically attacked women had bodily injury (83.9%). Half of them were physically injured on several occasions (more than twice), etc.

Preventive action by the Czech Police

A large number of preventive actions have been carried out in 2013 by the Czech Police regional directorates. These actions focussed on the security priorities of given territory. At the same time countrywide preventive actions were implemented, like the media campaign **Crime scene? Your home!** (*Místo činu? Domov!*), designed to make the public aware of the issue of domestic violence and ways to address it.

Police psychologists

The system of psychological support to victims of crime and other emergencies, introduced in 2010, continued its activities in 2013.

Special interrogation rooms

A total of 44 special interrogations rooms are currently used by the Czech Police. Two new rooms, in Litoměřice and Pelhřimov, received financial support in the framework of the crime prevention programme.

The **Coordination group on interrogation rooms** continued its activities, since the sharing of best practices and experience among different police directorates remained a priority in order to enhance the efficiency in the use of special interrogation rooms. The group stayed focussed primarily on the issue of investigations of vice crime against youth and put together experts of public prosecutor's offices and court experts from relevant domains. Expert of the SKPV take part as well.

The issue of detection and investigation of crime perpetrated by children and against children was incorporated to the police training curricula.

Probation and Mediation Service

As part of its work the service contacts also the victims of crime.

A total of 11 270 cases (12 661 in 2012) were recorded in the framework of preparatory proceedings and court proceedings. Compared to the overall numbers from the previous years, the

percentage share of cases in this stage of proceedings increased by 3 percentage points, i.e. from 40% to 43%.

As regards contacts made with victims and mediation between victims and perpetrators, the preliminary records show that numbers have stayed roughly at the previous year's level. The victims were contacted in 4900 cases in 2012, while there were 4600 adult individuals filed as victims (and further 1600 in minors' category) in 2013. Almost 1000 mediations took place in the adult category and more than 200 in the case of minors. These numbers are supposed to grow, since some 2013 cases are pending.

Project „Why me? (*Proč zrovna já?*)

The activities under the Criminal Justice project continued particularly by means of an individual project titled „Why me?“ financed from the ESF (CZ.1.04/3.1.00/73.00001). A methodology guide, composed of several chapters, was completed in 2013.⁶⁴

The coordination of all stakeholders at local and regional level has been strengthened as part of the implementation of the project. A number of NGOs operating in regions took part in the project.

More than 90 probation staff were trained for the work with victims. They were also trained in the issue of the law on victims. A guidebook for victims' advisors was updated and published on the Probation and Mediation Service's website.

The service has been striving for a bigger involvement of victims in the process of criminal proceedings. The probation staff offer information that might lead to an increased participation by victims in the process of mitigation of consequences of crime.

Domestic violence

A document titled **Information on the implementation of measures to introduce interdisciplinary teams connecting health, social and police assistance when detecting and prosecuting cases of domestic violence in 2012** was submitted to the government by the Ministry of the Interior. Another document on the same issue was submitted in December:

⁶⁴ Methodology of personal counselling; Psychological and psychotherapeutic support to children; Accompaniment; Methodology for organizing and managing restorative group conferences; Phone and internet counselling; Multi-disciplinary teams for victims and monitoring of victims' problems.

Comprehensive report on the implementation of the National Action Plan for the prevention of domestic violence for the years 2011 to 2014.

For further measures see Chapter 3.2 Prevention of Crime.

2.1.4 Searches for persons and items

Criminal and investigation police departments launched 4135 (-133) **searches for missing persons**. Search proved successful in 4 010 (-223) cases. Out of the total number of searches, 5054 (-100) concerned institution charges, 4826 (-313) of them were searched out.

The **missing children national search coordination mechanism** launched 28 searches (+3) in 2013 for missing children showing features of children in danger. All the children were searched out.

There were a total of 19765 (-1449) **searches for wanted persons**, 18 962 (-2 476) searches were called off.

In total 41 (-14) perpetrators were apprehended in the framework of **targeted searches** in 2013. Further four individuals were apprehended abroad thanks to international cooperation. Most cases concerned warrants for persons to enter prison sentence (16), followed by the European arrest warrants (9) and international arrest warrants (4).

A total of 80 entries marked as „body of unknown identity“ were entered into the PATROS information system (+4), the identity was established in 45 cases. **There were a total of 153 (-25) bodies of unknown identity** in 2013. There were 4 searches (-8) for individuals of unknown identity, 4 were called off.

In the category of **motor vehicles and license plates** there were a total of 12 362 searches. 1057 concerned two-wheeled vehicles 1057 (+70) and 12 446 (+469) four-wheeled vehicles. Withdrawals: 1307 plate searches, 290 two-wheeled vehicles and 3235 four-wheeled vehicles.

Searches for stolen items and for the origin of found items: 228 421 entries were made into the KSU system (*Kriminalisticky sledovaná událost*), 45 828 records were cleared up.

At the end of 2013 the **PSEUD information system** (art-work database) contained 20 817

records of stolen and found art works. Out of those 39 entries were withdrawn, since the items in question were returned or released; three works of art were found. There were 481 records entered into the PSEUD system in 2013.

In the framework of **international searches in the EU and across Schengen area** the International Cooperation Department of the Czech Police Presidium dealt with a total of 7173 (-765) positive hits concerning persons and items searched for within the SIS (Schengen Information System); this is another, and this time significant, drop compared to previous years that might have been due to the general amnesty issued by the Czech president (lower number of persons searched for) and partially due to drop-outs related to the transition to SIS II.

As regards searches based on the European arrest warrant or international arrest warrant within the Schengen area, the Czech Police dealt with 249 (-57) hits and related request by foreign colleagues, and 203 (-138) hits abroad following a request from the Czech side, i.e. 452 hits in total.

Preliminary data show that 322 European arrest warrants were issued by the Czech courts in 2013, 34 of them were executed. Other member states' court sent 201 European arrest warrants to the Czech Republic, 112 of them were executed.

The National Heritage Institute and external collaborators of the **Ministry of Culture** managed to identify 38 pieces of cultural property originating from crime in sacral buildings, 25 of those were being offered by foreign auction houses or antique shops. A total of 14 pieces of cultural property went back to the hand of their owners in 2013.

2.1.5 Misdemeanours

The **Public Order Police service** recorded in 2013 a total of 748 476 (+9186) misdemeanours. The highest number concerned road traffic safety pursuant to the provisions of § 125c Act No 361/2000 on road traffic: 411 956 (+2515), i.e. 55.04% of all misdemeanours. The second largest number concerned property offences pursuant to § 50 of the law on misdemeanours: 181 956 (+6844); followed by public order and civic coexistence according to § 47 to § 49: 112 780 (-831). There were 21783 (-2275) other misdemeanours. A total of 19 501 (+1983) offences concerned the protection against alcoholism and other addictions according to § 30.

A total of 440 990 (-8656) misdemeanours were dealt with by way of on-the-spot fines, the total fines amounted to CZK 150 092 950 (-22 377 350). In total, 167 067 (+16464) offences were announced or reported according to § 58(1) and (3)a) of the law on misdemeanours, out of those 17 646 (+1001) followed after police investigation according to § 58(2).

Misdemeanours postponed in accordance with § 58(3)(b) of the law on misdemeanours: 123 032 (-365), of those 110 443 (-816) due to unknown identity of the offender, i.e. 89.8% of offences dealt with in other way than by on-the-spot fine.

The Czech Police Road Traffic Service recorded a total of 531 782 (-38 892) offences committed by drivers and 19 747 (-1405) offences by other road users. In total, 490 619 (-15810) fines were issued to drivers on the spot, the fines amounted to CZK 259,9 (-28,6) million, 41 163 (-26 082) offences were notified to administrative bodies.

Excessive speed offences were most numerous (same as in 2012), there were 175 956 of them, i.e. 33.1% of total offence recorded. Second most numerous category were offences due to usage of vehicles unfit for the road traffic use: 88 137, i.e. 16.6%, followed by offences due to incorrect driving: 59 211, i.e. 11.1%.

2.1.5.1 Municipal Police

Within the scope of their competence and in the framework of meeting their citizens' need the

In the framework of 2013 inspection and surveillance activities the police found 10 274 (-763) cases of alcohol ingestion by drivers and 2914 (+719) cases of driving under the influence of addictive substances.

In the area of arms and security and defence items the police found a total of 2909 (-388) misdemeanours, 1657 (+8) of them disposed of by on-the-spot fine – total amount of fines CZK 656 300 (+154 800 CZK), 773 (-337) were notified to administrative bodies and 54 (-10) handed over to criminal proceedings bodies.

Misdemeanours according to Act No 326/1999 on residence of foreign nationals: the **Alien departments of the regional police directorates and the Directorate General of Alien Police** report a slight decrease in the number of misdemeanours compared to 2012.

A total of 27 438 (-1576, 5.4%) misdemeanours in accordance with Act No 326/1999 were entered into the police information systems (CIS and ETR).

On-the-spot fines totalled CZK 16,6 million (CZK -1,1 million, -6.2%).

Broken down by nationalities most recorded offences were committed by nationals of third countries (57.8%), primarily nationals of Ukraine (5652 offences, i.e. 35.6% of total offences by third-country nationals), followed by the Vietnamese (1739, i.e. 10.9%) and Russians (1641, 10.3%).

(For further information see the following Chapter 2.1.5.1 Municipal Police and tables and graphics on p. 11.)

municipalities are also entitled to look after public order and can establish local municipal police bodies (municipal police).

According to the information at MoI's disposal (the Ministry is not in charge of municipal police) there were 358 municipal police corps as of 31 December 2013 staffed by some 9500 employees.

The municipal police is a municipality body. Its main task is to look after public order in accordance with the law on municipal police or other specific regulations.⁶⁵

Municipal police are supervised primarily by the Ministry of the Interior, particularly as regards three-yearly periodic checks of professional qualifications of municipal police officers by a devoted MoI commission. The MoI have other tasks vis-a-vis the municipal police: it withdraws police officers' certificates in case of loss of clean record, reliability or professional or health ability; it can fine the municipality for administrative offences and can carry out municipal police inspections. If a part of municipal police's activity falls within the scope of delegated powers of the municipality (typically the issue of misdemeanours), it is the Regional Authority who is in charge. As regards criminal liability, the municipal police officers do not come under the scope of competence of the General Inspection of Security Forces, their possible criminal activity is however addressed by way of standard procedures, i.e. action by the Czech Police. Not in the last place, the municipal police are subject to autonomous inspection by municipalities' local boards.

According to the **Union of Towns and Municipalities of the Czech Republic** (SMO) the security in towns and municipalities is subject to a dynamic change due to many factors. An increase in delinquency (**more offences related to alcoholism, civic coexistence and property**) can for example be influenced by the number of restaurant facilities in a given locality, its

⁶⁵ Two types of municipal police shall be distinguished: corps established by municipalities and those established by towns and townships. There is, however, no difference in terms of their respective powers.

The municipal police are significantly involved in the maintenance of public order. Their mere presence in towns has a considerable preventive impact on individuals who would otherwise possibly engage in unlawful actions. That is why the municipal police have similar duties and authority as the Czech Police officers – see Act No 553/1991 on municipal police.

population structure, migration, establishment of dormitory quarters for jobless indebted persons, etc.

There is a persisting problem of **offences by individuals on social allowances** and the homeless. Since financial sanctions have proved inefficient, there is a certain group of persons, which cannot be affected by means of offenders' law. The SMO is of the view that suitable alternative punishments should be explored (e.g. reparations of damaged public facilities), as well as a possible **legal regulation of the possibility to deduct the amount of on-the-spot fines from social allocations**.

Theft of metals and subsequent sale to scrapyards is yet another growing problem. Although the issue of buy-up of stolen metal object is, in part, regulated by Act No 383/2008 on waste, the existing regulation is not sufficient.

An increase of drug addiction has recently been reported as well.

The lower number of Czech Police officers in the streets is another significant factor observed by the Union of Towns and Municipalities.

Measures

On January 15 2013 the **Act No 494/2012 on the amendment of Act No 200/1990 on misdemeanours, Act No 40/2009, Criminal Code, as amended by Act No 306/2009, and certain other acts**, entered into force.

Among other things, the amendment introduces to the law on misdemeanours a new residence ban (§ 15a Act on misdemeanours).

The Chamber of Deputies was discussing in 2013 a government proposal for **an amendment to Act No 553/1991 on municipal police**⁶⁶, and other related acts. The proposal was drafted by the MoI on the basis of the analytical paper titled „Analysis of possible improvements to the effectiveness of the system of protection of

⁶⁶ The draft amendment to the Act on municipal police was **withdrawn by the government in second reading** due to major opinion divergences among members of the Chamber of Deputies of the Czech Parliament. According to comments expressed by the members of the Security Committee of the Chamber of Deputies it could be expected that there were to be a large number of comments and amendments to the proposal, which would go beyond the original proposal's framework and potentially complicate the implementation of the existing policy approaches of the MoI as regards security and public order issues at local level.

public order and security at local level and the mutual relation of the Czech Police and local autonomous administration“, a document adopted by the government in July 2011. The amendment was supposed to introduce changes consisting in a more precise definition of existing provisions of the Act on municipal police, as well as to reflect experience that had been gained in practice. The changes should have included, among other things, the possibility to conclude public-law contracts in the area of municipal police, more precise definitions of municipal police officers' status and their powers, more stringent conditions regarding clean criminal record and reliability, as well as sanctions for administrative offences in accordance with the law on municipal police. Other changes were meant to be made in definitions of the misdemeanours that the municipal police can deal with by way of on-the-spot fine and strengthening of the instrument of

the so-called coordination agreement pursuant to the law on Police of the Czech Republic.

The **SMO** considers that the following measures would contribute to better security in Czech towns and municipalities:

- Implementation of MoI crime prevention projects: particularly the use of crime prevention assistants that work closely with the socially excluded;
- Municipal camera surveillance systems that help to prevent and detect offences;
- Amendment to the misdemeanours act that would introduce the possibility to ban, under specified conditions, offenders from the municipal territory, particularly in case of repeated offences.

(See also tables and graphics on p. 11.)

2.2 Trends in various crime categories and analysis of particular issues in the area of internal security and public order

2.2.1 Property crime

Crimes established:
209 351 (+14 381, +7.4%)

Crimes cleared-up:
43 765 (+3 466, +8.6%)
Clear-up rate: 20.9% (+0.2%)

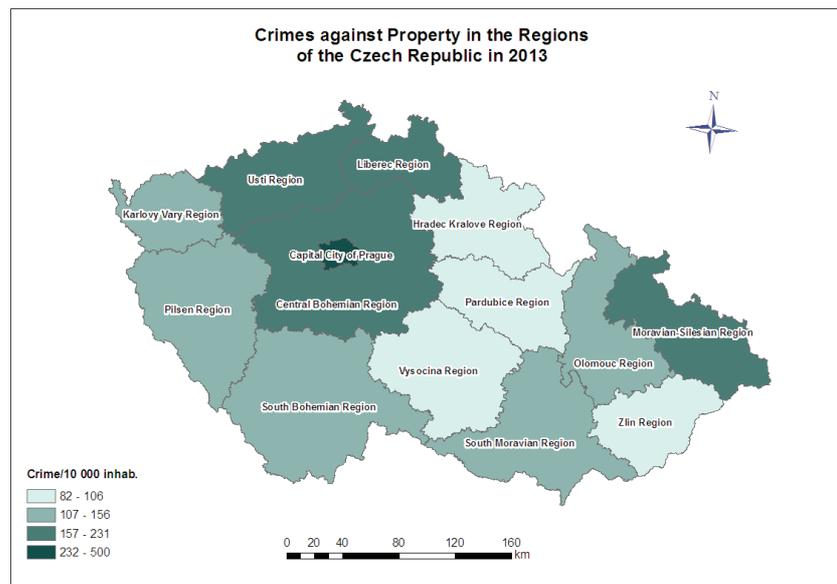
Number of prosecuted and investigated persons:
36 384 (+839, +2.4%)

In total, 209 351 (+14 381, +7.4%) property crime were established in 2013, out of them 43 765 (+3 466, +8.6%) were clarified. The clear-up rate stayed above 20% and reached the second highest level since the last ten years. However, between 1995 and 2001 it was reaching at least 26%.

On a year-on-year basis, the amount of property crime increased for the first time since 2008, similarly as total crime, which has for long been composed of property crime by more than 60%. As mentioned above, the increase in

property crime was influenced by the presidential general amnesty.

The highest number of property crimes per 10 thousand inhabitants was recorded, as usually, in Prague (500), followed by Moravia-Silesia (231) and Ústecký region (222); traditionally, the lowest rate occurred in Zlínský region (82).



The number of established burglaries increased in 2013 (+12.3%), as well as the number of plain theft (+5.2%).

Shop burglaries (+16.3%)⁶⁷ and family house burglaries (+21.8%) increased most. As regards the so-called satellite villages on the city's outskirts, the number of burglaries stayed and type of crimes remained similar to those that have been recorded since 2009: primarily theft of cash, jewellery, paintings, antiques, consumer electronics and IT technology devices. The Czech Police managed to damp down this type of crime by detaining its perpetrators in the third quarter of 2013. Theft of motor vehicles from the affected houses kept rising.

Annually, there was also an increase in break-ins or burglaries to restaurants, apartments, week-end/summer houses and cash machines. The absolute figures show that the most dramatic increase was in the category of **burglaries or break-ins to unspecified premises**.⁶⁸ This type of crime is dangerous in spite of its seemingly low importance, since its large extent can function as accelerator of social tensions.

In the plain theft category, the bicycle theft has risen most (+25%), as well as theft of motor vehicles spare parts.

The long-lasting downward trend in **motor vehicle theft** stopped in 2013 and increased for the first time since 2003 (+3.2%). According to ÚOOZ, the Czech Republic continues to be perceived in other countries as a „stolen vehicles laundry machine“.⁶⁹

The number of **items stolen from cars** increased annually by **7.5%**, while it dropped by 44.2% between 2007 and 2012.

There was an annual increase in **theft of metals**, both in terms of number of offences and the volume of damage caused not only in the Czech Republic, but also in neighbouring

countries and across the EU. Theft of metal parts of railway and highway infrastructure, energy grids and telecommunication equipment are some of the most serious. The consequences of this crime can be tragic, particularly in the case of damage to the railway signalling equipment.⁷⁰

The crime related to international road transport decreased in 2013 – these are cases where the perpetrators pass off as operators of logistics companies and divert cargo instead of delivering it to its proper destination.

Measures (selection)

A **thorough operational focus of the Czech Police on the serial property crime** led to increased clear-up rates. Several organized groups operating across the country were detected in 2013.⁷¹

The crime prevention programme **Safe locality** continued in 2013⁷². It offers information to citizens on securing their property, principles of safe behaviour, etc. Further, it provides contacts to police preventive units and advisory centres, including information on house security systems and specialized companies that follow the ethical code and adhere to the European standards. The programme puts together the expertise of MoI and the Czech Police, Technical Security Services Association - Grémium Alarm, Czech Insurance Association, municipal police and other stakeholders dealing with the protection of persons and property. Its objective is to improve security in vulnerable localities and housing blocks. The project also strives to integrate the security standards to the new house projects designs and renovations. The general objective of the project should lead to better security and contribute to the collaboration between the public, police, local councils and owners of apartment houses.

⁶⁷ In 2013 the Czech Police cleared up 33.1% more shop burglaries than in 2012.

⁶⁸ E.g.: cellars, garages, workshops, barns, sheds, garden gazebos, backyards, gardens, etc.

⁶⁹ An international investigation group started working at the turn of 2012 and 2013 (based on the international agreement on the establishment of a joint investigation team pursuant to § 442 of the Criminal Procedure Code); the group is composed of representatives of the Czech Republic, Austria and Germany. The team continues its activities; it successfully worked on luxury car-theft cases in Western Europe and subsequent legalisation of the vehicles in the Czech Republic. The suspects, primarily of Bulgarian and Ukrainian nationality, organized their activities from the Czech territory.

⁷⁰ The most stolen metals from the railway infrastructure are non-ferrous metals, usually cables, transformers, and electric points heaters. Other parts of the infrastructure are also affected, e.g.: rails, sleepers, etc.

⁷¹ For instance, a Slovak group that specialized in burglaries in retirement homes and social care establishments whose primary interest was cash deposited in safes and cash boxes. The activities of perpetrators specializing in jeweller's shop burglaries were somewhat weakened thanks to the country-wide operation **GOLD**.

⁷² Based on the lessons learned from the implementation of the project the Crime Prevention Department of MoI has drawn up a handbook titled „Safe Housing – Safe Locality“. The handbook is available on the internet.

Act No 255/2012 on inspection and checks entered into force on January 1st 2014 (**inspection code**). Thorough inspections are supposed to limit the illegal buy-ins of metals, and, as a consequence, the level of theft as such.

The Ministry of Culture continued with the implementation of its **integrated system for the protection of moveable cultural heritage**. A total of CZK 15 328 967 was made available for security measures in premises, in which

moveable cultural heritage items are deposited. Seventy buildings were secured thanks to this financial allocation.

The Ministry of Culture, in collaboration with the National Heritage Institute, monitors the illicit exports and movements of Czech cultural heritage items abroad.

(See also tables and graphics on p. 21, further measures see Chapter 3.2 Prevention of Crime.)

2.2.2 Economic crime

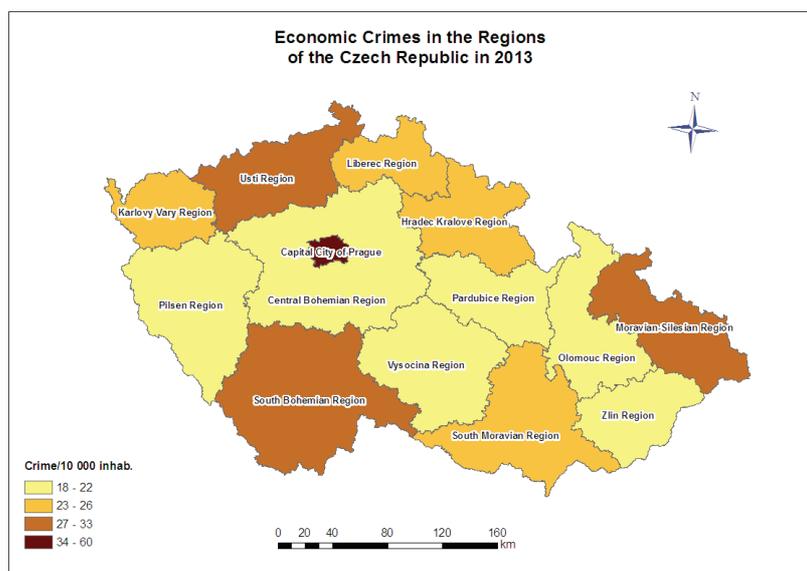
Crimes established:
30 376 (+2743, +9.9%)

Crimes cleared up:
15 857 (+2610, +19.70%)

Clear-up rate: 52.20 % (+4.27%).

Number of prosecuted and investigated persons:
15 247 (+2037, +15.4%)

Damage established: CZK 19.6 billion (CZK -4.6 billion)



There was quite a significant increase in economic crime in 2013 (+9.9%), while the number of detected perpetrators increased even more (+15.4 %).

Like the property crime, the economic crime tends to concentrate in large cities, mainly in Prague, which accounted for 24.5% of total economic crime established in the Czech Republic.

Although the economic crime has for long represented roughly one tenth of total crime, it takes **a decisive share of the total material damage: 67.4%** in 2013, 70.5% in 2012.

Total damage caused by economic crime amounted to **CZK 19,6 billion** in 2013 (-4,6 billion, -18.9%). Most of the damage was caused by the following crimes:

- **Tax evasion** (CZK 6,8 billion: 34.9% share of total damage caused by economic crime);
- **Fraud** (CZK 3,9 billion: 20% share);

- Breach of duty when administering else's property (CZK 2,4 billion: 12.4% share).

In total, 30 376 economic criminal acts were established **in 2013** (+2743, +9.9%), 15 857 (+2610, +19.7%) were cleared up directly. The clear-up rate rose to 52.2% (+4,3% compared to 2012).

In terms of quantity, most common economic crimes, aside from unauthorised holding of a payment means (8272), were fraud (4998), credit fraud (4936) and embezzlement (2531).

The annual increase was mainly due to the following crimes:

- **Credit fraud**⁷³ (4936, +1811, +58%),

⁷³ The Czech Police holds the view that **the main driver behind the increase of the tax fraud is** a worse economic situation of the country and a higher level of citizens' indebtedness. The volume of damage is bigger, since more credits had been granted, particularly by the non-banking sector.

the amount of damage rose significantly to CZK 2,42 billion (+1,36 billion, + 127.5%);

- Fraud (4998, +635, +14.6%);
- Unauthorised holding of a payment means (8272, +428, +5.5%);

Insurance related fraud remained stagnant in 2013 (0.3%).

The Supreme Public Prosecutor's Office notes that in the area of **economic crime** there have been more cases of damage to the financial interests of the EU.

Most considerable drop in criminal activity was reported for counterfeiting (-418, -20.5%)

Serious economic crime

Most of the organized crime structures monitored by the police were focussing on economic crime in 2013.⁷⁴

Tax-related crime⁷⁵ is causing most harm. In 2013, it consisted primarily in evading the VAT and excise duties on mineral oils. The number of so-called carousel frauds has been on the rise in recent years, it concerns various commodities (usually high-value goods that are easy to handle, e.g. pills, PC components, cell phones, but also goods and services that are difficult to gauge or record: iron scrap, concrete steel, timber, etc.). This crime shows international features and the damage caused goes to billions of CZK.

Current statistics show that a typical perpetrator of a credit fraud is a **jobless person, pensioner** or a disabled person, and the amount of credit does usually not exceed five or ten thousand CZK (EUR 180 to 370). However, the perpetrator takes more credits, up to four, from different providers in order to pay off a previous credit from the first two and cover all his necessary expenses (energies, water, etc.). In order to get a credit, the person usually submits false information on his/her employment status and income and, subsequently, does not pay back the loan.

The same modus operandi is used in the case of household consumer credits.

Other group of perpetrators is made up by **individuals who get credit in the order of hundreds of millions of CZK thanks to false or stolen documents** (falsified tax declarations, yearly business turnover declaration, etc.). This is a very sophisticated kind of fraud.

⁷⁴ More details in Chapter 2.2.7. Organized crime.

⁷⁵ The Czech Police (ÚOKFK) estimates a great latency rate for this particular offence: 30 to 50%.

Thanks to the vision of huge profit the perpetrators do not hesitate to put citizen's lives in danger – as demonstrated by the Methanol case, which was reflected also in the field of tax crime due to the massive evasion of tax on alcohol.

Tax fraud and its impacts in the Czech Republic can be characterized as follows:

- Huge financial loss of public finance, yearly tax evasion is estimated at hundreds of billions of CZK⁷⁶;
- It does not have only primary negative impact (loss of public finance), but secondly, it deforms the business climate and, in some sectors, actually destroys any real competition in some market segments (according to ÚOKFK such segments could currently include consumer electronics, concrete steel, foodstuffs, etc.);
- It is difficult to prove, this goes particularly for the so-called „dead“ cases, where there are no ongoing fraudulent transactions and these have to be tracked back several years;
- Many forms of tax evasion have not been completely revealed and new forms are emerging, which react to changes in the legal framework and inspection procedures of the tax administration bodies, as well as police capability to detect and prove them;
- Given the large profits and involvement of organized crime there is a risk of penetration of criminal structures into state administration, judicial sector and police and political parties;
- Risk of further links to organized crime abroad;
- Other serious forms of crime are tied to tax crime (corruption, blackmail, murders, etc.).

Financial crime comes second in terms of the damage caused. This includes a large variety of fraud aiming at wheedling cash or other form of personal benefit out of public institutions, private legal persons (mainly banks and investment companies), but also out of private individuals.

Financial criminality include cases of fraudulent use of state (EU) subsidies, unemployment and other social allocations or

⁷⁶ It is estimated that due to tax evasion the Czech Republic is yearly deprived of some CZK 150 to 230 billion. This estimate is shared by European Commission and Czech experts.

This is a global issue. The G20 leaders supported the introduction of new tax rules at the St. Petersburg summit in 2013. The new rules are supposed to prevent the sheltering of cash in tax heavens and force companies to tax their profits in countries where they are established and were their profits are generated.

amounts allocated for the mitigation of natural disasters. Rugged and usually overpriced public contracts are a specific area of the financial criminality.

The ÚOKFK opened in 2013 ten new cases that concerned suspicions of abuse of EU funds (offence of fraud against the **financial interest of the EU**).

Legalisation of proceeds of crime (masking the origin of the item in question, i.e. „**money laundering**“) is still a huge problem worldwide that destabilises legal economy. Electronic transactions have increasingly been used to this purpose.

Ministry of Finance – Financial Analysis Unit (FAÚ)

The Financial Analysis Unit (FAÚ) has seen its results increase further in 2013 – the unit received 2721 (+530) notifications of suspicious trade or transactions.

Out of the investigations carried out, a total of 547 (+118) resulted in **notification to criminal proceedings bodies**. Total amount of financial means detained reached CZK 3004 million (CZK +1999 million).

The volume of suspicious transactions related to tax evasion has shown a steady increase, particularly VAT-related fraud, often with the involvement of foreign entities, or as the case may be, avoiding the payment of income tax. Increase has been recorded particularly in the case of suspicions of bankruptcy-related offences.

In recent years the FAÚ has detected a number of internet frauds, both in the form of fake advertisements and fraudulent e-shops. Neither the number of phishing attacks against bank accounts has decreased; in the past the Czech Republic would be used as a transit country to which the financial means thus obtained were channelled from bank accounts in Western Europe by means of „uninformed“ person (obtained e.g. by way of an advertisements promising a „job“ in the form of financial consultancy) and then transferred to countries east of the Czech Republic. The novelty consists in the fact that even Czech clients' bank accounts in banks located in CZ are now targeted by phishing attacks.

Suspicious transactions with new currencies, such as investments of criminal proceeds to Bitcoins, have recently been detected.

Financial Directorate General

The year 2013 has seen the introduction of a new controlling policy regarding inspections across the whole financial administration. The main driver behind this step was to create conditions for direct management, particularly as regards transferring information in operations that require rapid action.

The merits of the new management policy were demonstrated in the organization and execution of checks-and-distrain actions, which, by definition, require a centralized organization. Another advantage of the new policy was clearly visible when fulfilling financial administration missions in the area of relevant regulations on fuels and spirits in order to curb tax evasions related to these commodities. The third significant component of the centralized coordination of inspection activity were the collection, analysis, coordination of intermediate tax proceedings and cooperation with the Czech Police across the country in selected cases of entities involved in carrousel transactions.

The fight against tax evasion was helped by some of the amendments to the VAT law that were introduced in 2013. New concepts were introduced, e.g. unreliable taxpayer, liabilities for payments directed to unnotified accounts, accounts abroad, and other related changes, as the case may be. These changes responded to the most serious forms of tax fraud, but at the same time put an increased pressure on the administration, particularly as regards searches and the checking activities as a whole. The higher number of detected carrousel transactions is reflected in the increased workload vis-a-vis the criminal proceedings bodies.

The positive shift in cooperation and professional information sharing can clearly be seen in areas that require periodic coordination meetings of tax administration representatives, competent public prosecutor's office, the Czech Police and customs. Such meetings provide the opportunity to clarify particular aspects of mutual co-operation in criminal proceedings, while respecting the relevant provisions of Act No 280/2009, tax code.

The absolute majority of notified criminal offences concerned tax evasion and related offences pursuant to § 240 of the criminal code.

A problem that persists is the large percentage of postponed cases – this can, to some extent, be ascribed to the fact that most cases are

notified only after the tax proceedings have ended. Most of the tax evasion cases are postponed due to the impossibility to prove intention. Apart from that, the prosecution is increasingly terminated because the tax due has been paid or the person in question has shown certain regret – this happens with reference to the Constitutional Court ruling ref. IV. ÚS 3093/08 and to the Supreme Administrative Court judgement in the case ref. 8 Tdo 1452/2009.

The reintroduction to the legal framework of the criminal offence of preparation of tax evasion has proved very useful in the fight against this type of crime.

A total of 1291 submissions were transferred to prosecution authorities, which is 420 less than in 2012. It is also the lowest number of submissions since 2009 (see the table below for details). Total damage resulting from these submissions was CZK 4885 million in 2013, which is CZK 4482 million less than in 2012, and again, the least since 2009. This situation is mainly due to early reaction of the tax administration, which managed, by protective orders and check-and-enforcement actions, to detect and eliminate tax evasion prior to the submission of tax returns, that is at the stage of preparation of the criminal offence of evading taxes, duties and similar mandatory payments, which however is not punishable since 2010.

Submission transferred to prosecution authorities

(Number of cases)

Criminal offence	2012	2013	Variation 13-12
Tax reduction	1 555	1 162	-393
Other	156	129	-27
Total	1 711	1 291	-420

(CZK million)

Criminal offence	2012	2013	Variation 13-12
Tax reduction	9 367	4 885	-4 482
Other	80	93	+13
Total	9 447	4 978	-4 469

The Customs Administration of the Czech Republic

In 2013 the customs administration established the following:

- **Mineral oils:** 316 (+22) cases of failure to comply with customs legislation. The

customs evasion amounted to about CZK 270 (-853) million. Annually, there were more cases, but the amount of established customs and tax evasions decreased.

- **Tobacco and tobacco products:** 740 (+419) cases of failure to comply with customs legislation. The customs and tax evasion amounted to about CZK 458 (-195) million.
- **Alcohol and alcoholic products:** 773 (-255) cases of failure to comply with customs legislation. The customs and tax evasion can be quantified to about CZK 16 million.

The situation at the illegal market in alcohol and spirits in the Czech Republic in 2013 continued to be heavily influenced by the so-called „Methanol scandal“.

(See also tables and graphics, p. 22–23.)

Measures

As a consequence of the „Methanol scandal“ a series of legislative and other measures have been proposed, which can be useful in the fight against crime and tax evasion.⁷⁷

For the sake of specialisation the amendment to Decree No 23/1994 on the rules of procedure of the public prosecutor and Decree No 4/2014 provided for the extension of chief public prosecutors' competence to include supervision of legality in pre-trial proceedings concerning criminal offences of shareholding pursuant to § 214 of the Criminal Code, shareholding negligence pursuant to § 215 Criminal Code, legalisation of the proceeds of crime pursuant to § 216 and legalisation of the proceeds of crime by negligence pursuant to § 217 of the Criminal Code in cases where the predicative criminal offence is one of the crimes supervised by public prosecutor belonging to the Chief public prosecutor's office.

The ÚOKFK set out itself the following priorities for 2013:

⁷⁷ The Act No 307/2013 on the compulsory labelling of alcohol came into effect on December 1st 2013. It aims, in particular, to prevent illegal production of alcohol and to ensure that alcohol is handled in accordance with the applicable legislation, thereby reducing the possibility of tax and customs evasion and to ensure the necessary protection for consumers of alcohol.

- The fight against corruption in public procurement (elected and appointed representatives);
- The issue of misuse of public contracts in the fields of construction, roads and motorways;
- A thorough sanctioning of tax evasion related to fuels (excise duties and VAT);
- Protecting the economic interests of the European Union;
- Search and seizure of the proceeds of crime;
- The quality and speed of criminal proceedings.

In 2013, the ÚOKFK (Czech Police) seized a record amount of assets: CZK **5 397 578 826** (CZK 2 761 193 279 in 2012). The largest amounts were in the form of cash secured on bank accounts, total of CZK 3 163 647 013 in the case of „Metropolitní spořitelní družstvo“. Cancellation of seized funds occurred in eight cases, in the amount of CZK 363 030 211. Total amount of criminal assets seized as of 31 December 2013 by the Czech Police was CZK **8 511 347 791**. The ÚOKFK SKPV had thus a 63.4% share of total assets seized by the Czech Police. The seizures of criminal assets are closely linked to the so-called financial investigation. The introduction of central register of bank accounts would considerably speed up the

2.2.2.1 Intellectual property (IPR)

In 2013, for a fourth time in a row, the Czech Republic has not been placed by the US government on the list of countries that tolerate IPR infringements. Listings are based on the assessments by the Office of the US Trade Representative (Special 301 Report – so-called Watch List).

The year 2013 saw the continuation of the decline in the importance of marketplaces, especially those located in border areas. The sales of fake goods in stalls all but disappeared. In contrast, the significance of the **internet-based crime** has been growing steadily and in many different forms (dissemination of both tangible and intangible assets) and recently also via social networks. This makes the checks more difficult, since the illicit activities are carried out from anonymous servers located outside the EU territory or by way of closed groups on social networks.

process of financial investigation and cut the cost thereof.

The ÚOKFK international cooperation

The ÚOKFK is involved, *inter alia*, in the following international networks:

- **CARIN** (international information network bringing together the bodies working on an informal basis for institutions involved in the seizures of the proceeds of crime).
- **AMON** – its purpose is to exchange experience and best practices in combating the legalisation of the proceeds of crime.
- **StAR Focal Point Initiative** – managed by Interpol, non-EU countries are also members. The network aims at exchanging and sharing information on corruption and proceeds of crime, in particular bribery.

Back in 2010 the ÚOKFK proposed a project called „**Better practices in the fight against financial and economic crime**“. The project is financed out of the Swiss funds with a total budget of CZK 13,3 million. The implementation of the project was scheduled for the beginning of 2014.

The internet is used as a means of facilitating crime against intellectual property rights, particularly as regards copyright infringements. When comparing the results of 2013 with those of 2012 the statistical indicators show that there has been a slight increase in offences detected and abuses of trademark and other infringements of the competition rules. A decrease was recorded in the number of offences detected and persons prosecuted concerned the copyright infringements, rights related to copyright and rights to databases and protected industrial rights. The damage caused has increased for all types of offences.

In 2013, the customs seized 1 738 645 items⁷⁸ whose sale would have caused damage to

⁷⁸ Textile and footwear were the most commonly seized goods, all kinds of medicines including steroids and contraceptives, labels, tags, stickers, packaging material,

the intellectual property owners of around CZK 1,7 billion. Compared to 2012 there was a decline in both quantity and value of the goods detained.

Fake products continue to enter the market, some of them can be harmful for the final consumer and even life-threatening in some cases.⁷⁹

The Ministry of Industry and Trade continued in 2013 to run the **Inter-ministerial commission for combating infringements of intellectual property rights**. An updated „Operational programme“ for the years 2013–2014 aims at enhancing collaboration across the state administration, co-operation with right-holders, online infringements, prevention and training and the legal framework.

A new working group for the application of copyright in the digital environment was set up as part of the implementing process of an updated state policy for electronic communications (so-called „**Digital Czech 2.0**“).

The Czech Trade Inspection Authority (ČOI) continued in 2013 to check compliance with the prohibition on the use of misleading commercial practices.⁸⁰ Number of compliance-monitoring inspections rose annually to 1946 (+304). The number of infringements established increased to 614 (+62). A total of 25 486 (-23 472) products were seized, in total value of CZK 44,3 million (-78,6 million). The number of products seized has been going down since 2011 (86 417 items seized).

The largest part was made up by textile (10 664 pieces), followed by audio-visual media and PC games (5233 items). The inspections were often carried out in collaboration with other bodies, primarily the customs administration and the Czech Police.

toys, etc. As regards the internal market, most frequent items were again textiles, footwear, CDs and DVDs. Apart from that, more cosmetics were seized (shampoos, laundry powders, etc.) as well as glass products.

⁷⁹ These are primarily fake medicines. Other items include foodstuffs, cosmetics and household products, toys, automotive spare parts, but also cell phones and other electronics.

⁸⁰ As defined in § 5(2) of Act No 634/1992 on consumer protection.

Measures against consumer fraud

The Czech Trade Inspection Authority (ČOI) carried out a total of 319 (+64) inspections in the area of consumer loans in 2013. Infringements of Act No 145/2010 on consumer loans were found during 153 (+44) inspections.

The overall improvement of the situation on the market with consumer loans can be expected after more stringent conditions for credit companies and extension of supervisory scope will have been introduced.

Measures to prevent illegal sales of alcoholic beverages

The ČOI carried out 5657 inspections in total. It found 1501 infringements of relevant regulations.

Act No 634/1992 on consumer protection has been the most violated piece of legislation. Apart from that there were five infringements of Act No 307/2013 on compulsory labelling of alcohol.

As a result of an amendment to the law on compulsory labelling of alcohol the ČOI is now also authorised to carry out checks of compliance in relation to alcohol handling and labelling in the case it finds infringements when carrying out tasks within its scope of competence.

The customs authorities took part in 2013 in the European **joint customs operation OPSON III** that focused on poor-quality and fake foodstuffs and beverages.

In the framework of this operation a total of 932 inspections were made, with 129 suspicions of infringements in the area of excise duty and compulsory labelling of alcohol established (Act No 353/2003 on excise duties and Act No 307/2013 on compulsory labelling of alcohol).

The **Industrial Property Office** continued to run the inter-ministerial **information system for IPR enforcement** – (www.dusevni.vlastnictvi.cz) – and issued opinions and studies on the state of play in the field of IPR in the Czech Republic, outputs that were used by the Czech Police for the purpose of criminal proceedings. The Industrial Property

2.2.2.2 Environmental crime

From the **Czech Police standpoint** the situation concerning the environmental crime has for long remained stable.

The only exception is the **increase of trade in protected species** pursuant to § 299 of the Criminal Code: **41 cases (+25, +156%)** were detected in 2013.

Illegal trade in endangered species of fauna and flora

The trade in endangered species is covered by the **CITES international convention**, binding for the Czech Republic, EU regulations and Act No 100/2004 on the protection of species of wild fauna and flora (law on trade in endangered species).

The **Ministry of the Environment** states that due to lack of personnel (that occurred as a consequence of budgetary cuts in the economic and financial crisis) it is currently not possible to meet all the requirements of the international convention nor the EU requirements and the effectiveness of illegal trade sanctioning continues to be low, since it is not perceived as a serious type of crime.

However, the environmental crime receives a lot of attention worldwide (e.g. Interpol included it to its 2011–2013 strategic plan).

The environmental crime can only be addressed by specialised action, not just by a generic approach. This is still not the case in the Czech Republic. There are no specialised staff to cover this issue at relevant institutions.

As regards current trends in the illicit trade in endangered species, the so-called **pseudo hunting** has become a global issue.⁸¹ The Czech

Office organized a series of workshops on compliance and enforcement of IPRs, which catered primarily to the needs of the customs authorities and hands-on searches in industrial rights databases.

customs Administration together with the Czech Police and the Czech Environmental Inspectorate (ČIŽP) managed in 2013 to reveal one such organized criminal group – in total, 24 rhino horns were seized in the operation RHINO, their value was estimated to CZK 100 million.

Several cases of trade with tigers were recorded. The tigers' bones of unknown origin (roughly worked complete skeletons) were shipped illegally from the Czech Republic to Vietnam.

There was one case of successful detection of illicit trade in rare species of psittaciformes – after three years the perpetrators were finally sentenced. The ČIŽP and the Customs Administration received recognition from the CITES Secretariat for this operation.

The Czech Customs dealt with 105 infringement cases related to CITES in 2013.

Air pollution

Illegal burning of household waste in domestic firing installations is a serious problem, as well as incorrect operation of domestic fossil fuels installations. Citizens are thus exposed to pollution resulting from the incomplete combustion and from burning of toxic materials. The extent of this phenomenon in the Czech Republic is so huge that the Ministry of the Environment is of the view that it can be considered as public danger, which causes material as well as health damage.

Transport emissions are much more serious threat to life than road accidents whose death toll is significantly lower.

The Ministry of the Environment undertakes various initiatives to remedy this situation and promotes cleaner mobility, for instance the

⁸¹ International organized criminal groups hire individuals (primarily experienced hunters) for whom they pay a complete trip to Africa, where they legally hunt animals for legal export to Europe as hunting trophy. The issue is

that after arrival the trophy is sold or given to the organizers of this criminal activity.

support to more wide-spread use of compressed natural gas (CNG) and electricity in transport.

Waste management

No significant case of illegal cross-border transport of waste to the Czech Republic was recorded in 2013⁸².

As regards the management of waste produced in the Czech Republic the Czech Environmental Inspectorate filed five criminal complaints.⁸³

Forest protection

The year 2013 brought new legislative measures, which regulate handling of illicitly obtained wood; this should impact positively on further development of crime in this field. There has nonetheless been an increase in the number of cases handled by the Czech Police.

Illegal logging has hit its highest point between 2012 and 2013. The cause of this trend can be seen in the higher price of wood, and higher professionalism and agility of individuals and legal persons involved in this activity. The scale of their operations spreads from the regional level to country-wide activities, including recent signs of threats to ČIŽP inspectors.

Poaching, illegal hunt and deliberate poisoning of wild animals

Poaching and illegal hunting or other killing of wild fauna has long been a major problem. The Czech Police only rarely manages to clear up such cases (not a single case of poisoning has been cleared up until now).

As regards the crime of poaching pursuant to § 304 of the Criminal Code the Czech Police has for long considered the situation unsatisfactory.

⁸² The illegal transports of waste from Germany, happening between 2004–2006, do not continue any longer.

⁸³ A new trend has been reported (three out of five criminal cases lodged), whereby businesses that carry out demolition works in former industrial sites receive legal financial amounts from the investors, but have another source of income later on when selling the material obtained during the works (primarily metals). All other remaining waste, including large quantities of dangerous waste, is then left on the site without proper safety and security measures to prevent leakage to the environment. The subsequent removal of this waste and recovery of the site can require substantial financial amounts. Since the companies responsible for this sorry situation often cease to exist right after the demolition work, there is a risk that the subsequent disposal of contaminated waste shall be borne by the State.

Due to the requirement of causing significant damage the infringements in this area are often treated as misdemeanours, although the perpetrators can deliberately be organized in groups, use fire arms and engage in forbidden types of hunting. The number of cases handled by the police has increased by almost a fifth in the reporting period.

Measures

The Ministry of the Environment strives to ensure better co-operation of all stakeholders (Czech Police, Czech Environmental Inspectorate, State Institute for Supervising and Testing in Agriculture, State Veterinary Administration, NGOs – ČSO, Czech-Moravian Hunters Union) and better effectiveness in handling of the detected cases (workshops, trainings, etc.).

The Czech Police has a methodology for investigation of this type of crime, which is continuously updated and amended.

Legislative measures:

- Act No 169/2013 on the amendment of **Act No 185/2001 on waste**.
The amendment has introduced changes in the area of inspections of cross-border waste transport, which aims at better law enforcement by the Czech customs;
- Act No 25/2008 on the integrated registry of environmental pollution and integrated system of fulfilling the environmental notification obligations;
- Act No 56/2001 on road traffic.

The Ministry of the Environment in collaboration with other departments is drafting a proposal of a law that would regulate the transport of car wrecks and reuse of spare parts. It is expected that the regulation will contribute to reducing car-related crime.

2.2.3 Corruption

In 2013 the Czech Republic held 57th place in the global ranking of perceived level of corruption⁸⁴ (set up annually by Transparency International) with 48 points, same result as e.g. Bahrain and Namibia. Year-on-year, the country sank by 3 places. Within the European Union the Czech Republic was placed among countries with a lower coefficient of public sector transparency; among 31 Western European countries (EU countries + Norway, Switzerland and Island) the Czech Republic comes only 25th.

Corruption in the public sector was also the subject of a survey known as „**Global Corruption Barometer 2013**“, carried out also by Transparency International.⁸⁵

On the other hand, the activities of law enforcement authorities can be considered as positive. The Czech Police scored some considerable successes in revealing corruption cases in 2013, although statistically the number of detected offences decreased slightly. In 2013 a total of 282 (-10) bribery offences were detected (pursuant to § 331–333 of the Criminal Code), followed by 213 (+6) abuse of power on the part of an official (§ 329 Criminal Code) and 13 cases (-7) of obstruction of official duties through negligence (§ 330 Criminal Code).

⁸⁴ Corruption perception index (CPI) ranks countries by the level of perceived corruption in the public sector, using a scale of 0–100, where 100 indicates a country almost free of corruption. This year's index evaluates 177 countries. The least corrupt countries in the world traditionally include Denmark, Finland and New Zealand.

⁸⁵ According to the published results, corruption as a serious or very serious problem is considered by 83% of respondents and 57% think corruption increased in the last two years. The survey shows that the Czechs consider political parties as the most corrupt (identified as corrupt by 73% of respondents), closely followed by public administration officials. 15% of respondents acknowledged to have had experience with bribery in the public sector. Most bribes within the public sector were provided in health care (15%).

The survey also showed that 55% of Czech respondents would report a corruption case, while almost half of the respondents stated that nothing would have happened or changed, so there was no point in reporting corruption. Fear of the consequences of such notification was admitted by 23% of respondents. More information on Global Corruption Barometer, methodology, country-specific data and results from previous years are available on the website of Transparency International.

The ÚOOZ (anti-organized crime unit of the Czech Police) has observed in 2013 that the **significance of corruption as one of the most important factors fostering organized crime has increased further**. Investigations carried out in 2013 confirmed that criminal structures have increasingly infiltrated the public administration through corruption. Low transparency of public contract awarding procedures and public subsidies to private entities remain the key drivers of corruption.

The Security Intelligence Agency (BIS) has monitored corruption particularly in the context of public bodies' dysfunction. Corruption went hand in hand with undermining the legality and legitimacy of exercise of public authority, which consisted, inter alia, in attempts by different interest groups to exercise and strengthen their influence on the central and local institutions. To achieve their goals they were using their contact points within the administration, but first of all legislative shortcomings of certain bits of the Czech legal framework.

Main causes of poor public administration performance are seen by the BIS in opaque decision-making processes and trade relationships, low accountability of officials, outsourcing and in the lack of coordination within the public sector.

In 2013 the anti-corruption policy was implemented on the basis of a new document titled „**From corruption to Integrity – Government Strategy to combat corruption for the years 2013 to 2014**“, adopted by government resolution No 39 of 16 January 2013 (hereinafter the „Strategy“). The document builds on the „Government Strategy to Combat Corruption for the years 2011 and 2012“ and is composed of analytical and strategic part.

The analytical part, drafted by the Cabinet Office in collaboration with Transparency International, is composed of three sections:

- Perception of corruption,
- Qualitative analysis of economic context of corruption,
- Detection and investigation of corruption.

Systemic corruption aimed at misuse of public funds is considered as the main issue of the fight against corruption.

The strategic part sets out **basic strategic guidelines**⁸⁶ and **10 priority tasks**:

- (1) Law on civil servants (anti-corruption effect: clear definition of officials' fundamental obligations; de-politicisation of public administration; reduced the risk of corruption among public administration officials);
- (2) Law on conflict of interest (anti-corruption effect: better transparency as regards financial and property relations of public officials);
- (3) Freedom of information act (anti-corruption effect: faster and easier public access to information, increased public scrutiny of the decision-making of public authorities, easier identification of suspected corruption cases, when financial and property assets of an official do not correspond to his/her earnings);
- (4) disclosure of owners (anti-corruption effect: transparency of legal relations involving a public body on one side and a private entity tendering for a contract on the other);
- (5) Protection of whistle-blowers (anti-corruption effect: increased protection of people reporting crimes),
- (6) Financial control and audit (anti-corruption effect: better enforcement of the law on financial

⁸⁶

- Professionalisation of the public administration (e.g. law on civil servants in order to reduce the influence of political parties on the running of ministries and other bodies);
- Management of public property (e.g. through public availability of contracts for the sake of better control of the use of public funds);
- Strengthening of anti-corruption instruments in the private sector (e.g. disclosure of end owners – tenderers in public contracts);
- Increasing the transparency of political parties (e.g. by making their accounts publicly available on websites);
- Investigation and prosecution of corruption (e.g. by establishing devoted public prosecutor's office to detect, investigate and prosecute corruption);
- Strengthening of anti-corruption culture in Czech society (e.g. by adopting a law on the protection of whistle-blowers offering them help and advice);
- Capacity-building for the monitoring of corruption (e.g. to set up a Programme to combat corruption that would strengthen the evidence base and support anti-corruption activities of NGOs and public institutions);
- Fostering public sector transparency (e.g. Freedom of information act and law on the conflict of interest).

control in public administration, improved control of financial management, improvements in quality of internal audit and ensuring of a full functional independence of internal audit);

- (7) Property policy of the state (anti-corruption effect: prevention of contracts, projects or other actions showing corruption features by state enterprises and companies owned by the state);
- (8) Strategy and methodology of public procurement (anti-corruption effect: transparency in the use of public funds, including their predictable allocation);
- (9) Law on public prosecution (anti-corruption effect: greater independence and responsibility of public prosecutors in criminal matters);
- (10) Anti-corruption programme (anti-corruption effect: systematic analysis of corruption in the Czech Republic).

The priority tasks are followed-up by 39 other tasks divided into five thematic chapters.⁸⁷

These and various other task were met with a varying degree of intensity throughout 2013; account was taken of the changes on the political scene, minor changes concerned postponement of some of the deadlines, benchmarks or leaving some decisions for the new government that emerged from parliamentary elections held in October 2013.

Measures

All relevant documents on the coordination of fight against corruption in the Czech Republic is available at: www.korupce.cz⁸⁸

⁸⁷

- Public administration (e.g. open data, e-Collection of law and e-Legislation);
- Public procurement (e.g. study the possibility of establishing a Public Investment Authority, fostering electronic way of public procurement);
- Law enforcement authorities (e.g. amendment to the Criminal Code – forfeiture of property, confiscation of assets);
- Education and training (primary and secondary education, training for civil servants, law enforcement authorities, customs officers, etc.);
- Other (e.g. study the possibility of establishing an Anti-corruption Agency, study the possibility of creating an information officer, ministerial anti-corruption programmes).

⁸⁸ Based on Government Resolution No. 39 of 16 January 2013 the following papers were submitted to the government in the course of 2013: „Information on the state of implementation of tasks set out in the Government Strategy

The Public Prosecutor's Office is of the view that to successfully combat corruption it is necessary to create a specialized department to prosecute this type of crime, as well as to adopt new law on public prosecution that would clearly define internal relations and rules to guarantee independence and responsibility in everyday decisions of public prosecutors, supervisory tasks, more detailed specification of competence of public prosecutor's office in preparatory proceedings or defining of the term in office of leading public prosecutors. The Supreme Public Prosecutor's Office in collaboration with the Ministry of the Interior prepared a draft of the new law on public prosecutor's offices, it has not been adopted in the legislation process as of yet.

Most important legislative measures

Legislative tasks set out already in the Government Strategy to combat Corruption for the years 2011 and 2012 included primarily the adopting of **Act No 134/2013 on certain measures to increase transparency of joint-stock companies and amendment of certain other acts**, which as of 1 July 2014 abolishes the so-called anonymous shares.

Another measure, adoption of **Act No 305/2013** on the amendment of Act No 46/2000 on rights and obligations in the issuance of periodic printed press and on the amendment of certain other acts, (print law), which as of 1 November 2013 introduced measures to prevent misuse of local councils' periodicals.

Other significant measures include: **ratification of the UN Convention against Corruption** (Mérida, 11 December 2003), which became binding for the Czech Republic on 29 December 2013 (see note of the Czech Ministry of Foreign Affairs No 105/2013), **ratification of the UN Convention against Transnational Organized Crime and the**

to fight corruption for the years 2013 and 2014: first quarter of 2013" and „Update of the Government Strategy to fight corruption for the years 2013 and 2014" (both documents were adopted by Government Resolution No. 381 of 22 May 2013), „Information on the state of the implementation of tasks set out in the Government Strategy to fight corruption for the years 2013 and 2014: 2nd and 3rd quarter of 2013" and „Update of the Government Strategy to fight corruption for the years 2013 and 2014" (both documents were adopted by the Government Resolution No 851 of 13 November 2013) and „Information on the state of the implementation of tasks set out in the Government Strategy to fight corruption for the years 2013 and 2014: updated information for the 4th quarter 2013", which was not submitted to the government, but published on: www.korupce.cz.

Protocols Thereto, which became binding for the Czech Republic on 24 October 2013 (published as No 75/2013), as well as consent with the accession of the Czech Republic to the **Convention on the fight against corruption involving officials of the European Communities or officials of Member States of the European Union** (Brussels, 26 May 1997) and to the **Convention on the protection of European Communities' financial interest** (Brussels, 26 July 1995), **Protocol to the Convention on the protection of European Communities' financial interest** (Dublin, 27 September 1996), **Second protocol to the Convention on the protection of European Communities' financial interest** (Brussels, 19 June 1997) and **Protocol on the interpretation, by way of preliminary rulings, by the Court of Justice of the European Communities of the Convention on the protection of the European Communities' financial interests** (Brussels, 29 November 1996), all acts in effect as of 15 January 2014.

Selection of most important non-legislative measures

As for the non-legislative tasks, one can highlight the obligation, as of 1 January 2014, to accompany legal documents with a **corruption risk assessment** (CIA – Corruption Impact Assessment), as well as the adoption of the **Framework internal anti-corruption programme**, as a basis on which the state administration bodies will have to ensure a standardized way of drafting their internal anti-corruption programmes, in order to take account of all existing anti-corruption documents of the government.

Another measure to be mentioned in the context of anti-corruption is, however, the **Czech Senate's legal measure No 341/2013** on the amendment of Act No 137/2006 on public procurement, which significantly **negates the anti-corruption measures adopted by the amendment to Act on public procurement No 55/2012**.

Other examples:

2.2.3. Transparent state budget: the Ministry of Finance has started to publish the state budget by chapters and headings and is working on a similar way of publishing of the state final accounts.

2.4.3. Publishing of sale and rental offers of state property: this task has been implemented on a continuous basis by all relevant state administration

bodies. The requested information is to be found on ministries' websites.

2.4.4. Measures to prevent corruption and cut the red tape in the immigration (visas) policy: the MFA has carried out an assessment of its existing procedures and subsequently adopted measures to make the monitoring of its visa departments' activities more efficient; an electronic visa application system became operational (VISAPOINT – see below) and training of staff was enhanced.

3.2.1. Methodology for small-scale public procurement: the document was prepared by the Ministry of Regional Development (MMR) and is available, since 2 October 2013, on www.mmr.cz.

3.2.2. Awarding of public contracts co-financed by the EU sources: the Ministry of Finance prepared methodology in order to foster compliance with the principles of effectiveness, efficiency and economy in the use of EU resources.

4.3.2. Tax secrecy: Based on an agreement between the Ministry of the Interior and the Ministry of Finance, the authorisation to break tax secrecy was extended to selected staff of the Czech Police regional directorates.

5.1.1. Education in schools: Ministry of Education, Youth and Sports has prepared an overview of information sources on the fight against corruption for secondary and high school teachers, this topic has been incorporated into the 8th –and- 9th year secondary school curricula.

Financial support to anti-corruption projects

In 2013 the vice-prime minister and chair of the Government Committee for the Coordination of the fight against corruption drafted a **Programme to support the fight against corruption**.⁸⁹

Every year the Ministry of the Interior issues a call within its **grant programme „Prevention of corrupt behaviour“** – the programme supports different projects of the NGOs that deal systematically with the issue in question by way of activities like: raising public awareness on the nature and risks linked to corruption, fostering anti-corruption stance of the society, creating advisory networks for citizens who came across corruption and want to take steps to prevent it in future, etc.

⁸⁹ The Programme was accompanied by a comprehensive report that sets out requirements for financing the implementation of selected tasks from the Strategy. An increase of financial allocation by CZK 68 918 840 from the MoI heading was approved by Government Resolution No 342 of 15 May 2013 for the financing of anti-corruption measures in 2013.

International cooperation

Open Government Partnership (OGP) is an international initiative of the US government, which aims to support openness, transparency and anti-corruption activities. The aim is to obtain specific commitments from the governments to foster budgetary transparency, increase citizens' participation, fight corruption and opt for more open, effective and accountable institutions.⁹⁰

Assessment of the implementation of the Action plan was carried out after the completion of 12-month implementation cycle in April 2013.⁹¹

The Czech Republic is a member of the **Group of States against Corruption (GRECO)** under the auspices of Council of Europe.⁹² In 2013 the GRECO adopted an evaluation report, in which it reproaches the Czech Republic once again for insufficient legal framework concerning the transparency of funding of political parties.

VISAPOINT – internet registration of applicants for residence permits

The purpose of the VISAPOINT is first of all to apply equal and fair access to all foreigners when the application is lodged. By default, the system automatically allocates dates for lodging of residence permit applications, without any intervention by the personnel of embassies or consulates of the Czech Republic or the MFA.

The VISAPOINT largely eliminates the activities of brokers around the Czech representations abroad and the external human involvement as possible sources of corruption. The system is currently used by 29 representative offices of the Czech Republic.

(See also tables and graphics, p. 24–25.)

⁹⁰ The government decided on the accession to the Open Government Partnership by way of its resolution No 691 of 14 September 2011.

⁹¹ The evaluation of the implementation in 2012 of the Czech Republic's action plan within the OGP and its update were approved by the Government Resolution No 477 of 19 June 2013. This resolution also contains the task to submit the 2013 evaluation of the action plan and submit it to the OGP Steering Committee by April 2014.

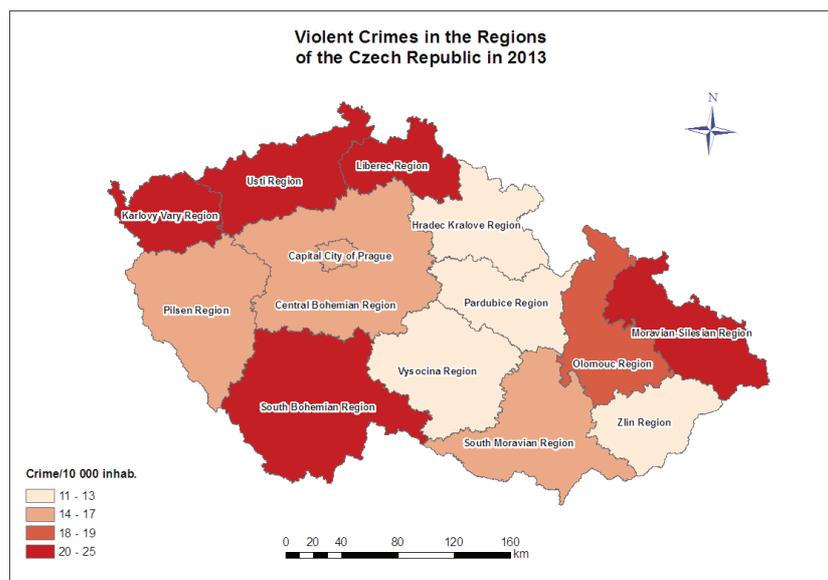
⁹² GRECO's primary task is to monitor the implementation of anti-corruption instruments of the Council of Europe member states, in particular the Criminal Law Convention against Corruption and Civil Law Convention against Corruption of the Council of Europe.

2.2.4 Violent crime

Crimes established:
18 689 (+331, +1.8%)

Crimes cleared up:
12 908 (+236, +1.9%)
Clear-up rate: 69.1%

Number of prosecuted and
investigated persons:
13 133 (-9, -0.1%)



On a year-on-year basis the violent crime has risen moderately in 2013 (+1.8%) – unlike vice, property, economic and other crime. There were 18 689 (+331) violent criminal offences established.⁹³

In terms of territorial distribution and after recalculation of violent crime per ten thousand inhabitants the most burdened region in 2013 was Ústecký (25), followed by Liberecký (24), while the inhabitants of Pardubický (11) and Královéhradecký region (12) were the least hit by violent crime.

Clearance rate has been the highest since 2007, 69.1% of established offences were cleared up.

The increase was mainly due to the offence of breach of domestic freedom (+14.1%) and dangerous threats (+5.7%).

The number of **murders** has declined to 182 acts (-3.2%), however, many of them involved **extreme brutality**.⁹⁴

⁹³ The ÚOOZ reports a **new crime pattern** that appeared in 2012. The perpetrators pick individuals living in the Czech Republic (mainly Czech nationals) who own moveable and primarily immovable assets, which they advertise on websites abroad. These sellers are then approached by so-called buyers backed by a fabricated foreign investor. Subsequently, they attempt to lure the seller out for a business trip abroad, where he is sequestered and tortured until the requested amount of cash is transferred to the offenders. The cash being transferred, the victims are killed while still abroad in some cases.

⁹⁴ E.g. on 16 March 2013 in Jihlava, three offenders aged 18 to 20 killed a 15-year-old girl after tens-of-minute-long torturing after the girl had been thrown out of a window from a 15-metre height.

One of the most alarming facts that have been observed for approximately the last three years is that a large number of murders were committed in a brutal way on elderly persons and proper parents⁹⁵ or grandparents. Moreover, in many cases the perpetrators are youth or teenagers. Most cases are motivated by the prospect of gaining cash to buy drugs, pay off debts or other financial liabilities. Once again, 2013 was characterised by a higher number of violent assaults on the elderly, socially vulnerable or homeless people.

Increased level of aggression and brutality is confirmed by the Supreme Public Prosecutor's Office too. The youth and the minors less than 15 years old take part in the violent crime as well.

The number of **robberies** felt to 2961 offences (-9.8%), while the number of robberies against financial institutions dropped by 32.3%. On the other hand there is an ongoing trend of street robberies whose offenders target lonely elderly pedestrians, mainly women and elderly persons, which they outnumber and outperform physically. The victim is often suddenly ambushed and, if he defends himself/herself, kicked down to the ground and robbed of cash, earrings, bracelets, chains, etc.

⁹⁵ The ÚSPK Unit of the Czech Police reports a case of murder that happened on 4 September 2013 in Prague: the offender (son), in order to obtain cash, attempted to kill his mother using a stabbing/cutting tool. The victim suffered a large number of stab-and-cut wounds on her head and upper limbs. The assault was carried out with extreme force and such intensity that the victim suffered comminuted fractures of the skull, both jaws and one arm.

The youth and minors can also be a fair game for the street robbers who, moreover, tend to act in bunches. They target payment cards, mobile phones and tiny jewellery.

Another typical easy target is gambling rooms or fuel stations with few customers and one-member staff.

There have been more robberies of cash-transporting security vehicles as of late. In some cases the offenders wear elements of police uniform, stop the vehicle or block it by means of their vehicles and force the crew to hand the cash transported. Offenders do not hesitate to use machine-gun fire against the crew. Two cases were thus reclassified as attempted murders.

(See also tables and graphics, p. 26.)

Measures

Act No 45/2013 on victims of crime and on the amendment of certain other acts (law on victims of crime),⁹⁶ entered into force on 1 August 2013. This law provides for a comprehensive legal framework for the protection of victims.

Among other things the Act distinguishes a specific category of victims, so-called particularly vulnerable victims, and grants them a specific status. Particularly vulnerable victim is:

- a child (less than 18 years of age),
- a person affected by physical, mental or psychological handicap or sensory impairment, which, in interaction with different barriers, can hinder a full and effective place of such a person in the society;
- victim of trafficking in human beings by virtue of § 168 of the Criminal Code;
- victim of a criminal offence against human dignity in sexual area or a **criminal offence involving violence or a threat thereof**, if an increased danger of secondary injury persists in a given case with regard to that person's age, sex race, nationality, sexual orientation, confession, health status, cognitive maturity, ability to express him/herself, current life situation, or with regard to his/her relation to or dependence on the person suspected of the criminal offence.

The **IKSP Institute** prepared a project titled „**New phenomena in violent crime, including domestic violence**“ (*Nové jevy v násilné kriminalitě včetně domácího násilí*) and applied for financing in a public tender in the framework of the Security Research Programme of the Czech Republic for the years 2010–2015.

The objective of the research project is to identify and describe new phenomena in violent crime, characteristics of different crime phenomena and their perpetrators, including detailed case records of concrete cases and their generalisation. Changes in the extent of violence used will be subject of the assessment – the shift towards more brutal behaviour of perpetrators towards victims. Particular attention will be paid to various forms of domestic violence, in particular the conjugal violence and its impact on the adult victims and perpetrators.

(Further measures see Chapter 3.2. Prevention of Crime.)

⁹⁶ The law was officially published on 25 February 2013. In the Chamber of Deputies of the Czech Parliament it was approved under ref. 617 of 18 December 2012.

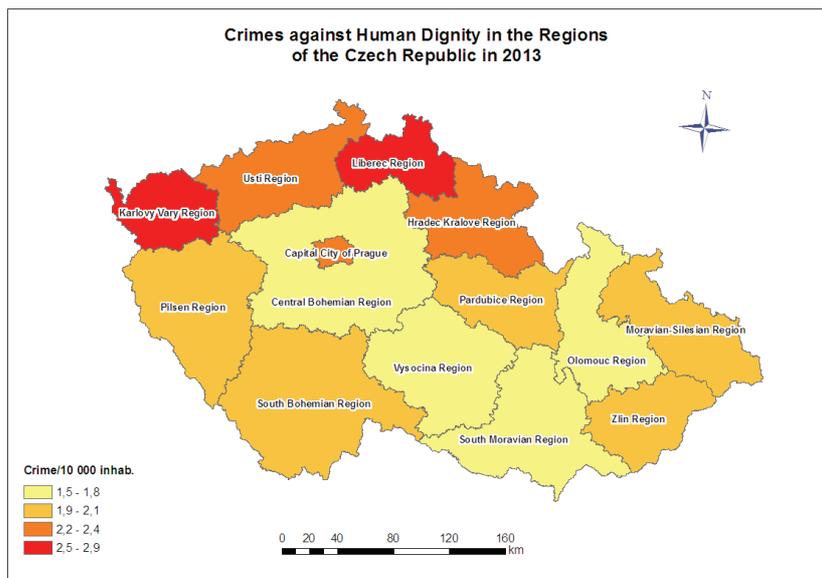
2.2.5 Vice crime

Crimes established:
2109 (+128, +6.5%)

Crimes cleared-up:
1493 (+20, +1.3%)

Clear-up rate: 70.8% (-3.6%)

Number of prosecuted and
investigated persons:
13 335 (+56, +4.4%)



There were 2109 cases (+128, +6.5%) of vice criminal offences established in 2013⁹⁷, the highest number since the last ten years; 1493 (+20) offences were cleared-up, i.e. 70.8%, the clear-up rate decreased by 3.6%.

The increase in vice recorded in 2013 was mainly due to more cases of **sexual abuse** (793 offences). The number of **rapes**, which dominated the vice-crime category in 2012, decreased by 12%⁹⁸. Almost one half of the recorded rapes were perpetrated by repeat offenders.

Expressed as per 10 thousand inhabitants, the regions most hit by vice crime were Karlovarský (3) and Liberecký (2.6). Olomoucký region was the least burdened (1.5).

Vice crime perpetrated by means of modern information and communication technologies continues to be a big concern (internet – social networks, GSMs), so-called grooming and sexting,⁹⁹ which are different forms of **sexual**

coercion. Exposure of private life and friendly relations on-line is one of the main causes. Children who spend their leisure this way are now commonly referred to as the **greenhouse children**. The detection and investigation of this type of crime requires a close collaboration of the Czech Police specialists on vice and the youth with information technology departments.

(See also tables and graphics, p.27.)

Measures

To improve the quality of work in the field of the detection and investigation of criminal offences of rape and sexual abuse, the Prague Regional Police Directorate initiated the selection of a medical institution, which would carry out specialised gynaecological examinations of victims of vice crime at the requested professional level. For Prague, the chosen institution is the Institute for care of mother and child (*Ústav pro péči o matku a dítě in Podolí*). A cooperation agreement was concluded with the Institute in 2013. In addition, a supplier of one-off contraception pills agreed to free deliveries of

⁹⁷ In the vice crime category the police statistics includes mainly those offences that are (or could be) perpetrated with a sexual context. The experts point to a high latency of vice crime. The share of vice in total crime is negligible in terms of figures (roughly 0.7%), but the injury caused is impossible to gauge.

⁹⁸ Fabricated rapes or sexual abuse cases continue to be reported – these are usually motivated by calculation, fear, ignorance or vengeance.

⁹⁹ „Grooming“: crime committed in a competent manner, the offender takes advantage of the naivety or ignorance of the victim, which behaves spontaneously in the internet

environment. In many cases the groomer stays on the edge of the law – he/she deliberately refrains from making open sexual advances and skilfully manipulates the victim, particularly minors, to a real appointment.

„Sexting“: young couples take movies or pictures of their sexual practices. After the relation had ended, one of the partners uploads movies or pictures and spreads them via the social networks, usually out of mischief.

The amended Criminal Code has reflected this new trend by introducing a new substance of act – **§ 186 sexual coercion**.

the pill to be administered to female victims of rape.

The **IKSP** Institute continued with its criminological research titled **Violent sexual crime in the Czech Republic with a focus on its current manifestations, on more efficient detection and sanctioning of its perpetrators and on ways to protect the public against sexually motivated violence** („*Násilná sexuální kriminalita v ČR se zaměřením na její aktuální formy, na zvyšování účinnosti odhalování a postihu jejích pachatelů a na možnosti ochrany společnosti před sexuálně motivovaným násilím*“) (Programme ref.: BV MVČR, VG2VS/230). The objective is to map and analyse the reactions of the state to the societal danger posed by this type of crime (in particular, the official response in terms of punishment and protective measures).

The main wave of field research and data collection was carried out, including psychodiagnostics (120 sentenced, jailed perpetrators) and, most importantly, a detailed analysis of criminal files, which monitors more than one hundred variables.

The research file to be analysed in detail is composed of more than 700 cases of rape. The perpetrators' years of birth range from 1937 to 1995.

For example, the preliminary results of the analysis show that more than a quarter (28%) of rapes is perpetrated by first-time offenders.

Roughly one half of the perpetrators (51%) – out of those that had been sentenced in the past – had spent their time in jail. Almost one quarter (22%) of perpetrators of rape had other sexual offences in their criminal record. Most rape perpetrators were sentenced to custodial punishment (76%); the average length of custodial punishment was approximately six years. In most cases (80%) the court did not impose any protective medical treatment.

The research should be completed by 2015.

After the assessment of the implementation measures that had been introduced so far, the Ministry of Justice came to the conclusion that in order to properly implement the requirements of Directive 2011/92/EU of the European Parliament and of the Council of 13 December 2011 on combating the sexual abuse and sexual exploitation of children and

child pornography, and replacing Council Framework Decision 2004/68/JHA, it is necessary to **amend the criminal code**.¹⁰⁰

(Further measures see particularly Chapter 2.2.7.2. Trafficking in human beings.)

¹⁰⁰ The relevant amendments have already been prepared during the 6th legislative term, however, due to the dissolution of the Chamber of Deputies the Government draft Act, which should have amended, inter alia, the Criminal Code (Press 996), was not adopted. The amendment was submitted again after the new Chamber of Deputies had been formed; it is being discussed under Chamber of Deputies' document ref. 45.

2.2.6 Illegal migration

Total number of persons identified as illegal migrants in the Czech Republic: 4153

of which 512 individuals (12.3%) were identified as repeated illegal migrants.

130 individuals had irregular travel document to prove their identity (3.1%).

143 individuals were found to facilitate illegal migration.

A total of 4153 (+558, +15.5%) persons were found in illegal migration position¹⁰¹ on the Czech territory in 2013.

The Security Intelligence Service (BIS) does not consider the illegal migration as a substantial security problem.¹⁰²

Illegal migration across the external Schengen border

In 2013, 179 persons were reported by way of the „Událost“ information system as migrating illegally across the external Schengen border in the Czech Republic. Out of that number 146 persons were detected upon entry into the Czech Republic and 33 persons on leaving the country.¹⁰³

Out of the above total, 49 persons (i.e. 27.4%) proved their identity with an irregular travel document. Most numerous were the nationals of Albania (22 persons), Ukraine (7) and Syria (6).

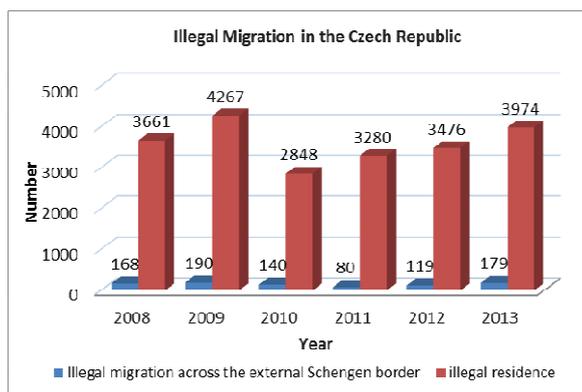
¹⁰¹ Two basic categories of illegal migration in the Czech territory are monitored since 2008:

1. **Illegal crossing of the external Schengen border of the Czech Republic** – persons, which illegally crossed or attempted to cross the external Schengen Border (airport) of the Czech Republic (both foreigners and Czech nationals).

2. **Illegal residence** – foreigners that were found to reside illegally on the Czech territory, including in the airport transit areas.

¹⁰² Given the evolution of illegal migration over recent years the BIS stopped dealing with it in 2011. However, it continues to pay attention to groups of foreigners or communities of foreigners whose activities could constitute a potential security risk for the Czech Republic.

¹⁰³ Except ten persons, all the others were reported by border police at the Prague-Ruzyně airport. These were primarily the nationals of Russia (44 persons), Albania (22) and Ukraine (13). No EU national had been found crossing the external Schengen border.



Illegal residence

3974 foreigners were established in the illegal residence category in 2013.

Traditionally, the most numerous were the nationals of Ukraine (888 persons, i.e. 22.3% of total), followed by the nationals of Russia (512) and Vietnam (311).

Some of the foreigners do not leave the Czech territory within the prescribed time-limit, but continue to stay irregularly and then in most cases call on one of the asylum centres (in Zastávka u Brna), where they apply for international protection. Illegal stay was reported in the case of 91 foreigners who arrived to the asylum reception centre.

81 illegally staying foreigners had irregular travel documents (i.e. 2% of the total number of persons identified as staying illegally).¹⁰⁴

Decisions on administrative expulsion

A total of 2020 foreigners with final administrative expulsion decision were recorded in the CIS information system, the situation thus remains stable compared to 2012 (increase only by 14 persons, i.e. +0.7%). Most represented foreigners recorded in this category were traditionally the nationals of Ukraine (874 persons; -86 persons, i.e. -9.0%) who accounted for 43% of total for this category. The Ukrainians were followed, in a safe distance, by the nationals of Vietnam (180 persons; -63, -25.9%) and then nationals of Kuwait and the Russian federation (106 persons). Most noticeable annual increase of the number of persons with decision on the administrative expulsion were recorded for the

¹⁰⁴ Such documents were submitted primarily by the nationals of Ukraine (45 persons), Moldova (10) and Georgia (5).

nationals of Kuwait (+97 persons, i.e. +1077.8%) and Libya (+76 / + 1266.7%).

Decision on the obligation to leave the territory

In the follow-up to the so-called return directive the decision on the obligation to leave the territory of the Czech Republic was introduced as a new instrument in 2011. Previously, such persons would receive a decision on the administrative expulsion. A total of **192 decisions on the obligation to leave the Czech territory** were issued in 2013. Annually, that means an increase by 14 decisions, i.e. +7.9%.

Facilitation of illegal migration

In 2013 the Czech Police regional directorates recorded a total of 143 persons facilitating illegal migration. These were mostly Czech nationals (98 persons), followed by the nationals of Vietnam (16). Purposive paternity, marriage or invitations were the most frequent forms of facilitating illegal residence.

Illegal migration and organized crime

According to the ÚOOZ (anti-organized crime unit of the Czech Police) information was confirmed in 2013 on foreign-speaking criminal groups operating in the Czech Republic, which are involved in the manufacture and distribution of forged or counterfeit identity documents. It was found that such documents are intended either for legalising residence of migrants already present in the territory of the EU member states, including the Czech Republic, or are shipped by messengers or forwarding agencies to third countries from where the migrants subsequently attempt to reach Europe.

Abuses of visa and immigration policies continue to pose problems. Criminal activity in this domain often adapts to current situation and responds to the measures of the state authorities. The issue of visa for third-country nationals have been subject to thorough scrutiny in recent years, however the abuse of the visas persists – in particular the visas obtained fraudulently for the purpose of studies, work, business or family reunification.

Well organized groups involved in this criminal activity are usually linked both to organizers in other European countries and

migrants' home countries. These groups provide a full service to migrants supposed to eventually lead to ordinary resident status in the Czech Republic or other EU member states. They take charge of the recruitment of candidates, processing of documents in the home country and fraudulent obtaining of visas. Once in the Czech Republic they provide accommodation, legal service and assistance with official administrative procedures, validation and procurement of necessary documents (false or fraudulently obtained) or a transfer to other European countries. This form of illegal migration is dominated primarily by Vietnamese nationals, but also by the nationals of Arab countries, Ukraine and other former Soviet countries.

(See statistics in tables and graphics, p.28.)

Selected measures¹⁰⁵

(for other measures see Chapter 3.1. **Legislative activities**, 3.3. **European Union and international cooperation**, 3.4.4. Information and Communication Systems.)

Readmission policy

The Czech Republic continued negotiations on the co-called readmission agreements with other countries in 2013.¹⁰⁶ The readmission agreement with Kosovo entered into force on 1 February 2013.

In addition to its bilateral agreements the Czech Republic is bound by the readmission agreements negotiated by the EU/EC.¹⁰⁷ In 2013, agreements were signed with Armenia, Cape Verde and Turkey and negotiations were finalised with Azerbaijan. Agreements concluded by the EU (or European Communities) presume that individual member states will conclude an implementing protocol with the respective third state. The implementing protocol to the EU

¹⁰⁵ Comprehensive information on action in the field of migration can be found in a separate document: **Report on the situation in the field of migration and integration of foreigners on the territory of the Czech Republic for 2013** („Zpráva o situaci v oblasti migrace a integrace cizinců na území České republiky v roce 2013“).

¹⁰⁶ The Czech Republic has concluded readmission agreements with all its neighbouring states, as well as with Hungary, Slovenia, Croatia, Bulgaria, Romania, Armenia, Switzerland, Vietnam, Canada and Kosovo; agreements were signed with France and Kazakhstan.

¹⁰⁷ Readmission agreements are currently in force with: Albania, Bosnia and Herzegovina, Montenegro, Hong Kong, Macedonia, Moldova, Russia, Pakistan, Serbia, Sri Lanka, Macao, Ukraine and Georgia.

readmission agreement with Serbia entered into force on 1 May 2013 and the one with Bosnia and Herzegovina on 1 December 2013. Furthermore, an implementing protocol to the EU readmission agreement with Ukraine was signed and negotiations of such a protocol with Georgia were concluded.

Migration policy

Specific migration project for specific target groups of foreigners are considered appropriate instrument to manage migration of the third-country nationals to the Czech Republic. The objective of such projects is to speed up migration procedure for selected groups of foreigners primarily by way of priority processing of applications for employment or relevant residential requests.

The implementation of two projects continued in 2013 (started in 2012) – intended for in-house transfers of staff of foreign investors and for spa clients.¹⁰⁸ The implementation of further two projects started, whose target groups are the staff of new companies created in the Czech Republic by a foreign investor and interns accepted for university studies in the Czech Republic:

- Project Accelerated procedure for granting residence permits to foreigners – foreign students from third countries¹⁰⁹;
- Project Welcome Package for investors

The implementation of the project started on 1 July 2013. The project is managed by the Ministry of Industry and Trade in

¹⁰⁸ „Fast Track project – Accelerated procedure for in-house transfers of foreign investors’ staff and their localized staff“: the original target group of intra-corporate transfers of staff from abroad to a Czech branch (without having an employment contract with the Czech branch) was extended in 2013 to include also posted staff who do, temporarily, conclude a contract with the Czech branch (so-called „localisation“). As regards the project „Accelerated procedure for foreign patients to be provided with a spa treatment in the Czech Republic“, the list of spa establishments included by the Ministry of Health into the project was extended from the original four to eight.

¹⁰⁹ The implementation of the project started on 1 June 2013. It is managed by the Ministry of Education, Youth and Sports in collaboration with the Ministry of the Interior and the Ministry of Foreign Affairs. The objective is to facilitate the procedure for entry and residence of the third-country nationals who had been received as interns to study at Czech universities on the basis of international agreements or Czech Government decrees. Under the project their applications for long-term study residence permits are treated with priority. Only students included in the selected study programmes can benefit from the project.

collaboration with the MoI, Ministry of Labour and Social Affairs and the MFA. The objective is to foster the inflow of foreign investment to the Czech Republic, competitiveness on a global scale, expansions of investors and creation of new jobs.

There was a change to migration policy in the area of secondary regulation since, as of 20 February 2013, Decree No 29/2013, which replaced Decree No 461/2008, which lays down the list of countries whose nationals are entitled to apply for a green card, entered into force. The list was substantially extended by the new Decree.

The implementation of the „Agreement between the Ministry of the Interior and the Ministry of Foreign Affairs on the posting of migration liaison officers to the representative offices of the Czech Republic“ of 13 February 2009 continued in 2013. More detailed information on the implementation of this agreement will feature in the Report on the situation in the field of migration and integration of foreigners on the territory of the Czech Republic for 2013.

Integration of foreigners

Although the numbers of newly arrived third-country nationals stagnated in 2013, the number of foreigners with permanent residence continued to rise steadily. It is therefore necessary to pursue an active integration policy.

As the coordinator of integration policy in 2013 the Ministry of the Interior submitted to the Government a document titled **Progress achieved in the implementation of an updated policy for integration of foreigners - joint cohabitation in 2014** (*Postup při realizaci aktualizované Koncepce integrace cizinců – Společné soužití v roce 2014*) (approved by the government on 22 January 2014 by its Decree No 60).¹¹⁰

The Ministry of the Interior continued its efforts in 2013 to delegate the issue of integration to regional and local level. The ministry supported further development of the regional **Support Centres for the integration of**

¹¹⁰ The document contained concrete measures to support the integration of foreigners in the Czech Republic in 2014 by the ministries and other bodies in charge of the implementation of the integration policy.

foreigners. In 2013 the centres operated already in 13 regions.¹¹¹

In order to defuse tensions between foreigners and the majority society and to foster integration at local level the Ministry of the Interior in collaboration with local town councils prepared the **implementation of municipal projects**¹¹².

These projects helped to galvanize local authorities when addressing their local problems with the integration of foreigners, to interconnect activities carried out in the framework of complex local projects and to a certain relaxation of mutual relationships.

Information to foreigners was provided via three main communication channels – by phone, e-mail and the continuously updated MoI website: www.mvcr.cz/cizinci. A new activity was developed in 2013 – a system of adaptation and integration courses for newcomers foreigners, which were subject to initial testing throughout the year.

Furthermore, support materials were prepared to inform potential migrants prior to their arrival in the Czech Republic. The objective is a better awareness, prevention of risk behaviour and the loss of migrants' legal residence in the Czech Republic.

The Analytical Centre of the protection of national borders and migration (hereinafter the „Centre“) is a permanent body of inter-ministerial nature that monitors and analyses migration in its complexity. In 2013 the Centre focused on monitoring the situation of Syrian migrants.

Three regular meetings (32.–34.) of the **Inter-ministerial body for combating illegal employment of foreigners** (MOPNZC)¹¹³ were held in 2013.

The **Customs Directorate General** whose subordinate offices carry out, together with regional labour inspectorates, **inspections of foreigners' employment** is a permanent member of the MOPNZC. In case of infringement, the customs authorities notify the regional labour inspectorates, which subsequently initiate administrative proceedings and impose sanctions.¹¹⁴

The inspections carried out in 2013 by the State Labour Inspectorate (SÚIP) focused on the detection and combating of illegal work in the framework of the project **Effective system of development of employment, comprehensive inspections and combating illegal employment in the Czech Republic**, financed from the European Social Fund under the Operational Programme Human resources and employment.¹¹⁵

The State Labour Inspectorate carried out a total of **36 101 inspections for compliance with the provisions of the Employment Act**.

Illegal employment was found in 1375 inspections. Of the total number of 3170 illegally employed persons there were 1394 Czech nationals. There were 1481 third-country nationals and 295 nationals of other EU member states. Compared with 2012 there has been no significant increase in the number of illegally employed third-country nationals and nationals of other EU member states.

In the case of illegally employed third-country nationals most cases concerned the nationals of **Ukraine** (544 persons), **Vietnam** (336), China (36), Moldova (20), Mongolia (15), Turkey (10) and Macedonia (9).

The SÚIP issued **61 fines for enabling illegal employment of foreigners from third countries** in the total amount of CZK 31

The MOPNZC was also briefed on the programme called „**Mentalist**“ – an efficient tool to detect breaches, prevent fraud and make inspection activities more effective.

¹¹⁴ In 2013 the customs authorities closed 876 such inspections; breaches were found in 495 cases. A total of 2257 third-country nationals were checked with 446 illegal work suspicions; 1975 EU nationals were checked.

¹¹⁵ The inspections were carried out by 14 inspection teams specialized in illegal employment. Since 2013 the teams have been equipped by **mobile offices** that help to accelerate procedures and make it possible to conclude the whole inspection procedure on the spot the very day. Inspections are carried out in collaboration with other bodies – the Aliens Police Service, Customs, Labour office and the Czech Social Security Administration.

¹¹¹ There is a new Integration Centre for foreigners run by Diocesan catholic charity in Hradec Králové. In the Vysočina region a new detached unit of the Integration Centre of the Pardubický region was opened. In Central Bohemia the integration was supported by means of subsidies to NGOs.

¹¹² In 2013 these projects were implemented in Havlíčkův Brod, Plzeň and Prague 3, 12, 13, 14 and Prague–Libuš.

¹¹³ Detailed **information on the planned legislative amendments concerning the residence and employment of foreigners** were provided at the meetings.

300 000. Of these, 30 were final fines amounting to CZK 14 305 000. There are 261 additional proposals for fines. Twelve fines were imposed on individuals for illegal work, in a total amount of CZK 192 000, of these 8 were final fines totalling CZK 131 000, with additional 37 fines pending.

2.2.7 Organized crime

Developments in organized crime in the Czech territory

Organized crime and its accompanying aspects continues to be one of the biggest security threats for the Czech Republic:¹¹⁶ it destabilises social stability, distorts free market and discredits the democratic institutions.¹¹⁷

The main criminal organizations operating in the Czech Republic have for long been divided to Russian-speaking, Asian and local (Czech), although some of the monitored criminal

The SÚIP repeatedly focused on inspections in the premises of temporary work agencies and their clients – **567** such **checks** were made. The **total amount of fines** for flaws established **amounted to CZK 2 655 000**.

structures show other ethnic features as well (Albanian, Nigerian, Romanian, Bulgarian, etc.).

Organized crime patterns from previous years have strengthened in 2013. These were, in particular, **further infiltration of organized crime into legitimate business and infiltration of public administration structures** (by means of purposive creation of businesses or appointing loyal people to key positions both in private and public bodies) and a shift from violent crime towards latent business-like activities.

In 2013 the **centre of gravity** of the monitored criminal structures (local, Asian, Russian-speaking) consisted in the **economic crime** (DPH write-offs, leasing-related or credit fraud, etc.).

The spectre of criminal groups has broadened and the criminal groups went more international. In addition to the traditional fields, like smuggling of illegal goods and production of all sorts of fake goods, organized criminal groups increasingly focus on the areas of energy and information and communication technologies, which they often use as a safe basis for their criminal transactions.

The most serious activities of criminal groups included **financial crime** (including tax-related crime, fraud related to public tenders and EU funds), **illegal production and distribution of addictive and psychotropic substances, car crime** and infringements of trademark rights.

In 2013 the ÚOOZ observed a continuing strong link of the most important criminal groups to their counterparts abroad – especially the monitored Russian-speaking groups active in the Czech Republic are an integral part of the transnational criminal organizations.

Criminal structures other than Czech, Asian or Russian-speaking tend to have a close specialisation (pickpocketing, drug trafficking,

¹¹⁶ This is also confirmed for example by the **Policy to combat organized crime for the period of 2011–2014** (*Koncepce boje proti organizovanému zločinu na období let 2011 – 2014*), adopted by Government Resolution No 598 of 10 August 2011, which forms the basis for the fight against organized crime in the Czech Republic.

¹¹⁷ The **BIS** stayed focused in 2013 on those aspects of organized crime that had to do with the **dysfunction of public administration** or the issue of clientelism and corruption in central government as well as some regional or local authorities.

Among other things, the **BIS** dealt with the **systemic shortcomings in the management of public property and finance**. Such shortcomings appear for example in the case of transactions with unused property assets, which often mean sales of dispensable state assets (usually below market prices), purchases of new assets (often above market prices), or drawing on subsidies for the purchase, maintenance or management of property. Legitimate interests thus create potential for speculative property transactions.

Furthermore, the **BIS** dealt with the **illegitimate activities linked to EU subsidies and grants** for the programming period 2007 – 2013. This consisted mainly in increased pressure to totally exhaust all means available under different operational programmes or to shift financial means between various programmes, which were accompanied by breaches of law, approvals of ineffective or inefficient projects and ultimately also by circumvention of the *ex-ante* conditionalities set out by the European Commission.

The **BIS** monitored also the **dysfunctions in the regional administration** that are caused by clientelist groups that interlink regional policy figures with business; their activities focused primarily on public services, an area receiving substantial financial amounts from public budgets, including the EU sources. Most concerned sectors were in particular health, education, transport or waste management. The activities of these groups were showing typical features of modern organized crime, such as clientelism, corruption, conflict of interests or abuse of public funds.

human trafficking, illegal migration, bank cards counterfeiting, etc.).

The retreat by the most significant organized crime groups from a direct use of violence has continued in 2013. The number of smaller, mostly local, Czech criminal structures actively using violence rather stagnated in 2013; threats instead of violence were preferred.

As regards the willingness to use violence, there was somewhat lower willingness to use such a level of violence that could lead to the death of the victim. This type of violence has primarily been used by structures involving individuals from the Balkan countries and it does accompany the organized exploitative indebtedness of persons picked in advance.

The ÚOOZ observed that **corruption gained in importance as one of the most important factors behind the development of organized crime.**

Czech criminal structures focused primarily on economic crime related to **influencing the public contracts and grants.** Criminals were actively seeking contacts with police and customs officials in order to prepare ground for corruption, to have subsequent cover for criminal activities or to use it for fabricated criminal prosecution of unwanted persons. The Czech Police and all levels of public prosecution were targets of corruption attempts by organized criminal groups.

EU subsidies and grants were one of the principal targets of local criminal groups in 2013.

Furthermore, an increased level of activity was recorded in connection to attempts to **initiate and influence insolvency proceedings**, by way of creating bogus claims on the company so as to make it into insolvency, or conversely to siphon off assets from a company already in the insolvency procedure by introducing fake claims; there were also attempts to influence future insolvency administrators.

There is a growing number of Czech criminal structures whose primary source of profit is economy crime related to **businesses established on purpose** (VAT or insurance fraud, etc.) and infiltration of their members or fellows into businesses or public administration bodies. In addition there was a continuing trend of using other ways to commit economic crime, such as primarily chains of interlinked companies ending up in off shore companies established in tax

havens. Due to changes to legislation a shift from **paper holder's shares** was observed.

The Russian-speaking criminal structures (Russian, Ukrainian, etc.) were reported to focus more on economic crime. In addition to well-known fraudulent criminal patterns (insurance and credit fraud, etc.), there was a massive recourse of these structures to VAT-related frauds. In this context, **new or modernized modi operandi were detected.**¹¹⁸

The international screening focussed on the Russian-speaking organized crime culminated in 2013; it confirmed previous indications that so-called „brotherhoods“ have for long been operating in the Czech Republic – these are formed by Caucasian ethnic groups. Their activities have international dimension and were recorded in all Central European countries.

Caucasian (Georgian, Armenian, etc.) criminal structures – „brotherhoods“ – are involved mainly in organized theft of luxury goods, illegal distribution of narcotics and psychotropic substances, counterfeiting and falsification of official documents – and use primarily persons with a status of asylum seeker for their criminal activities.

The ÚOOZ recorded activities by more than 40 members of a Caucasian brotherhood known as **„KUTAISKÝ KLAN“** (Klan Kutaisi), which operated in many EU countries.¹¹⁹

The **Vietnamese criminal community** dominated the Asian crime in the Czech Republic. Groups based on Vietnamese nationals have proved extraordinarily stable in the Czech context. Their main centres (Prague and regions) have for long been linked to the Vietnamese marketplaces and the Vietnamese embassy in Prague.

¹¹⁸ This consists in the establishment of businesses using fake identity of the „owners“ in combination with imports of one-off perpetrators („cat's paws“) from poor regions of the EU or third countries. In some cases these imported cat's paws appear before the Czech state bodies (commercial courts) under a bogus identity and can be used on several occasions. Subsequently these individuals as representatives of purposive-created companies or their employees apply for large amounts of credit in Czech banks (not paid off). They usually request credits for property purchases.

¹¹⁹ In 2013, 37 high-ranking members of KLAN KUTAISI were apprehended in an internationally coordinated police operation carried out in six EU countries.

One of the most important criminal activities of the Vietnamese organized crime in 2013 was **crime based on evading tax obligations**¹²⁰ (direct and indirect tax evasion) **and reduction of customs duties** on imports of goods from non-EU countries (primarily China).

Other significant criminal activity by the Asian structures in 2013 was the **illegal production and distribution of narcotics and psychotropic substances**. A significant increase for this particular activity, **perpetrated almost exclusively by Vietnamese nationals**, was recorded in 2013; this was probably due to the high profitability and continuous excess of demand over supply in the Central and Western European region (mainly in Germany).

The activities of the Vietnamese criminal structures seem to have shifted from growing of cannabis, which was their core business in recent years, towards the production and distribution of a narcotic called *pervitin* (methamphetamine). At the same time police observed that the **production of pervitin in the Czech Republic has increasingly been moved to the regions bordering Germany** (Karlovy Vary, Cheb, Teplice, etc.). The production of pervitin is highly mobile: there were cases of producers moving around according to clients' needs – for instance, they can hire a room for a couple of days from a local Vietnamese shopkeeper only to produce the requested quantity of drug and leave the place after having sold the product to the client. This way they limit the risk of detection during transport.

¹²⁰ According to the ÚOOZ conservative estimates value the amount of tax evasion in the order of CZK tens of billion. Artificial lowering of the value of imported goods to EU persists (by means of forged documents), hence resulting in the reduction of customs duties, VAT and income tax. The key point of these methods is the so-called „DICH VU HAI QUAN“ – „**customs clearance service**“. Following the enhanced capability of law enforcement authorities to detect this crime the operators of this „service“ introduced in 2013 some new techniques, which *de facto* enable the Asian criminal structures (though now not exclusively Asian) customs- and tax-free imports of goods. The main improvement of the „customs clearance service“ consists in hiring companies that are not owned by persons originating in the Vietnamese Socialist Republic. Instead, local Czech „cat's paw“ companies are hired. The criminal organizations make sure that these companies regularly pay at least a minimum amount of VAT, thereby mostly avoiding an increased attention of the revenue offices and the Financial Directorate General.

In 2013 the Czech Police detected 5 criminal offences of **participation in organized criminal group** (§ 361 Criminal Code: organized criminal group is a community of persons with an internal organizational structure, division of functions and tasks, whose focus is to continuously engage in deliberate criminal activities).

Criminal offences pursuant to § 361 of the Criminal Code

Year	2008	2009	2010	2011	2012	2013
Established offences	3	4	4	6	9	5

There probably is a high latency of organized crime, which can be partly explained by the fact that they operate in areas that are difficult for the law enforcement authorities to penetrate or collect evidence.

In contrast, the number of offences detected and filed as offences committed in organized group (which does not bear all the features of organized criminal group as defined in § 361 Criminal Code or it was not possible to prove them). Hundreds of such offences were recorded.

Criminal offences committed in organized group

Year	2008	2009	2010	2011	2012	2013
Established offences	862	774	252	234	388	364

The capital of Prague has stayed clearly in the first place as regards the number of persons sentenced for criminal activity in organized group. Other „centres of organized crime“, following in a safe distance, can be considered Plzeň, Česká Lípa, Hradec Králové and Pardubice. Organized crime tends to concentrate in the border areas in the North-West, South and North-East of the country.

Foreign nationals have a high share in organized crime perpetrated in the Czech Republic. In 2013 their share stood at approximately 42% (+2%). Foreigners, however, represent mere 4% of the Czech population (if persons with legal residence are considered) and their share in total crime as approximately 6.5%.

Measures

Fight against organized crime

Following the introduction of legal persons' liability into the Czech legal framework there are no more impediments to the ratification of international treaties aimed at strengthening of international cooperation in the fight against organized crime. The following instruments thus

entered into force: among other the **United Nations Convention against Transnational Organized Crime** and the two protocols thereto, which concern the trafficking in migrants and illicit manufacturing of and trafficking in fire arms (see Chapter No 3.3 European Union and international cooperation). The third protocol on the trafficking in human beings was submitted for adoption to the Chamber of Deputies in first quarter of 2014.

The basic framework for the fight against organized crime is laid down by the **Policy to combat organized crime for the period of 2011–2014** (*Koncepce boje proti organizovanému zločinu na období let 2011 – 2014*), adopted by Government Resolution No 598 of 10 August 2011.

Since organized crime seeks profit it is necessary to strengthen the capability of law enforcement authorities to seize and confiscate the proceeds of crime and to eliminate corruption at all levels of public administration. The integrity of judicial staff is decisive for these efforts to be successful.

Since 1993 the **IKSP** Institute has been conducting a **systemic research of organized crime**. Annual expert surveys focussed on quantitative data on the structure and activities of criminal groups in the Czech Republic are part of this research.¹²¹

¹²¹ According to expert estimates the majority of all members of criminal groups between 1993 and 2010 were so-called **external collaborators**. In 2012 there were **51% of regular members and 49% of external members**. The external fellows are only rarely involved in the **direct execution of** individual actions. More often they take charge of **support activities**: transport of persons and material, accommodation, harbouring of persons and goods, tipping off premises to attack, transports of stolen items, buy-offs of stolen goods, sale of adulterated alcohol, participation in drug dealing, cover-up for criminal activities, etc. External accomplices also rent out apartments or other kinds of property to criminals. **Expert service activities** such as: procuring tools and means for criminal activities, counterfeiting of documents, procurement of arms. **Administrative services** consist in: procurement of cover-up and false documents, certification of documents and signatures, drafting of contracts, facilitating of procedures, etc. **Financial collaboration**: external account owners make their account available for transfers, they take part in money laundering by withdrawals of cash and transferring it to other accounts, etc. **External accomplices** act as crime brokers – arrange meetings, contacts, ensure communication with public authorities, they look after a smooth execution of official procedures. They also act as „**cat's paws**“ (in CS: „bílí koně“, literally „white horses“), set up fictitious

companies, act as formal business owners or representatives of stooze Ltds., get involved in real estate fraudulent transactions so as to cover up the real organizers of crime. Furthermore, they provide **information services** and highly qualified experts provide **advisory services** to criminal groups concerning tax issues, especially when it comes to abuse of the EU funds and related selection procedures.

The proportion of **women** in organized crime in the period 2000–2011 is estimated at 11–16%. In 2012 their share was estimated at **18%**, the highest proportion since the last thirteen years.

Around 27% of criminal groups in 2012 were made up exclusively by **foreigners**. 29% of groups were Czech only. Mixed groups represented 44%.

Nationality breakdown: the most numerous in 2012 were the **Vietnamese, Russians, Ukrainians**, followed in certain distance by Albanians and Slovaks. The proportion of Russians and Slovaks has risen compared to 2011. In particular the share of Slovaks has been growing considerably in recent years. Other nationalities with significant share: Bulgarian, Chinese, Romanian, Serb. In the following ten: Polish, Armenian, Nigerian, Dagestani, Tunisian, Turk, Georgian, Hungarian, Chechen and Macedonian.

Since 1993 there has been a yearly expert estimate of the **most common forms** of organized crime. In 2012 the IKSP Institute noted further rise in money laundering, tax and insurance fraud, corruption and fictitious businesses. Traditional activities, such as production and dealing of drugs, car theft, and organization of prostitution have receded somewhat. **Illegal manufacture and smuggling of alcohol and cigarettes have been rising**. This activity has caught up with drugs. The twelve most common included: luring cash with the promise of high interest, customs fraud, forgery of documents, banking fraud. Unlawful debt recovery has become quite significant. The misuse of PC for crime was also in the top fifteen, followed by payment card fraud. In general, the crime related to communication technologies was not significant. **The abuse of EU funds has become quite important**. Not very large-spread: illegal migration and extortion, forgery of cheques, money, theft of art works, fake CDs; arms dealing, trafficking in human beings for forced labour, trafficking in human organs.

The IKSP also monitors crime by different national communities or groups. The **Vietnamese**, as the largest group, are involved primarily in the manufacture and smuggling of narcotics, copyright infringements, tax fraud and money laundering. **Russians**: violent crime including murders, extortion, trafficking in humans, fraud, financial crime, pimping/prostitution, trade in arms and radioactive material, property crime, car theft. **Ukrainians**: violent crime, including murders, extortion and cashing-in of protection money, economy crime, narcotics, prostitution, less frequently trade in arms, car theft and illegal manufacture and smuggling of cigarettes. **Slovaks**: tax fraud, theft, violent crime, brokering and property crime. **Albanians and Kosovar Albanians**: manufacture and smuggling of narcotics, money laundering and property crime, there were also cases of car theft and violent crime and extortion. **Chinese**: customs fraud, copyright infringements, narcotics, violence. **Bulgarians**: payment

Containment of organized crime – international cooperation

On 6 and 7 June 2013 the Council of the EU set out priorities for combating serious and organized crime across the EU:

- To disrupt organized criminal groups (hereinafter „OCGs“) involved in facilitation of illegal immigration operating in the source countries, at the main entry points to the EU; To reduce OCGs abuse of legal channels for migration including the use of fraudulent documents produced by these groups;
- To disrupt OCGs involved in intra-EU human trafficking and human trafficking from the most prevalent external source countries for the purposes of labour exploitation and sexual exploitations; including those groups using legal business structures to facilitate or disguise their criminal activities;
- To disrupt OCGs involved in the production and distribution of counterfeit goods violating health, safety and food regulations and those producing sub-standard goods;
- To disrupt the capacity of OCGs and specialist involved in excise fraud and Missing Trader Intra Community MTIC fraud;
- To reduce the production of synthetic drugs in the EU and to disrupt the OCGs involved in synthetic drugs trafficking;
- To reduce cocaine and heroin trafficking to the EU and to disrupt the OCGs facilitating the distribution in the EU;
- To combat cybercrimes committed by OCGs and generating large criminal profits such as on-line and payment card fraud, cybercrimes which cause serious harm to their victims such as online child sexual exploitation, and cyber-attacks which affect critical infrastructure and information systems in the EU;

cards fraud, theft, financial crime and counterfeiting, also narcotics, car theft, manufacture and smuggling of alcohol and cigarettes, debt collection and violent crime. **Romanians:** primarily theft, tax fraud, narcotics, payment cards theft, money forgery, prostitution, car theft, manufacture and smuggling of alcohol and cigarettes. **Poles:** illegal manufacture and smuggling of alcohol and cigarettes, narcotics and car theft. **Serbs:** primarily narcotics. **Armenians:** violent crime, economic crime, prostitution, trafficking in human beings. **Nigerians:** narcotics and human trafficking. **Dagestani:** extortion.

- To reduce the risk of firearms to the citizens including combating illicit trafficking in firearms;
- To combat organised property crime committed by mobile organised crime groups.

At the strategic level the representatives of all EU member states involved in the formulation of EU policies in the area of the fight against organized crime and cooperation of law enforcement authorities in the EU Council working group on internal affairs and the Standing committee on internal security (COSI). Special group of contact points on the administrative approach disseminates and promotes cooperation between law enforcement and administrative authorities in order to enhance powers of these authorities in the fight against organized crime.

As regards the expert level the cooperation and liaison activities of various Czech Police departments and services can be assessed as very good.

In addition to the well-established international channels (Interpol, Europol, SIRENE) the Czech Republic makes also use of the channels focussed on specific issues (PWGT, national contact points for car theft, financial crime, etc.) as well as direct cooperation with particular partner units abroad.

The Security development cooperation programme of the Ministry of the Interior is an important part of bilateral international activities. The programme consists in transfers of expert assistance, sharing of experience and deepening of collaboration between Czech police units and their counterparts in the Western Balkans and South Caucasus countries. More than 20 projects took place in 2013 in selected partner countries, amounting to approximately CZK 3 million.

2.2.7.1 Drugs

Drug crime has been rising and appears all the more serious as it tends to pile up other socially pathological phenomena.

Drug crime has been rising since 2007 (by 78.6% between 2007 and 2013), it has accelerated sharply since 2011.

In 2013 the Czech Police established 5117 drug offences (+1085, +26.9%). 4799 (+985) of these were offences of illicit production and possession of narcotics and psychotropic substances and poisons, 93 (+68) cases of dissemination of drug addiction and 225 (+32) criminal offences of unauthorised cultivation of plants containing a narcotic substance.

Drug crime situation reflects the evolution in the number of drug addicts. According to current mean estimates there are more than 41 000 troubled drug users (their number rises gradually), 30 000 of them are addicted to methamphetamine and some 10 000 abuse of opioids.

So-called secondary crime is directly linked to drug addictions – i.e. crime committed by drug addicts under the influence of drugs or in order to get access to narcotics. Expert estimates state that troubled users make up at least a third of perpetrators, mainly involved in property criminal offences.

The involvement of organized criminal groups of Vietnamese origin in the large-scale production of methamphetamine and cannabis is considered the most progressive trend in drug crime in the country. This trend has been observed since 2007 (cannabis) and 2009 (methamphetamine).

Crime related to methamphetamine

The quantity of seized methamphetamine more than tripled in 2013 (compared to 2011).¹²² Production and trade in methamphetamine concern whole country, most notably the areas bordering Germany and Austria driven by demand from clients from these countries. The main problem continues to be the Vietnamese marketplaces in the immediate vicinity of the state border. However, due to the pressure exercised by law enforcing and regulatory authorities, the distribution moves to other premises, such as gambling rooms, bars, etc.

¹²² **The Customs seized 19.5 kg of methamphetamine in 2013.**

Organized groups of Vietnamese origin have managed in the last two years to take control of most of the production and distribution of methamphetamine. This was largely facilitated by an easy access to medicines with high content of pseudoephedrine. After regulatory measures were introduced in 2009 sales of these medicines have dropped significantly, but only to be quickly replaced by imports from Poland and Hungary, where medicines containing even more pseudoephedrine are freely available.¹²³

Waste of illegal methamphetamine production poses a specific problem. The amount of toxic waste has increased in line with higher production output. Risks for human health (as well as the environment) are obvious. In the operation „TAT“ more than 7 tons of dangerous toxic-waste chemicals were seized in October 2013.

Industrial production of cannabis

The number of detected cultivation facilities has been rising progressively since 2007 as well as the volume of plants and dry matter of marijuana.¹²⁴ Part of the „indoor“ production of cannabis is well organized with a very considerable involvement of criminal groups of Vietnamese background. Most of the output is destined for the domestic market,¹²⁵ though there are high volumes of exports as well, primarily to neighbouring countries, but also to Ukraine, Hungary, United Kingdom and the Nordic countries.

Imports of technologies for cultivation are considered one of the criminogenous aspects of the indoor cultivation. These are imported mainly from the Netherlands and the UK. In some cases owners of trading businesses sometimes take part in the cultivation of hemp and the subsequent production and distribution of marijuana.

The Vietnamese criminal groups have gradually moved from cannabis cultivation to the illegal methamphetamine production. Cannabis has become less attractive due to its high initial investment costs and higher risk of detection. In addition, in order to minimize risk of detection

¹²³ Methamphetamine thus produced is then exported primarily to Germany.

¹²⁴ **The Customs seized 71.65kg of marijuana in 2013.**

¹²⁵ According to the Czech Customs the current consumption of cannabis is fully covered by the „indoor cultivation“.

(and subsequent losses of cash) there has been a shift towards smaller scale production.

Cocaine and heroin

Cocaine trafficking and distribution on the Czech territory are still in the hands of mainly West African criminal groups, particularly from Nigeria. Given the high economic migration of Nigerians to developed countries, they have got established globally interconnected criminal networks. They are involved both in illegal transport and distribution of cocaine in the EU.

Major challenge is posed by a very considerable increase of activities of Western Balkans' criminal groups (Serbia, Croatia and Bosnia and Herzegovina). These groups get primarily involved in imports of cocaine from South America to the Czech Republic via Western European or South European countries. The Czech Republic is used as one of their favourite „logistical bases“. There have been cases of sales of cocaine to Albanian criminal groups already established in the Czech Republic.

Trafficking and distribution of cocaine in the country continues to be dominated by criminal groups of ethnic Albanians, particularly from Kosovo and Macedonia.

Designer drugs¹²⁶

Data collected by the European Monitoring Centre for Drugs and Drug Addiction (hereinafter the „EMCDDA“) show that the quantity of newly emerging drugs on the market remains roughly similar to preceding year. Most commonly detected are synthetic cannabinoids, which fully corresponds to the quantity of cannabinoids that have been newly prepared for research purposes in recent years. A number of exotic substances causing a series of intoxications appeared in Europe in 2013; these are subject to a deeper assessment by the EMCDDA („risk assessment“).

Illegal drug trade on the internet

In addition to conventional drugs a number of other, mainly so-called legal highs/designer

drugs, are increasingly being offered on the internet.

A total of 133 grow shops, operating both as e-shops and traditional shops, were monitored in 2013.¹²⁷

(See tables and graphics, p. 27.)

Measures

Anti-drug policy of the Czech Republic is based on four building blocks: primary prevention, medical treatment and social inclusion, risk reduction and drug availability reduction.

Action plan for the implementation of the National anti-drug strategy for the period 2013 to 2015 was approved by Government Resolution No 219 of 27 March 2013, which sets out four priorities for the upcoming period:

- Reduction of excessive alcohol consumption and use of cannabis among young people;
- Restrictions on production, distribution and use of pervitin;
- Streamlining of anti-drug financing;
- Integration of policy on legal and illegal drugs.

Decision of the Constitutional Court of 23 July 2013 repealed the provision in the Criminal Code that had authorised the government to issue regulations stipulating what was considered poison and what constitutes „a quantity greater than small“ in the case of narcotics, psychotropic substances and preparations containing such substances.¹²⁸

Thirteen anti-drug projects were carried out in the areas bordering Germany in 2013 (regions most affected by drug crime); these projects were supported from an extraordinary subsidy programme of the Ministry of the Interior totalling CZK 5 million.

In February the minister of the interior initiated the creation of a working group on the coordination of the joint approach by relevant

¹²⁶ Illegal imports of these substances to the Czech Republic were curbed by Act No 106/2011 on the amendment of the Act on addictive substances, which extends the existing list of narcotic drugs and psychotropic substances by 33 new items, primarily so-called „designers drugs/legal highs“. Nevertheless, the **Customs** have seized 55g of butylone, 5.5kg of UR-144 and one kilogramme of NM-2-AI imported from China in 2013.

¹²⁷ In November 2013 the Czech Police carried out an operation focussed on those grow shops whose owners were suspicious of infringement of the law against drug addictions.

¹²⁸ The Czech Republic therefore comes back to the legal regulation in force until 2010 as regards penalties for drug offences, whereby the gravity of an offence was considered only on the criterion of „quantity greater than small“, but taking into account overall context of each case.

state authorities vis-à-vis drug crime in areas bordering Germany. As of 18 February the group started proactive inspections in marketplaces in the borderlands of Plzeňský, Karlovarský and Ústecký regions; the Czech Police, Customs, Fire brigade, Tax revenue offices, Trade offices, Czech Trade Inspection Authority, regional public health authorities, Czech Agriculture and Food Inspection Authority and environmental departments.¹²⁹

Czech Customs supervisory bodies carried out an inspection operation POHRANIČÍ.¹³⁰

Czech Police increased its presence in the problematic border areas.

International cooperation is key to combat drugs:

- Negotiations are ongoing with the Prison Service on an agreement on police cooperation and agreement on hand-overs of sentenced persons;
- Ministry of the Interior initiated legislative steps in order to speed up and streamline the process of extraditions of foreigners sentenced for deliberate criminal offences;
- Crystal group continues to work, composed by the Czech Police, Customs, Czech Police national anti-drug centre and representatives of German police and customs authorities;
- Czech-German police patrols are active on both sides of the border;
- In the framework of the so-called Hof dialog¹³¹ negotiations started in 2013 on the amendment to the cooperation agreement between the Czech and German police and customs authorities;

¹²⁹ Inspections in marketplaces were taking place between 18 February and 31 May 2013. In total 3599 establishments and 10881 individuals were checked. 119 criminal offences detected, 145 proposals to initiate administrative proceedings were filed. 3.78kg of cannabis seized and 895g of pervitin.

¹³⁰ Seizures: 1161g of narcotic and psychotropic substances, 27 568 pieces of goods in breach of IPRs, 391 litres of alcohol, 19kg of tobacco, 120 767 pieces of tobacco products and 990 litres of mineral oils. Customs and tax evasion estimated at CZK 354 thousand. A total of 1032 establishments checked, 2517 stalls and 1162 vehicles.

¹³¹ In order to tackle the worsening situation in the border regions with Germany the interior ministers of the Czech Republic, Saxony, Bavaria and Germany meet in Hof on 13 February 2012. The meeting resulted in the establishment of several Czech-German working groups in the framework of the so-called Hof dialogue. At the same time a Czech-German ministerial group was set up in order to steer the activities of the working groups.

- The issue of availability of drug precursors was debated in the framework of Salzburg forum. The Czech Republic called for the introduction of regulatory mechanisms in order to prevent free availability of red phosphorus and medicines containing pseudoephedrine (used to produce methamphetamine) in all member countries of the Salzburg forum.
- In addition, the Czech Republic held several individual meetings with Poland in 2013 concerning the regulation of pseudoephedrine containing medicines.
- Following the increased incidence of new psychoactive substances the National anti-drug police centre (hereinafter the „NPC“) takes an active part in an EMPACT (European Multidisciplinary Platform Against Criminal Threats) project in the priority „D –Synthetic drugs“ („to reduce the production and distribution of synthetic drugs in the EU, including new psychoactive substances“) – one of the eight priorities in the fight against organized crime as set out by the EU Council (Council document 11050/11, cited above). After a two-year pilot cycle the project was prolonged for another four years; all EU member states will participate. Main benefits of the project: the creation of an information strategy for the area of new synthetic drugs and drug precursors. Furthermore, the assessment and classification of illegal laboratories of synthetic drugs were harmonized thanks to the single European database system. The establishment of channels of communication and collaboration with the private sector are also important – so-called barrier model. The development of cooperation with China should also be mentioned.
- The Czech Customs Authority carries on its well established cooperation with the Czech office of Europol (attached to the Czech Police Presidium) and the liaison officers, e.g. the Czech customs liaison officer attached to the ZKA in Cologne. In the framework of the international cooperation the Czech Customs take part in many different activities of international organizations and information systems. A bilateral agreement with Peru was signed in 2013. Agreements with Ecuador and Mexico are in the course of preparation.

On 6 June 2013 the EU Council (JHA) adopted the **EU Action Plan on Drugs 2013-2016**, which deals with two areas of EU anti-drug strategy (reduction of demand and supply of drugs), while following through three cross-cutting issues of the strategy (coordination, international cooperation and information, research, monitoring and evaluations): <http://register.consilium.europa.eu/pdf/en/13/st09/st09963.en13.pdf>

On 1 January 2014 entered into force a considerably amended **Act No 167/1998 on addictive substances** (as amended by Act No 273/2013), from which the issue of drug precursors have been set aside to a brand new **Act No 272/2013 on drug precursors**. The adoption of the two acts accomplished a long-term work on changes to the inclusion of narcotic and psychotropic substances to the list of controlled substances by way of more flexible

and faster form than amendments to existing law – newly by way of government regulation. At the same time a new system of limiting the free sale of other chemicals misused for drug production was created, the system entered into force on 1 July 2014. Although the Czech Republic is bound by the EU regulations concerning drug precursors, there is room for addressing national specificities. The Czech Republic has made use of it in order to tackle its main problem, i.e. the illegal production of methamphetamine from freely available chemicals.

In 2013 the IKSP Institute started its work on a three-year research task titled „**Detection and sanctioning of drug offences following the adoption of the new Criminal Code**“. The research focuses on the role the state plays in the legal repression of drug crime, by comparing the situation before and after the new Criminal Code.

2.2.7.2. Trafficking in human beings

In 2013 the Czech Police detected 18 (-6) cases of suspected criminal offence of **trafficking in human beings**, 25 (+3) individuals were investigated and prosecuted.

According to the ÚOOZ that structure and dynamics of this crime have not change as of late. Trafficking in human beings is a typical example of organized crime with a high latency rate.

The most common forms of exploitation in the context of human trafficking remain sexual and labour exploitation – according to police statistics the former prevails.

No cases of trafficking for the purpose of taking the tissue, cells or an organ from human body, nor for military service, slavery or serfdom.

The cases detected in 2013 confirmed a shift from violent manifestations in favour of trick, dependence or error.

The Czech Republic is considered as source, transit and destination country; its importance as destination country continues to rise. Human trafficking takes place also in the national context, without international elements.

The following countries are considered as source: Moldova, Russia, Ukraine, Vietnam,

Nigeria and Mongolia. EU countries as follows: Romania, Bulgaria, Slovakia and Poland. Czech nationals are usually trafficked to the UK, Ireland, Cyprus, Germany or Austria.

The identified cases suggest that the same models as in previous years are still in use in **trafficking for the purposes of forced labour or other forms of exploitation**. On the pretext of good earnings people are lured to the Czech Republic through advertisements in their home countries. Such activities were carried out by organized groups passing off as legal job agencies offering all the necessary assistance with document and administrative work, including transport. Investigations confirmed that after the arrival the trafficked persons were forced to accept subordinate, mostly physically demanding jobs for minimum or no pay. The dependence on the employer was deliberately developed by means of non-payment of wages (so-called „debt dependence“), fear of losing work, abuse of the vulnerable status of workers due to the language barrier, lack of finance, etc.

Measures

Act on victims of crime, which considers the victims of human trafficking as particularly vulnerable, entered into force on 1 August 2013.

The implementation of the **Support Programme for the victims of trafficking in human beings** was carried forward in 2013. The programme follows on an UNODC (Nations Office for Drugs and Crime) pilot project. It is designed for the victims of sexual and labour exploitation, to which it offers legal, social and health assistance, accommodation and a dignified return to their home countries. Apart from its humanitarian aspect the programme is also meant to provide valuable information on the criminal environment.

As inter-ministerial sponsor of the programme the Ministry of the Interior is not only in charge of coordination, but also of preventive activities. Obviously, it collaborates with other ministries (Labour, Education, Foreign Affairs), Czech Police and NGOs. A coordination group meets usually once every two months in order to steer the programme.

In 2013, thanks to an excellent cooperation with other stakeholders, 23 likely victims were included in the programme: from Romania, Slovakia, Czech Republic and Vietnam. In most cases the issue was trafficking for the purpose of forced labour. A total of 143 victims have been placed under the programme auspices since 2003.

Nine probable victims continue to benefit from the programme – they receive all the standard assistance and cooperate with law enforcement authorities.

Eight voluntary returns took place in 2013 as part of the programme's subprogramme for voluntary returns. In total 63 voluntary returns have been organized since 2003, out of those 19 back to the Czech Republic.

The Ministry of Justice came to the conclusion that in order to properly implement the requirements set out by Directive No 2011/36/EU of the European Parliament and of the Council of 5 April 2011 on preventing and combating trafficking in human beings and protecting its victims, and replacing Council Framework Decision 2002/629/JHA, **it is necessary to make certain amendments to the Criminal Code.**¹³²

¹³² The relevant amendments have already been prepared in the 6th legislative term, however, due to the dissolution of the Chamber of Deputies the Government draft Act, which should have amended *inter alia* the Criminal Code (Press 996), was not adopted. The amendment was submitted again after the new Chamber of Deputies had been formed; it is

Presided by the minister of the interior, the **Inter-ministerial coordination group for the fight against trafficking in human beings** continued its activities in 2013.¹³³

Measures at EU level

A first-ever statistical report by Eurostat was published in April 2013 on trafficking in human beings in the EU. Data were collected in the period 2008–2010 with contributions from all member states.

The **informal group of national correspondents and equivalent mechanisms on trafficking in human beings** met twice in Brussels in 2013. The issues discussed included: increase in the number of suspicions of child trafficking, trafficking for the purpose of fraud; Eurostat data collection 2010–2012, rights of victims (issue presented by France), [methodology](#) of identification of victims for consular staff and Aliens police.

Other topics: external cooperation with civic society, the issue of human trafficking and the role of the internet in view of the [conference held on the occasion of the Seventh EU Anti-Trafficking Day](#) on 18 October 2013.

(Further measures see Chapter 3.2. Prevention of Crime.)

being discussed under Chamber of Deputies document ref. 45.

¹³³ Among other things the meetings focused on the issue of reduction of demand for services of trafficked persons or involvement of new actors, which are likely to identify victims.

2.2.7.3. Illicit trade in arms, explosives and hazardous chemical and biological substances

There were no significant changes in crime related to illicit trade in arms and explosives in 2013.

There is an ongoing topical issue of decommissioning of weapons pursuant to Decree No 371/2002 on the procedure to be followed when decommissioning or destroying arms in the context of Act No 119/2002 on arms. On repeated occasions the ÚOOZ has retrieved in the criminal environment weapons previously decommissioned and degraded and subsequently put back to their original functional state.

A new phenomenon has been identified: conversion of original automatic weapons into expansive, i.e. gas-driven weapons providing sound effects.

Illegal handling of chemical, biological, radioactive and nuclear substances (hereinafter „CBRN substances“) and dual-use items: the situation remains stable, without considerable changes. Non-compliance with legal regulations and technological procedures when handling sources of ionising radiation (thus making room for theft or misuse) constitutes the biggest security risk.

Trade in fake medicines has risen considerably. Both original and generic medicines are subject to forgery. Such fakes are sold in the Czech Republic either illegally as fakes of registered medicines (available upon prescription) or preparations not authorised for the EU market or even banned due to hazard to human health. This is particularly the case for products for the treatment of erectile dysfunction, weight-reduction products or hypnotic drugs.

Measures

Act No 228/2005 on control of the trade in products whose possession is subject to restrictions in the Czech Republic on security grounds was amended by way of Act No 281/2013 with effect from 30 September 2013. The amendment implements Regulation (EU) No 258/2012 of the European Parliament and of the Council of 14 March 2012 implementing Article

10 of the United Nation’s Protocol against the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition, supplementing the United Nations Convention against Transnational Organised Crime (UN Firearms Protocol), and establishing export authorisation, and import and transit measures for firearms, their parts and components and ammunition to non-EU countries. The harmonization of procedures in the EU brought about by this legislative amendment has a positive impact on legal producers, importers and exporters of civil weapons and ammunition and will contribute to better security of citizens.

Together with the legislative amendment a new implementing regulation has been prepared – Government Decree No 282/2013 establishing the list of products and the conditions to be met in order to be able to import or transit such products, and on laying down of certain conditions for exports of specified products, and on the modalities and models of applications for export authorisations. With effect from 30 September 2013 this Government Decree replaced the previous implementing regulation (Government Regulation No 230/2005).

The new electronic system for licencing procedure run by the Ministry of Industry and Trade – **ELIS MPO** - became fully operational in 2013.

On 3 June 2013 the Czech Republic signed the **Arms Trade Treaty**, the first international treaty regulating the trade in conventional arms, which introduces an efficient control of foreign trade in arms contained in the UN Register of conventional arms. The Treaty will enter into force once ratified by 50 countries.

Between 2011 and 2013 the Ministry of Industry and Trade prepared a draft **Act No 229/2013 on the handling of security material**. The act entered into force on 1 January 2014 and is supposed to provide for an accurate and up-to-date registry of security material, better specification of the conditions for its securitisation and on effective inspections of

handling of such material, including inspections carried out on the basis of the Treaty on Conventional Armed Forces in Europe.

The Czech Proof House for Arms and Ammunition notes that the conversions of automatic weapons to self-loading weapons are of concern when it comes to criminal activities. There is no legal definition of a „conversion of weapon“.

In order to improve the situation in the field of decommissioning of weapons the Ministry of Industry and Trade supports the preparatory technical negotiations necessary to create harmonized regulations for decommissioning of weapons in order to meet the requirements of Part III of Annex I to Directive 2008/51/ES („Firearms Directive“) of the European Parliament and of the Council and supports their adoption in members states of the EU Competitiveness and Innovation Framework Programme (CIP), including their subsequent implementation in the Czech legal framework (by way of amendment to Decree No 371/2002).

2.2.7.4. Counterfeiting

The amount of counterfeit money decreased in 2013 compared to the previous year. A total of 3130 pieces of counterfeit banknotes and coins were seized, i.e. a decrease by 31% on a year-on-year basis. The only increase concerned EUR banknotes and coins. For all the other monitored currencies the number of counterfeits decreased. From a long-term perspective it can be said that counterfeiting has had a downward tendency.

As for the local currency, 1985 counterfeit pieces were seized, i.e. down by 43% compared to 2012. The counterfeits were largely produced by means of home or office printers. The quality of counterfeits thus produced was therefore poor. The criminal activity did not show features of organized crime.

A total of 811 pieces of EUR counterfeits were seized, 26% less than in 2012. There were 103 USD counterfeit banknotes seized in the Czech Republic, down by 21%. As for these two currencies, the printing techniques have shown a better quality and professional level of the perpetrators. The EUR and USD counterfeits were not produced in the Czech Republic.

The Customs Administration carried out a total of 22 investigations in 2013 of suspicions of illicit trade in military material, weapons or explosives. The military material concerned in particular ballistic materials and spare parts for military vehicles, helicopters and aircraft.

In total 126 counterfeit coins were seized in 2013, 42% less than the previous year. These were mostly EUR coins (89 pieces).

Payment cards: there was an increase in 2013 of crime as regards the skimming devices deployed. There were 172 cases of skimming, reported by means of criminal complaints from victims (150 cases in 2012). From a **long-term view** the number of skimming **incidents has been rising**.

The damage caused, i.e. the value of financial means stolen from bank accounts amounts to CZK 8 million, while the perpetrators intended to divert CZK 20.5 million.

The theft of bank card data is immediately followed by the manufacture of counterfeit card and withdrawals of cash abroad. **The payment card organized crime was run primarily by groups of Bulgarian and Romanian nationals.** In border regions of the Czech Republic the criminals use a specific *modus operandi* consisting in a well thought-through placement of

skimming devices that are deployed for several hours only and the perpetrators operate from their bases abroad.

The technical quality of skimming devices improved in 2013¹³⁴ – the perpetrators are able to manufacture perfect parts of cash machines in terms of shape and colour. Also, they develop their own software and cable connections for downloading the stolen data to their computers in order to encrypt them and send over the internet to places where the cash withdrawals take place subsequently.

Measures

The international cooperation is the main tool to tackle currency counterfeiting and payment card fraud. The ÚOOZ maintains close contacts with both the local banking sector and its counterparts abroad in the framework of Europol.

For instance, the cooperation with colleagues from Poland, Slovakia, Germany, Austria and Hungary is at a very high level. In addition there is a good cooperation with Bulgarian and Romanian partners – primarily by means of the Czech Police liaison officer in Bucharest.

In the framework of international cooperation in the field of fight against counterfeiting of non-cash means of payment the ÚOOZ hosted in November 2013 a conference on the cooperation of anti-skimming efforts in Central Europe.

¹³⁴ A series of skimming attacks was recorded in the end of 2013 in the Czech Republic, whereby the perpetrators used new skimming devices installed to a WINCOR-NIXDORF cashpoint. It was composed of the traditional slot with a micro camera to read the PIN code and the so-called magnetic stripe reader, which the perpetrators imported by means of specialized tools to the original part of the reading stripe magnetic device located inside the main body of the cash dispenser. According to available information, such a skimming device in Europe was reported only in Switzerland and Romania.

2.2.8. Terrorism

In 2013 there was no incident in the Czech territory¹³⁵ that could be classified as a terrorist attack as defined by law.¹³⁶

The issue of radicalisation across Europe and in the Czech Republic remains critical, particularly as regards immigrants from Islamic countries or converts. Radicalisation is closely linked with subsequent recruitment for terrorist purposes.

Several cases of misuse of internet for the above-mentioned purposes were reported in 2013.

A new phenomenon considered as a significant security risk in Europe appeared in 2013: departures of individuals from Europe and North America to fight in Syria, Egypt, Somalia, etc. Given its geographic location the Czech Republic could be considered one of the transit points, so the issue was followed with an increased attention. One individual was detained in 2013 when transiting through the Czech Republic – the person travelling on counterfeit documents had previously been sentenced for direct support of Al-Qaeda.

The ÚOOZ has reported abuse of Czech and other (mostly European) travel documents and ID cards by foreigners with links to terrorist entities abroad.

According the **BIS** (Security Intelligence Service), efforts continued in 2013 to promote certain elements of the Islamic law in the Czech Republic. Given the past record this can be considered a long-term process. **Increased jihadist propaganda** in connection with the conflict in Syria was a significant radicalisation factor in 2013. This resulted in a higher number of European Islamic volunteers leaving for combat in Syria. The BIS recorded calls in the Czech Republic to go to fight to Syria – these appeals were published on a Facebook group

¹³⁵ As regards the potential activities of terrorist organizations the Czech Republic shall continue to be considered rather as a logistical base misused by persons with links to terrorist organizations. The Czech territory is usually used for transit of persons, provision of material and financial resources, procuring of counterfeit of falsified documents, facilitation of entry and residence in the Schengen area or as a place for other criminal activities.

¹³⁶ As defined in the relevant articles: 310, resp. 311 of Act No 40/2009, the Criminal Code.

called „Path to faith for the Czech (*Cesta k víře pro Česko*)”, previously known as Sharia4Czech, Sharia4Czechia, Sariah pro Česko. This Facebook group promoted also the introduction of the Islamic law and focused on a positive presentation of Islam in the Czech Republic.

The jihadist propaganda on the internet continued not only in respect of Syria, but in general with the aim to radicalize youth Muslims. Such activities then contribute to recruitment wherever in the world. In other cases they seek to promote the so-called self-radicalisation, thus producing „lone wolfs“, stand-alone terrorists. In both cases this jihadist propaganda can threaten the security of the Czech Republic.

The protection of the civil aviation against unlawful acts has been constantly under close watch by security forces in the Czech Republic and the EU.

(More details in Chapter 2.2.13.)

Measures

(More measures see Chapter 3.3. European Union and International Cooperation.)

The Czech intelligence services (**BIS**, ÚZSI – Office for Foreign Relations and Information, Military Intelligence) are active in the field of detection of latent and imminent security threats, risks, analysis of security-risk situations; they are actively involved in relevant international networks and organizations and cooperate on a bilateral basis with international partners.

Apart from gathering intelligence aimed at the detection of possible terrorist activities in the Czech Republic the **BIS** focused in 2013 also on radicalisation process, which could considerably impact on the security situation of the country.

The ÚOOZ closely monitored and assessed threats against American, Israeli or Jewish targets. There was no significant security incident in the reporting period.

Within the Czech Police the senior body in charge of the issue of terrorism is the ÚOOZ Terrorism and Extremism Department, respectively the National Contact Point for Terrorism (hereinafter the „**NKBT**“).

The **Joint Intelligence Group** (established at the Prime Minister’s Office) provides for the

coordination of the information flow among security services and proposes measures to be taken in the field of the fight against terrorism.

The ÚOOZ priorities for 2014 continue to be the monitoring of selected groups in respect of their radicalisation tendencies, monitoring and constant evaluation of the extremist scene and conducting an effective fight against these phenomena, as well as preventive action aimed at their elimination or marginalization. Strengthening of international police cooperation and operation of the NKBT is another priority for the NKBT, as well as stepping up the activities of the Police Expert Group on political and religious extremism.

A considerable complication in the fight against terrorism is, from the ÚOOZ perspective, a limited and more difficult (**often impossible**) **access to operational and localisation data on telecommunication traffic**, be it pursuant to § 71(a) of Act No 273/2008 on the Police of the Czech Republic or pursuant to § 88a(1) of the Criminal Procedure Code. Insufficient access to these data considerably complicates the work not only of the ÚOOZ terrorism/terrorism financing department, but also joint international efforts, in which the Czech Police participates. Partner countries perceive terrorism as a global phenomenon to be fought by all available legal means.

The ÚOOZ is of the view that the law enforcement authorities of the Czech Republic do not have access to the necessary data in the same extent as their colleagues in partner countries.

2.2.9. Extremism

The Czech Police recorded a total of 211 criminal offences with extremist features in 2013. This means an annual increase by 38 offences (22%).

A number of violent protests took place in the summer 2013, particularly in Duchcov, České Budějovice and Ostrava.

During these events the public order police was often confronted with right-wing extremists or local youth.

These actions were organized and stirred mainly by the right-wing extremists, but ordinary citizens took part as well. In some localities these

There is a specific instrument against terrorism that has been developed over the recent years: primary school awareness-raising action.

The amended Framework Programme for Basic Education has **broadened the scope of the theme of everyday risks and protection of citizens in extraordinary situations to include also terrorism**. The amended programme came into effect on 1 September 2013.

Given the complexity and importance of the issue briefings and training sessions for teachers were prepared in the second semester of 2013 jointly by the Ministry of Education, Ministry of the Interior, Fire Brigade Directorate General and the National Institute for Further Education in order to help teachers to put these changes into practice.

(Further measures see Chapter 3.3. European Union and international cooperation.)

events led to the strengthening of the DSSS position (e.g. in Duchcov).

In addition to anti-Romani events the right-wing extremists stepped up their activities in cyberspace.

The issue of extremism is dealt with in detail in a separate MoI document: **Report on Extremism and Manifestations of Racism and Xenophobia on the Territory of the Czech Republic in 2013** (*Zpráva o extremismu a projevech rasismu a xenofobie na území České republiky v roce 2013*).

2.2.10. Investigation and documentation of communist crimes

The Office for the Documentation and Investigation of the Crimes of Communism (hereinafter the ÚDV) was reviewing in 2013 the so-called residual punishments imposed by the courts after 1990 in the context of the law on court rehabilitation.

There was an ongoing cooperation with the War Veterans' Department of the Ministry of Defence on the implementation of Act No 262/2011 on participants in the resistance to communism. A total of 3241 individual files have been examined by the end of 2013.

In the framework of its outreach activities the ÚDV provided the public with expert consultations on the issue compensations pursuant to Act on participants in the resistance against communism.

In 2013 the ÚDV initiated criminal prosecution of 3 (-2) individuals in 2 (-3) criminal cases. 70 (-40) criminal files were registered and 70 (-22) were closed. For instance, these cases concerned criminal proceedings and documentation of constitutional rights of citizens in the period of oppression in the context of the co-called Kulak operation (expulsions from university studies or job on political grounds, monetary reform), violence exercised by public officials in prisons, unlawful and violent oppression of dissent, unlawful behaviour of individual secret police (StB) officers to investigated persons.

2.2.11. Information crime and cyber security

Information crime

Information crime – crime committed in the ICT environment including computer networks¹³⁷ – is rising.

According to **BIS** the attempts by hackers and foreign intelligence services to gain access to information in the systems of the EU, NATO and Czech Republic is of great concern.¹³⁸

In 2013 the Czech Police recorded **3108 (+913, +41.6%) criminal offences perpetrated by means of the internet or other computer networks.**

The information crime came mostly in the following forms: copyright infringements,

threats, extortion, etc. **Different types of fraudulent activities dominate** and continue to rise. Detection of crime consisting in unauthorised data manipulations has been rising as well.

Social networks are the favourite place for the promotion of **extremist activities.**

Phishing continue to rise too, primarily perpetrated with a simultaneous abuse of pre-designed interface in the form of so-called botnets, i.e. centrally controlled infected stations as a basis for other criminal activities.¹³⁹

The records show that there are efforts to create electronic transactions primarily in order to cover up the sources and origin of financial means proceeding from crime, in particular from phishing attacks and misused payment data.

Two massive waves of phishing attacks on banks were reported in 2013, whereby the attacks targeted both the user interface and mobile communication devices, which most commonly serve to authorise access to accounts.

¹³⁷ The target of attack is the information technology as such or it is a criminal activity perpetrated by means of information technologies – mostly the misuse of the internet.

¹³⁸ The most challenging task of the state will be to protect sensitive data from cyber espionage. In this context the expansion of Chinese companies, such as Huawei and ZTE to the Czech market can be considered a potential threat. These companies have for long been suspected elsewhere in the world of taking part in the Chinese intelligence activities and, according to a report by the US Congress, constitute a security threat, which is the reason why these companies are excluded from tenders commissioned by the US Government.

¹³⁹ The organizers of such activities usually do not act from the Czech Republic, however they have their cat's paws, or „e-mules“ – whose task is to transfer the stolen financial means from the victim's account and forward them further by other channels.

Ransomware continues to be reported – dissemination of harmful code that produces messages in the victims' computers informing them that they commit or committed a criminal offence and their PC was going to be blocked by the Czech Police. A part of the warning is information on the possibility of giving bail with the aim of wheedling cash out of the victim.

Theft of identity is also reported. These are used to discredit physically existing entities or to use their identity as cover up for fraudulent activities. The number of fraud in respect of auction portals is not negligible either.

A new trend has been reported: an **increase in siphoning off financial means to virtual currencies**. Such currencies are often used for payments for illegal goods transactions.

Dissemination of prohibited forms of pornography: a shift towards the creation and professionalization of closed communities has been reported – these use ever more sophisticated ways to vet their members. The material in question is then spread with a higher degree of latency, in particular by e-mail, storage spaces and direct exchange of instant messages.

As the number and use of social networks continues to grow so does the misuse of information obtained on individual users that is subsequently misused for criminal activities or discreditation and blackmail of victims.

Deliberate overloads of both private and public servers with targeted data requests are also one of the current trends that could lead to potential disruptions in the communication infrastructure and functioning of society.

As regards the risks stemming from the impossibility to disclose perpetrators' identity there is a risk of spread of anonymous internet connections via free Wi-Fi hotspots from pre-paid mobile phone cards. Such anonymized dissemination of access points is to be considered as security risk.

Measures

The **Czech Police Hotline** became fully operational in 2013 (launched on 1 August 2012).¹⁴⁰ This expert workplace was created under the auspices of the Police Presidium Information Crime Department; a total of 3829

inputs concerning cyber space were recorded in 2013.

On 1 December 2013 the Czech Republic became bound by the **Convention on Cybercrime** (published under ref.: 104/2013). This is a Council of Europe instrument that entered into force on 1 July 2004. The objective of the convention is to provide for international legal framework for effective combating of cybercrime by a harmonization of the states of facts of cybercrime in order to provide for efficient prosecution of perpetrators, set up necessary national investigation capabilities, as well as to create a responsive and effective framework for international cooperation in respect of criminal offences related to information technologies.

The **European Cybercrime Centre (EC3)** became operational on 13 January 2013. The Centre's objective is to help the member states to disrupt criminal networks misusing the internet. The centre collects and processes data on cybercrime; it supports police units across the EU by providing highly specialised, technical and analytical advice in joint investigations in the EU.

Cyber security

The **National Security Authority** (hereinafter the „NBÚ“) is the overall coordinator for cyber security. A **National Cyber Security Centre** („NCKB“) was established under the auspices of the NBÚ. The Centre's mission is to prevent the infiltrations into infrastructures that are vital for the running of the state. The so-called **governmental CERT** (hereinafter „GovCERT.CZ“) is part of the NCKB and its role is to monitor the cyberspace, detect, respond and prevent cyber-attacks.

The NCKB currently registers 184 important ICT systems, of these 149 are considered significant and 35 as critical.

A total of 100 incidents were notified to the NCKB/GovCERT.CZ in 2013. 71 were closed, 29 are pending. Attacks on the basis of social hacking (such as phishing) and DDoS attacks are most frequent. The public sector was targeted by

¹⁴⁰ This is an on-line form for reporting cybercrime, available at: www.policie.cz.

63 attacks, 34 targeted private sector and 3 were directed against critical infrastructure.

Updated information is available at: www.govcert.cz.

Measures

Draft Act on cyber security was adopted by Government Resolution No 2 of 2 January 2014.¹⁴¹ The draft was prepared by the National Security Authority and its objective is to make the response to cyber threat more effective and faster. At the same time the regulation should ensure public-private cooperation in prevention of attacks on information technology.

Work has begun or continued on a draft decree on security measures, cyber security threats and reactive counter-measures and on laying down of modalities for submissions in the field of cyber security and the Decree on significant information systems and their defining criteria.¹⁴²

In collaboration with the Fire and Rescue Service Directorate General the NBÚ has taken forward the work on a draft amendment to Government Regulation No 432/2010 on the criteria for the definition of critical infrastructure elements, which began in March 2013.

European level:¹⁴³ the NBÚ was taking part in the dealings of the EU Council working group on telecommunications, which discussed the proposal of directive of the European Parliament and of the Council concerning measures to ensure a high common level of network and information security across the Union.

The NCKB prepared the ground for the Czech Republic to join the **NATO Cooperative**

¹⁴¹ The draft act was put forward to the Parliament for further legislative steps.

¹⁴² The drafts of these implementing regulations were finalized in June 2013 and became part of the document submitted to the Czech Government on 28 June 2013.

¹⁴³ Given a very active cooperation with the European Union Agency for Network and Information Security (ENISA) the Czech Republic asked in October 2013 for training and expert assistance when building the NCKB. The Czech Republic has played active role also within the OSCE, which in 2013 discussed a document on trust-building measures in the field of cyber security.

In May 2013 the NBÚ took part in the founding meeting of Central European Cyber Security Platform. The list of participants included the representatives of CERTs from the Czech Republic, Slovakia, Hungary, Poland and Austria. In December 2013 the NBÚ hosted a Platform meeting on technical aspects of cyber security.

Cyber Defence Centre of Excellence (CCD COE) in Tallinn, Estonia, whose aim is to increase the defence capacities and improve the collaboration and sharing of information among NATO members in respect of cyber defence.

The NCKB also took steps so that the GovCERT.CZ can be listed as Trusted Introducer within the Trans-European Research and Education Networking Association TI.

In November 2013 the NBÚ/NCKB participated in the **exercise Cyber Coalition 2013**, designed to test the preparedness of NATO members to several simultaneous cyber-attacks. In addition, the NCKB was actively involved in the drafting of scenarios for the **NATO Crisis Management Exercise (CMX)** held in March 2014.

On the domestic front the NCKB maintained a close collaboration particularly with the association of legal persons CZ.NIC. The collaboration proved extremely helpful during the DDoS attacks in early 2013. Other important partners include CSIRT.MUNI¹⁴⁴ and Microsoft with whom an agreement was signed in 2013 on cooperation concerning botnets.¹⁴⁵

The NCKB and Ministry of Defence prepared a framework agreement on the cooperation in the field of ICT and security. The NCKB works also with the Czech Army CSIRT team in order to share lessons and exchange information on cyber incidents. In addition to its other activities (workshops, etc.) the NCKB continued to develop collaboration with the academic ground by means of cooperation agreements.

Throughout 2013 the NCKB followed up on the **survey on the state of protection of public administration information systems** that it carried out in 2012.¹⁴⁶

The gaps identified by this survey were discussed with the entities concerned in the first

¹⁴⁴ CSIRT.MUNI (Computer Security Incident Response Team), or CSIRT of the Masaryk University, Brno, Czech Republic ranks among the top European academic workplaces.

¹⁴⁵ In addition to the mentioned partners at national level the NCKB actively cooperates with the Czech Banking Association, Association of Regions of the Czech Republic, Czech Police and intelligence services.

¹⁴⁶ 44 public bodies were evaluated in the survey while 28 of them administered significant ICT systems and 14 were in charge of critical ICT systems. 24 other public administration entities were approached in 2013.

quarter of 2013. The lessons learned from the survey will feed into further definition of critical ICT infrastructure in the Czech Republic and for managing the risks associated with its operation and administration.¹⁴⁷

Furthermore the NBÚ/NCKB focused its activities in 2013 **on ICT systems of private establishments and those with equity involvement of the state.**¹⁴⁸ The process is currently in the phase of identification and contacting of selected companies in order to define their element of critical infrastructure.¹⁴⁹

In view of the priorities of the Czech Republic's security strategy and legislative steps by NBÚ leading to the integration of MoI's cyber security structures into the nation-wide structures being built by the NBÚ the Ministry of the Interior is about to introduce an **unclassified information management system** for the departments run by MoI.¹⁵⁰

¹⁴⁷ Although the Cyber Security Act is going through the approval procedure the NBÚ/NCKB already now develops cooperation with the entities to be covered by the Act. Such cooperation is necessary in order to give these establishments sufficient time to meet the conditions requested by the new legislation. The NBÚ/NKCB has found out among other things that this early collaboration has directly impacted on the internal running of these establishments, thus increasing cyber security even before the Act's formal adoption.

¹⁴⁸ The systems critical or significant for the functioning of the state, its security and economic interests.

¹⁴⁹ See Annex to Government Regulation No 432/2010 on the criteria for the definition of critical infrastructure elements.

¹⁵⁰ Such a fundamental decision cannot be taken without introducing a mechanism for security of information and a transition from the operational response to cyber security incidents to a system of a long-term solution in this domain. This necessary step taken in 2014 by the MoI in the field of protection of information in cyber space is a precondition for enhancing the effectiveness and quality of security measures, as well as a nation-wide collaboration of all central stakeholders.

2.2.12. Road traffic safety

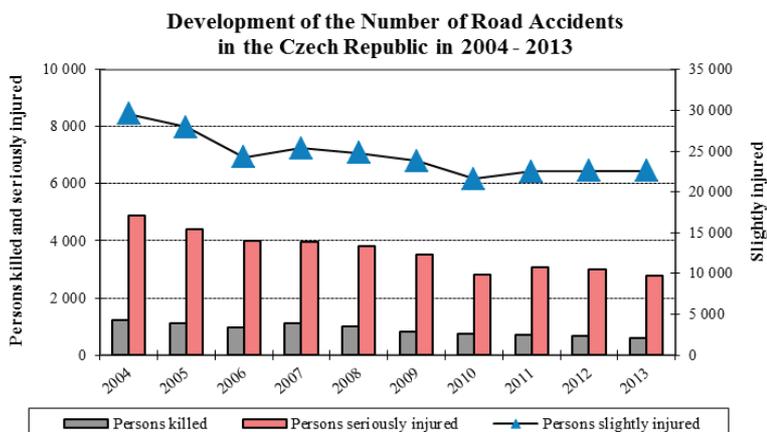
Number of road traffic accidents: 84 398 (+2994, +3.7%)

Consequences of accidents:

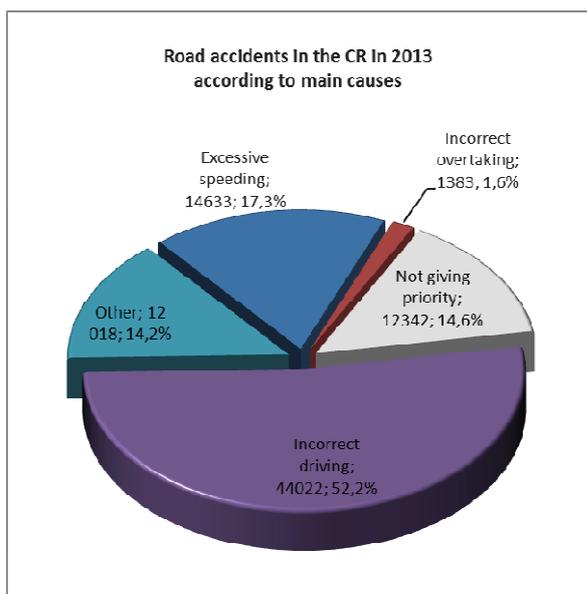
Persons killed: 583 (-98, -14.4%)

Seriously injured: 2782 (-204, -6.8%)

Lightly injured: 22 577 (-13, -0.1%)



A total of 84 398 accidents were investigated by the Czech Police in 2013; 583 persons were killed, 2782 seriously injured, while 22 577 were injured slightly. Total estimated damage equalled CZK 4 938.17 million.



Comparison with 2012: number of persons killed -98, (-14.4%), seriously injured -204 (-6.8%) and slightly injured -13 (-0.1%).

The number of accidents was up by 3.7%, the amount of estimated material damage rose by 1.3%.

The number of persons killed was the lowest since 1955,¹⁵¹ when, according to available data, 656 persons were killed.

¹⁵¹ The worst years - 1969: 1758 people killed; 1994: 1473 killed. The number of fatalities has been decreasing since 2007, when 1123 were killed.

Main causes of accidents: inappropriate driving (52.2%), excessive speed (17.3%), not giving way (14.6%).

The Czech Police recorded 4686 accidents caused under the influence of alcohol (i.e. 6.1% of the total), which killed 52 persons (9% of the total) and 2306 injured. Compared to 2012 the number of such accidents decreased by 288, the number of killed increased by 7 and number of injured decreased by 219 persons.

A total of 213 drug-positive tests of drivers were reported, whereby 10 (+7) persons were killed and 102 (+31) injured.

Most people lost their lives in accidents ending up by a crash of two vehicles (more than 42% of all persons killed). More than 26% were killed in a crash against a hard obstacle; most tragic were collisions/crashes into trees (86 persons killed). Accidents involving crash with a pedestrian (almost 22% of all killed), although these accidents account for mere 4.1% of total accidents. Accidents involving collision with wild animals recorded a slight increase by 3 persons killed.

The Czech Police recorded 13 454 cases of offenders driving away from the place of accident (15.9% of the total number of accidents). Such accidents claimed 17 lives and 815 injured. The number of such accident rose by 1069 (i.e. 8.6%), number of killed increased by 4 persons and the number of injuries decreased by 7 persons.

Measures (selection)

BESIP (Ministry of Transport) is in charge of the implementation of **prevention in the field of**

road traffic safety pursuant to Act No 361/2000. The following activities were, inter alia, carried out by BESIP in 2013:

- Continuous evaluation of national road safety strategies;
- Compilation and assessment of data on road traffic accidents in the Czech Republic, including breakdowns by regions;
- Designing of new concept for the management of road safety policy;
- Workshops for teachers of primary/secondary schools concerning the obligatory teaching of road safety since 1 September 2013 – in collaboration with the Ministry of Education (MŠMT);
- Provision of new teaching materials (road traffic education) for nursery and primary schools;
- Multimedia programme for secondary school students: The Action (3 presentations in Prague);
- Nation-wide competition for young cyclists and participation in the European round (Montenegro);
- Participation with the Czech Police in a road-traffic safety campaign for children („**Zebra se za Tebe nerozhledne**“);
- Obtaining of a MŠMT accreditation for road safety education in primary/secondary schools for the Centre of road traffic services (CSPSD);
- Regular communication through the web portal www.ibesip.cz, social media and a regular newsletter;
- Information service for drivers when travelling abroad www.ibesip.cz titled „Abroad by car“, including a section on travels to traditional winter destinations;
- Traffic safety campaigns and outdoor activities in regions for vulnerable road users; „Jezdíme na krev“ project (blood donation in the spirit of „bikers for bikers“);
- Drafting of amended version of Act No 361/2000 on road traffic, accompanied by comments, selected case-law and graphic

materials, including an abridged English version for foreign drivers;

- Preventive action to detect hidden ocular defects in drivers – in collaboration with Czech Police and International Opticians Association;
- TV emission „Besipky“ – 34 parts (ČT1)
- Road Safety Week – a UN action in the framework of the UN decade of action on road safety;
- Global memory day – commemoration of road traffic accidents' victims;
- European Day of Mobility;
- Regional BESIP activities implemented by 14 regional coordinators (collaboration with regional and local authorities, Czech Police, Integrated Rescue System, coordination of road safety education at children's traffic playgrounds, etc.);
- BESIP Team activities in regions;
- A publications titled „ABC for the disabled and bereaved after victims of road traffic accidents“, prepared in collaboration with the Czech Association of Victims of Road Accidents, in response to the new Civil Code (Act No 89/2012), which regulates the liability for damage in a much more detailed way, strengthening the victim's position, extending cases of compensation of non-material damage and revokes lump-sum ceilings for the calculation of compensations for bodily harm and death.

In addition to its other agendas BESIP is charged with the coordination of activities of the Czech Republic Government Council for Road Safety; it is represented in EU bodies – working group of the High Level Group for Road Safety run by the European Commission, it takes part in international cooperation (ETSC, PRI, CEE Road Safety Round Table, etc.).

2.2.13 Civil Aviation Security

Continued attention is paid to the dangers of abuse of laser pointers in order to dazzle aircraft as a high number of such incidents have occurred in the past years. Inclusion of such laser devices on the list of security material (group 10) is part of the new law concerning the handling of security material (Act No 229/2013). Breakdown of security material to groups is set out by Decree No 407/2013 Sb.

Transfers of information from the **passenger name record (PNR)** are an important element of the fight against terrorism. Discussions were ongoing in 2013 in the European Parliament on the use of PNR in order to prevent, detect, investigate and prosecute terrorist acts and serious crime. However, there was not a large support for this legislative proposal.

Anti-terrorism preparedness is systematically checked in drills involving all relevant stakeholders.

The **Blanik 2013** exercise was held between 27 and 29 November 2013; it focussed on response to attempted passenger aircraft hijack, negotiation with hijackers and their elimination.

The following situation was simulated: several armed men from a fictitious terrorist organization storm into the departures terminal of Karlovy Vary international airport to hold hostage two dozens of passengers. The hijackers request ransom, an aircraft to be put at their disposal and unhindered departure. In response, the Central Emergency Committee and other emergency committees were convened. The exercise took place simultaneously in several places, particularly in Prague and Karlovy Vary region. The main objective was as follows:

- Improve the functioning of emergency committees;
- Exercise the effectiveness of anti-terrorist procedures, as well as public order and civil aviation security procedures;
- To verify actuality of contingency plans.

The exercise, meant to check the readiness of the Integrated Rescue System elements, was planned in accordance with the „Plan of exercises of emergency management bodies – specifications for the period 2013–2015“, approved by the State Security Council on 24 July 2013.

3. Public order and internal security policy

The security of the Czech Republic is based on the security of individual, protection of his/her life, health and property. These values are considered a priority by the incumbent coalition government.

The internal security policy is based on the **Constitutional Act No 110/1998 on the security of the Czech Republic**, while respecting relevant EU documents (for instance, the EU Internal Security Strategy).

The government wants to promote such form of criminal proceedings that would ensure a fair, effective and fast hearings in criminal matters, including **more effective ways to confiscate the proceeds of crime**. The government will strive to support the application of legal provisions on the **protection and compensations to victims of crime**.

The change in criminal policy is supposed to bring a reduction in crime and repeated crime: more prominent role for preventive programmes, particularly as regards youth crime, and focus on localities most hit by crime, penitentiary reform, introduction of electronic monitoring system that would be an inexpensive and reliable way to check upon individuals sentenced to house arrest and could, in certain cases, replace custody.

The government put emphasis on a more resolute fight against organized crime and corruption, it will therefore use its best endeavours to ensure that accused person has the obligation to prove the origin of his/her property in all cases of suspicion of a serious economic and financial crime and organized crime (in particular tax crime, corruption, drugs and human trafficking).

The government rejects the gradual privatisation of security.

The primary function is to stabilize the security forces. It wants to improve the security of the country by reinforcing the direct performance of policing.

Materials that concern the security of the Czech Republic, including public order and internal security, are discussed by the State Security Council (*Bezpečnostní rada státu - BRS*).

This chapter mentions primarily measures taken by the Ministry of the Interior and the Czech Police as the bodies in charge of internal security and public order.

3.1 Legislative activities

(Further legislative actions are elaborated in relevant chapters.)

Criminal Code

By decision of 23 July 2013 the Constitutional Court annulled part of § 289(2) of the Criminal Code, according to which the amount „less than small“ in respect of possession of drugs should have been determined with regard to a government regulation that should have set the limit quantities. The quantitative limit of drugs is relevant for the assessment of punishability of drug offences. The legislation in question is Government Regulation No 469/2007, which was also annulled in part by the decision of the Constitutional Court. The Court's ruling No 259/2013 came into effect on 23 August 2013.

The Constitutional Court held that it is not possible that the conditions of punishability be determined only by a government regulation.

Misdemeanours

Draft Act amending Act No **200/1990 on misdemeanours** was approved by the government on 19 June 2013 and on 4 July 2013 submitted to the Chamber of Deputies (eventually the Chamber was dissolved before the draft could have been debated).

The draft contains measures that sanction repetitions of same more serious misdemeanours primarily by scaling the existing penalties or introducing new penalties or protection measures.

The Ministry of the Interior prepared in 2013 a draft **project of a law on misdemeanours and responsibility thereof**. The proposal was debated and adopted by the government on 3 April 2013. The main objective of the proposal

is to provide for a comprehensive regulation of fundamentals of administrative liability of legal and physical persons for misdemeanours and to specify administrative penalties, protective measures and principles for the imposition thereof.

Law on international judicial cooperation in criminal matters

Act No 104/2013 on international judicial cooperation in criminal matters entered into force on 1 January 2014. The Act provides for regulation of procedures of judicial and central and other bodies in respect of international judicial cooperation in criminal matters. Furthermore, it implements the EU regulations relevant for this area.

Existing regulation of the matter was no longer satisfactory; therefore a new separate act was chosen in order to regulate the issue in a comprehensive and detailed manner.

A follow-up Act No 105/2013 on the amendment of certain Acts entered into force on 1 January 2014 (selected measures become effective as of 1 November 2013 or 30 April 2013). The following acts were amended, inter alia:

- Act No 141/1961, the Criminal Procedure Code. Relevant provisions of the Criminal Code were amended and in particular the whole Title 25 in Part IV „Legal relations with foreign countries“ (§ 375 to 460zp) was deleted as it has for long been unsatisfactory.
- Act No 40/2009, the Criminal Code. The amendments concerned in particular its provisions on extraditions and hand-overs of Czech nationals, limitation period, conditional release and recognition of time in custody or prison.
- Act No 418/2011 on criminal liability of legal persons and proceedings against them.

Penitentiary

Act No 276/2013 amending Act No 293/1993 on custodial detention and Act No 169/1999 on enforcement of custodial sentence came into effect on 1 January 2014.

The amendment provides for ways of placing the accused to custodial prisons, it clarifies rights and obligations of accused persons; it complements the law on reimbursements of

health care provided and specifies the cost associated with the custodial detention.

Migration

The following amendments were made in 2013: **amendment of Act No 326/1999 on residence of foreigners in the territory of the Czech Republic** and the **amendment of Act No 325/1999 on asylum and on the amendment of Act 283/1991 on the Police of the Czech Republic (Asylum Act)**. The amendments were made by means of the following laws:

- Act No 494/2012 amending the Act No 200/1990 on misdemeanours, Act No 40/2009 the Criminal Code, as amended by Act No 306/2009 (in effect since 15 January 2013).

This Act introduced into the Act on misdemeanours the sanction of a ban on residence (§ 15a of the Law on misdemeanours), which may be imposed on offenders irrespective of their nationality. For the purpose of enforcement of this sanction its imposition on a foreigner is recorded in the information system for non-nationals pursuant to § 158 of Act on residence of non-nationals.

- Act No 103/2013 amending Act No 325/1999 on asylum and on the amendment of Act No 283/1991 on the Police of the Czech Republic (Asylum Act), Act No 326/1999 on residence of foreigners in the territory of the Czech Republic and Act No 359/1999 on the social and legal protection of children (in effect since 1 May 2013).

The amendment of the Asylum Act was prepared primarily in order to implement two EU directives, which are part of the so-called common European asylum system.

- Act No 105/2013 on the amendment of certain laws in relation to the adoption of Act on international judicial cooperation in criminal matters (in effect since 1 January 2014, with the exception of certain provisions that entered into force on the day of its publication or on 1 November 2013).
- Act No 303/2013 amending certain acts in connection with the adoption of the re-codification of private law (in effect since 1 January 2014).
- Act No 312/2013 amending Act No 301/2000 on registry, name and surname and amending

certain other acts (in effect since 1 January 2014).

- Senate legislative measure No 344/2013 adopted by resolution of the Chamber of Deputies and published as No 382/2013 on the amendment of tax legislation in connection with the re-codification of private law (in effect since 1 January 2014).

Measures against the illicit production of alcohol

Act No 307/2013 on compulsory labelling of alcohol entered into force on 1 December 2013.

3.2 Prevention of crime

The prevention policy includes in particular non-repressive measures to prevent crime and mitigate the consequences associated with crime. The inter-ministerial Crime Prevention Committee is charged with overall coordination of the policy (hereinafter „Prevention Committee“). The committee has the right of initiative and coordinates policy papers submitted to the Czech government. It also decides on the allocation of funds on programmes and projects designed in the framework of the Crime Prevention Strategy of the Czech Republic for the years 2012 to 2015 (the „Strategy“).

I. Prevention of crime at international level

In 2013 the Czech Republic focused its crime prevention activities mostly on the cooperation within the EU. The Ministry of the Interior represents the country in the **EUCPN – European Crime Prevention Network** established on the basis of Council Decision 2009/902/JHA. This network sets out tasks for member countries by means of a multi-annual strategy in order to strengthen the role of prevention and make the prevention more effective across the EU.

Work continued in the framework of the European Commission three-year programme „**Prevention and fight against organized crime**“ (launched in 2011), intended to transform the network into a **EU Centre of Expertise on**

This act has closed the legislative gaps contained in the existing regulation: it stipulates how to compulsorily label alcohol in consumer packaging for the purpose of excise tax administration, conditions for handling of alcohol and the scope of administrative bodies in this area. The urgency of the matter increased with the so-called Methyl case. The primary purpose of the act is to prevent illegal production of alcohol and ensure that the production, import, sale and warehousing, retail and exports comply with existing regulations. Tax and customs evasion should therefore be reduced too.

Crime Prevention.¹⁵² In 2013 the EUCPN established official cooperation with other European bodies (EFUS, CEPOL).

The three-year international project was concluded: **Best practices in dealing with community conflicts** (2011–2013), organized and coordinate by the Hungarian MoI in collaboration with the EUCPN. The project was co-financed by the European Commission. The project's outputs are published on: <http://www.eucpn.org/pubdocs/seminar-prospect.pdf>.

Every year the EUCPN awards the **European Crime Prevention Award (ECPA)**. The projects put forward in 2013 focused mainly on the **prevention of domestic violence – inter-generation conflicts**. **The second meeting of the Board of the European Crime Prevention Network took place in Vilnius, Lithuania, between 11 and 13 December 2013. The meeting accompanied by expert conference titled „Domestic Violence Prevention“.** In the framework of the meeting a **Swedish project** on domestic violence was awarded **first prize**.

The Crime Prevention Department of the Ministry of the Interior (hereinafter „OPK MV“) organized the national completion for project to be nominated for the European award. Six projects were submitted and national winner was

¹⁵² The Centre will collect and analyse crime in the EU member states and will propose preventive measures and procedures based on the exchange of best practices.

chosen by the evaluation commission: a project titled **Interdisciplinary approach to tackle domestic violence – the city of Brno**¹⁵³.

The OPK MV continues to fulfil obligations stemming from the membership of other international organizations. Throughout the year it prepared background documents for the meetings of a number of **UN meetings** on human rights (Committee on the Elimination of Racial Discrimination - CERD, Committee on the Elimination of All Forms of Discrimination against Women - CEDAW, Commission on Crime Prevention and Criminal Justice - CCPCJ, Committee on the Rights of the Child - CRC and Human Rights Committee). At the same time the OPK MV represented the MoI in a number of related meetings, briefed partners on the activities taken in the Czech Republic and advocated the respect of international conventions in the Czech Republic and the implementation of commitments stemming from annual reports.

The MoI continued to represent the Czech Republic in the **Missing Children Europe**, an international federation, where the MoI reports on the developments concerning its national coordination mechanism for search for missing children, current statistics and preventive activities.

New contacts were established with **Amber Alert Europe** that has a permanent office in Brussels since 2013. This is an umbrella agency for coordination of international cooperation and exchange of best practices regarding searches for missing children. The OPK MV was asked to take part in the collaboration as partner organization.

The MoI is also in charge of the agenda of the **EU DAPHNE Programme**. The programme aims to contribute to the protection of children, young people and women against all forms of violence; it also aims to take preventive measures and provide support and protection for victims and groups at risk. In order to raise public awareness of the DAPHNE programme the OPK MV regularly participates in regional promotional events.

¹⁵³ This is an ongoing primary prevention project (since 2006), which focuses its every year activities and projects outputs on professional and general public and whose objectives are designed so as to grasp the domestic violence prevention in its complexity, i.e. to address all age categories. Such an approach eventually results in an early detection of domestic violence and increases the possibility of stopping the problem at an early stage.

II. Crime prevention at inter-ministerial level

The Czech Republic has established a system of crime prevention. The 2013 priorities focussed on the completion and improvement of the system of care for vulnerable children, prevention of crime by children and young people, prevention of crime in socially excluded communities, prevention of over-indebtedness, help to victims of crime, particularly victims of domestic violence, development of a system or crime prevention at local level (in cooperation with local authorities). Emphasis has been put on the improvement of analytical and methodological activities and training. Preparatory work has been carried out on (applications for grants) the implementation of several preventive projects to be supported by EU funds.

A report was submitted to the government in the first quarter of 2014 on the **„Implementation of tasks stemming from the Crime Prevention Strategy of the Czech Republic for the years 2012 to 2015 – reporting period 2013“**.¹⁵⁴

The Crime Prevention Committee regularly discussed draft government policy papers and legislative documents, proposals for preventive measures, problems related to juvenile crime, outputs of research projects (e.g. extremist trends, perception of security by the Czech citizens, etc.) Six Committee meetings debated particular topics: better care for children at risk, help to victims of crime, security issues of the socially excluded localities, prevention of over-indebtedness, evaluation of quality and effectiveness of preventive projects and the training of staff working in the area of crime prevention. In addition the Committee considered the applications for subsidies for the development of Czech Republic's crime prevention system.

III. Prevention of crime at local level

The regions have increasingly worked together with municipalities on the issue of crime prevention. Crime prevention programmes for 2014 have been adopted by the Committee. The flagship document is **Principles for the**

¹⁵⁴ The document will be submitted for information to the Chamber of Deputies together with the Situation Report on Public Order and Internal Security in the Czech Republic in 2013.

allocation of state budget subsidies to cover expenses incurred in the framework of the Crime Prevention Programme. The document sets out the eligibility criteria and conditions to be met by municipalities and regions in order to apply for subsidies.

In order to help the regions and municipalities with the analytical and planning work the „Principles“ contain also a **Methodology for the drafting of security analysis and crime prevention policy papers at regional and local level**, including ways to evaluate risk levels of a given territory in respect of prevention of crime. The methodology is subject to regular updates.

The MoI strives to make the preventive measure as effective as possible. That is why the regional and local authorities are invited to work out their crime prevention policy and particular plans and projects very carefully – to include benchmarks or other means that provide for an objective assessment of their activities. In order to improve the quality of monitoring of effectiveness the MoI commissioned in 2013 a study titled **Measuring the effectiveness of preventive programmes or how to measure something that did not happen**. The study was done by a public interest body – Open Society.

The MoI provides advisory services to all parties interested concerning the planning of preventive measures and ways to ensure better security in a given locality. Regularly, following the publication of the Crime Prevention Programme the ministry organizes in collaboration with regional authorities a series of workshops for bodies that plan to apply for state subsidies for their crime prevention activities. In order to follow on the measures implemented in regions and to assess their effectiveness the ministry maintains close working relationship with the regional councils' crime prevention managers.

Four rounds of Crime Prevention Programme were published in 2013. The first, generic round, (published in November 2012) was followed by three more specific ones that focused on the topical issue of increasing safety in the socially excluded localities.

A total of 258 projects of 118 municipalities and 6 regions were supported in 2013, their overall value equalled CZK 49 946 000. The social prevention projects dealt primarily with risky groups of children and youth

and the way to improve safety in the socially excluded localities. (184 projects supported, worth CZK 31 410 000). 68 social prevention projects were supported by CZK 17 543 000 (most projects concerned placing surveillance CCTV camera networks in towns, their connection to the Czech Police and the protection of municipal property and premises).

In November 2013 the MoI issued a call for implementation of the **2014 Crime Prevention Programme** for regions and municipalities.

A **two-day workshop** was prepared in October 2013 for **crime prevention managers at regional and local councils** and for the police prevention staff. The workshop was tailored to the needs of the regions and municipalities. The implementation of existing projects was assessed and priorities for 2014 were presented. The discussion was centred on topical issues, such as new regulation concerning the victims of crime or conclusions of a survey of the perception of security by citizens, commissioned by the Committee in the end of 2012.

The tasks set out in the Strategy include a creation of certified training course for crime prevention managers at local councils. Preparatory works continued in 2013 on a training course¹⁵⁵ „**Enhancing the crime prevention competences of police officers and staff of autonomous administrative units**“. A pilot course will run from March 2014 until December (or February 2015 at the latest).

IV. Specific crime prevention projects

The support of specific projects implemented by regions and local councils or NGOs continued in 2013. Main focus was on child and youth offenders, socially excluded groups, victims of crime and victims of domestic violence.

Early intervention system (SVI)

In February 2013 the government discussed a Report on the progress made in the implementation of the project of National early intervention system as part of the reform of the system of care for vulnerable,¹⁵⁶ submitted by the

¹⁵⁵ The project has been approved and will be co-financed from the EU funds and Czech public budget.

¹⁵⁶ The report follows on the Government Resolution No 191/2011, which stipulates that the Early Intervention System („SVI“) is an inter-ministerial project having for objective to prevent the risks of delinquency in children and

Ministry of Labour. It was stated in the report that the system will be integrated into the information system for the social and legal protection of children and that it will be co-financed from the EU funds. The MoI ensured in mid-2013 that the system becomes one of the strategic projects under the Smart administration state programme and a call was issued in the framework of the Integrated operational programme.¹⁵⁷

National coordination mechanism of search for missing children

The MoI has continued in 2013 with the implementation of the project of National coordination mechanism of search for missing children (hereinafter „NKMPD“)¹⁵⁸.

Between 25 and 27 September 2013 the OPK MV hosted an international conference on „Missing children and the European emergency hotline 116 000“. The main topics included the system of search for missing children in European countries and the role of the emergency hotline number 116 000 that has been established already in 22 EU countries. The 24/24 hotline is designed primarily to help the parents of missing children. In addition to psychological support and advice the staff are there to work actively with police and other institutions on particular cases. The conference marked an official launch of the hotline in the Czech Republic.¹⁵⁹

Details on the effectiveness of the NKMPD can be found in Chapter 2.1.4. Searches for persons and items.

protection of children from crime. The project is run jointly by the MoI and Ministry of Labour.

¹⁵⁷ The call was closed and new round of negotiations was launched between the MoI and Ministry of Labour concerning the decision to implement the SVI under the umbrella of the SPOD information system.

¹⁵⁸ The NKMPD is based on the search capacity of the Czech Police, reinforced by the Integrated Rescue System if needed. The system improves the existing mechanisms for collaboration between the relevant bodies, makes an effective use of existing communication channels and coordination of responsible bodies. The project counts with a broad involvement of the public.

¹⁵⁹ Participants from the following countries shared their experience with the emergency hotline: Hungary, Poland, Slovakia, plus the director of the US International Centre for missing and exploited children. Other participants: European Commission Missing Children Europe, Czech Our Child Foundation, Safety Emergency Hotline (*Linka bezpečí*) and Missing Children Czech Republic, police experts on internet crime perpetrated against children and other experts.

Prevention of crime in socially excluded communities

A crime prevention programme called **Úsvit** is a specific programme designed to increase safety in the socially excluded localities and to fight extremism and motivate the locals to become part of the solution to their problems. The MoI has carried on with the implementation of the project in 2013.¹⁶⁰

Tensions in Northern and Southern Bohemia started to escalate in mid-2013. They were accompanied by a series of demonstrations, organized mostly by the right-wing extremism supporters, with a considerable involvement of the locals, however. The MoI responded to this situation by launching in July a third round of Crime Prevention Programme. This round concentrated on crisis and immediate measures in the towns of Duchcov and České Budějovice. On the MoI recommendation both towns decided to calm the situation down by deploying crime prevention assistants in order to mediate between the groups of problematic citizens and those who respect legal order.

The strongest demonstrations denouncing the state for its integration activities and inability to ensure adequate social level and security of citizens were repeatedly taking place in Ostrava. The MoI therefore launched the fourth round of its Crime Prevention Programme, this time tailored to the specific situation in Ostrava that also responded by deploying more crime prevention assistants.

The main individual project is the **Crime prevention assistant**,¹⁶¹ implemented across the country. Its objective is to reduce the number of offences and misdemeanours in the socially

¹⁶⁰ Second round of the Crime Prevention programme, issued in May, focused on increasing safety and security in the socially excluded sites in municipalities, which cooperate with the Social Inclusion Agency. 37 municipalities took part. The intention was to motivate the local councils to collaborate with the Agency in order to look for positive solutions to their problems and to bring synergies with other projects implemented by autonomous authorities. 21 municipalities responded to the call, 43 projects were submitted.

¹⁶¹ The Assistant is employed by the local council as a member of its municipal police staff within the meaning of Act No 553/1991 on municipal police. The Assistant is not an officer or trainee, but he carries out missions that are not, according to the law on municipal police, reserved exclusively to municipal policemen, in particular: participates in the prevention of crime, contributes to the safety and security of inhabitants and property and supervises the cleanliness of public places.

excluded locality, ensuring law enforcement, prevention of neighbourhood disputes, latent unlawful behaviour and to change the negative stance of the majority population towards the socially excluded. After having been trained the successful candidate to the post of „assistant“ joins the Czech police or municipal police. The project Assistant was implemented in 46 municipalities in 2013, with 140 assistants active the field. Czech Police contributes to the success of the project in each locality.

The Assistant project is financed from two sources.¹⁶²

Many events were organized by various municipalities in collaboration with the OPK MV in 2013 in order to share experience and exchange best practices concerning the project. By way of example, in **Sokolov**, which on 30 September 2013 hosted a conference on the occasion of a one-week project prepared by the Sokolov municipal police: „**We live here together – open street**“. The issue in question was the **cohabitation of the Romani with majority society**, primarily in the socially excluded localities.¹⁶³

The MoI has focused in 2013 on **training for the crime prevention assistants**. **Two training events** were thus provided at the end of 2013.

The first followed up on the standard two-day introductory training in order **to test the assistants' continued learning by way of a pilot project**. The pilot course was prepared and lectured by the director of Děčín municipal police who has been working with the assistants since 2009.¹⁶⁴ The second activity was a **training**

¹⁶² The first is the MoI heading of the state budget, Crime Prevention Programme subsidy 2013 (90 assistants in 35 municipalities). The other one is the European Social Fund, operational programme Human Resources and Employment (ref No: CZ 1.04/ 3.3.00/61.00003): 50 assistants in 11 localities.

¹⁶³ Among participants who provided their insights and shared experience from the work in the socially excluded localities, were e.g.: municipal police and Czech Police departments from the towns of Sokolov, Karviná, Karlovy Vary and Litvínov.

¹⁶⁴ The course focused on the practical discharge of assistants' duties and its content was based on the best practice available. 37 assistants took part in the pilot course, they were divided into three groups: newcomers (less than 1 year of professional experience), experienced (more than 1 year), and those participating in the OP Human Resources and Employment. All three groups gave positive assessment of the course, one of the conclusions being the necessity of continuous, standardized and practice oriented training. The

aimed at increasing their competence in the area of financial literacy, since the clients of assistants (and assistants themselves) show generally high levels of indebtedness. The issues in question were e.g.: how to better manage personal finance and avoid debts, how to identify risks and disadvantageous or fraudulent offers, how to deal with debts already incurred and not to escape from responsibility for paying them off before the amount of debt gets unbearable, etc.¹⁶⁵

In mid-2013, after a two-year break, the Minister of the Interior Working Group resumed its activity in order to prepare a document for the government - **Summary of measures in order to reduce security risks in socially excluded localities**. This is a set of preventive and intervention measures meant to stabilize the situation in the localities in question.

Trafficking in human beings

There was continued support to the implementation of the specific **Programme to support and protect victims of trafficking**.

(See Chapter 2.2.7.2. *Trafficking in Human Beings*.)

Domestic violence

The issue of domestic violence stays on the MoI's agenda. In 2013 the OPK MV focused on the **elderly**, picking up on its 2007 information campaign meant to inform the elderly about dangerous behaviour – **Dangerous Age ((Ne)bezpečný věk)**.

Safety of the elderly is also one of the priorities under the Ministerial Programme of Adaptation to ageing 2008–2012, National Action Plan for the prevention of domestic violence for the period 2011–2014 and the Crime Prevention Strategy of the Czech Republic for the period 2012 to 2015.

A **call** was issued at the end of 2012 for **NGOs** to propose projects concerning the **Prevention of domestic violence and crime against elderly persons for 2013**. Grants in total

course materials and final report are available on the MoI website.

¹⁶⁵ The course was designed as an introduction to the issue and was adjusted to different levels of education of assistants, which ranges from basic to college level. The Rubicon Centre (Prague) was selected as provider of the course. 118 crime prevention assistants participated; all of them passed the final assessment test.

value of CZK 1 435 000 were disbursed to six NGOs by the Ministry of the Interior.¹⁶⁶

The NGO projects were meant to protect the elderly against violence and unlawful behaviour, but also to increase the public interest in the situation of elderly citizens. The conclusions of the projects are published on MoI's website.

Preparatory work began in 2013 on a pilot training course „Interdisciplinary education and training for better safety of elderly people“; the project intention was approved and support from EU funds was made available. The project is supposed to set up a **system of training for public administration officials in the area of prevention, investigation and prosecution of crimes against elderly people**, to improve their professional qualifications, ensure more effective services and provide for a standard procedures to be followed by public authorities when dealing with offences against the elderly, and on the practical application of Act No 45/2013 on victims of crime. All kinds of study and training materials will be prepared and so will be the lecturers of police high schools. The implementation is planned for the first quarter of 2014.

Prevention of over-indebtedness as a criminogenic factor

The **Alliance against debts**, founded by the MoI, the Probation and Mediation Service and Rubicon Centre non-profit organization in 2011, continued its activities in 2013. Focus was on **education and improvement of financial literacy**. The conclusion from various round tables and other events was that the local and regional councils are often the weak link in the systemic approach to education and advisory services. In order to close this gap **the Ministry of the Interior** came up in November 2013 with a project to be co-financed from the EU funds.

The initial phase of the project **FINGRAM - "Creation of a unified system in the area of financial literacy and prevention of over-indebtedness at the level of local authorities"** was meant to start in the first quarter of 2014¹⁶⁷;

¹⁶⁶ Centre of new hope, o.s.; Adra; proFem, o.p.s.; ROSA – Centre for mistreated and lonely women, o.s.; Centre for family and interpersonal relations; Emergency Hotline *Linka důvěry*; *Život 90, o.s.*

¹⁶⁷ Content of the project:

the target audience is almost one thousand of the regional and local councils' staff.

Programme Safe housing – safe locality

The programme continued according to schedule.

(See Chapter 2.2.1. *Property Crime*.)

Information activities and media coverage of crime prevention

The OPK MV carried on in 2013 with the implementation of information and outreach activities for the general public in the framework of the regional and local crime prevention programmes. Various specific projects were put in practice; featured success stories in crime prevention were given publicity, etc.¹⁶⁸

In addition to information available on the MoI website a **new web portal** devoted to the prevention of crime was launched in May 2013: www.prevencekriminality.cz.

The traditional printed version of the OPK MV information newsletter is now published as **electronic newsletter titled *Prevention for every family***. Apart from expert articles it seeks to shape the public opinion and influence the attitude of the public to the issue of personal safety and security.

Prevention of crime in the portfolio of the Ministry of the Interior

By way of its Resolution No 925 of 15 December 2011 concerning the Crime Prevention Strategy of the Czech Republic the government has tasked the **MoI to produce, in collaboration with the Czech Police Presidium,**

1) design and implementation of accredited pilot educational and training project for the staff of the regional and local councils;

2) a follow-up advisory services on-line,

3) provision of study material to the staff of local and regional councils, and publication of a handbook for future lecturers;

4) creation of a network of experienced experts on methodology at regional level;

5) legislative basis for the system for the improvement of financial literacy of local councils' personnel and providing a long-term access of municipalities and regions to certified courses of the Institute for Public Administration Prague.

¹⁶⁸ Staff of the OPK MV intervened in **25 thematic TV and radio emissions**.

a MoI departmental crime prevention policy.¹⁶⁹

In the framework of its **crime prevention programme the MoI** allocated a grant of CZK 1 200 000 to three **nation-wide projects aimed at improving the situation of particularly vulnerable victims during investigations**, i.e. projects that will contribute to a better quality of work done by the SKPV police experts. The projects were drafted by the ÚSKPV of the Czech Police Presidium:

Project No 1 – „Use of audio-visual devices during interrogations of particularly vulnerable victims“ – responds to Act No 45/2013 on victims of crime and concerns the technical equipment of police stations in the country. Its objective is to prevent occurrence of secondary victimization by way of obtaining as objective victim's statement as possible on the offence and its perpetrator.

Project No 2 – „Use of Newton Dictate software in interrogations of child victims“ – is meant to make the police work more effective and speed up the preparatory proceedings, particularly in cases where the court decides on custody for the accused persons or if it's necessary to urgently provide expert opinions concerning a child victim.

Project No 3 – „Methodology of the use of demonstration devices in interrogations of a child victim“ – is supposed to bring better quality of child victims' interrogations. The special interrogation rooms will be equipped by these devices.

¹⁶⁹ The version drafted by the MoI was subject to criticism in consultative procedure and it was proposed to redraft the document within a working group established at the Police Presidium (with participation of MoI representatives). The policy should be approved by the interior minister in 2014.

3.3 European Union and International Cooperation

European Union

Asylum and migration

The **Common European Asylum System** (hereinafter CEAS) was completed in 2013 or, more precisely, negotiations of the regulations constituting the second phase of the SEAS were finalised.¹⁷⁰

As regards asylum, two new asylum directives were published in the official journal on 29 June 2013.¹⁷¹

In addition, two revised regulations, which make part of the CEAS, were published:

- Regulation (EU) No 604/2013 of the European Parliament and of the Council of 26 June 2013, establishing the criteria and mechanism for determining the Member State responsible for examining an application for international protection lodged in one of the Member States by a third-country national or a stateless person (recast) – Dublin Regulation;
- Regulation (EU) No 603/2013 of the European Parliament and of the Council of 26 June 2013 on the establishment of 'Eurodac' for the comparison of fingerprints for the effective application of Regulation (EU) No 604/2013 establishing the criteria and mechanisms for determining the Member State responsible for examining an application for international protection lodged in one of the Member States by

¹⁷⁰ The CEAS set common EU rules on international protection (asylum and subsidiary protection). Practical collaboration on asylum is further supported by the European Asylum Support Office (EASO), among other things by way of secondments of expert support teams to those EU member states, which face massive influx of asylum seekers.

¹⁷¹ Directive 2013/32/EU of the European Parliament and of the Council of 26 June 2013 on common procedures for granting and withdrawing international protection (recast) – procedural directive;

Directive 2013/33/EU of the European Parliament and of the Council of 26 June 2013 laying down standards for the reception of applicants for international protection (recast) – reception directive.

There is a two-year deadline for the transposition of the two asylum directives, i.e. by 20 July 2015.

a third-country national or a stateless person and on requests for the comparison with Eurodac data by Member States' law enforcement authorities and Europol for law enforcement purposes, and amending Regulation (EU) No 1077/2011 establishing a European Agency for the operational management of large-scale IT systems in the area of freedom, security and justice (recast) – Eurodac Regulation.

Schengen area and visa policy

The **second generation of the Schengen Information System (SIS II) was launched in April.**¹⁷² As regards the protection of external borders, the regulation **establishing the European Border Surveillance System (Eurosur)** came into force in November 2013. The system shall strengthen the exchange of information and operational cooperation between national authorities of member states as well as with the Frontex agency.

Two regulations entered into force in November 2013 (forming the so-called **Schengen package**)¹⁷³.

In July 2013 Croatia became a member of the EU, though it stays outside the Schengen area. **Bulgaria and Romania continue not to be part of the Schengen area** despite the fact that the two countries had met all the conditions already in 2011. The political decision, requiring unanimous support of all existing Schengen member states, has not been taken yet.

¹⁷² Information system used by the Schengen area member states is the main compensatory measure to the abolition of controls at internal borders within the Schengen area. Compared to the original version the new system have new features, such as biometric data, and is adapted to further enlargement of the Schengen area.

¹⁷³ The amended Schengen Borders Code meant to laid down common rules for temporary reintroduction of protection of internal borders in extraordinary situations (the protection may newly be put in place against a Schengen state, which breaches Schengen norms in a serious way) and Regulation on the establishment of an evaluation mechanism to verify application of the Schengen *acquis* (reinforces Commission's role in evaluations, enhances the binding character of the conclusions of evaluations, and provides for unannounced on-the-spot visits and introduces the possibility of evaluation of internal borders).

Negotiations on the modification of Regulation 539/2001 were finalised; the current text contains a new shape of the reciprocity mechanism¹⁷⁴ and a new mechanism of so-called suspension clause. The suspension clause mechanism allows for reintroduction of visa obligations by the EU member states vis-à-vis countries that had previously not been subject to visa requirements. The mechanism can be applied in the case of increased migration risk and all the criteria are met, such as regarding the number of asylum applications considered as unfounded. This mechanism was approved in direct connection with the number of asylum applicants from Western Balkans countries, heading particularly for Germany, Sweden or Belgium. The amended regulation No 539/2001 entered into force at the beginning of 2014.

As of 14 November 2013 a **visa-free regime between the Czech Republic and Canada has been reintroduced**.

Visa Information System (VIS)

Work continued in 2013 on the modernisation of the existing visa programme MVP/EVC (Modernisation of the visa process/Registry of visa foreign nationals), necessary particularly due to need to scan biometric identifiers (fingerprints) in Czech foreign representations, or in the representation offices of Schengen cooperation states. In the first batch (11 regions) fingerprints of all ten fingers are taken from each visa applicant. Fingerprints will be used for identification purposes (searches in fingerprints databases) or to verify identity (so-called one-to-one comparison). All members of the Schengen cooperation must take fingerprints. The process has started gradually; the CSVIS will be launched globally by individual regions in a pre-defined order.

As regards the VIS, the Council Decision 2008/633/JHA of 23 June 2008 concerning access for consultation of the Visa Information System (VIS) by designated authorities of Member States and by Europol for the purposes

¹⁷⁴ The reciprocity mechanism allows for the introduction of visa requirements for nationals of a third country, which has introduced visas against some of the EU member states. The change consists in the position of the European Commission, which has the obligation to submit, in a certain phase of given procedure, a proposal to impose visa requirement to a given third country. The final decision, however, is in the hands of the Council, i.e. member states.

of the prevention, detection and investigation of terrorist offences and of other serious criminal offences was adopted. The Visa Information System has gradually been launched throughout 2013 in further regions, e.g. in East, West and South Africa, Southeast Asia of South America.

Internal Security Strategy

In April 2013 the European Commission issued its **Second report on the implementation of the EU Internal Security Strategy** (first report was published in November 2011), in which the Commission summarized the most urgent security threats facing the EU: organized crime, cybercrime, trafficking in human beings, ever more frequent manifestations of violent extremism, money laundering and corruption. The final implementation report was published in June 2014.

Free movement within the EU

The discussion on the benefits and certain negative consequences of the free movement of persons continued in 2013. In order to address issues in some member states a discussion started on ways to enforce the rules laid down by Directive 2004/38/EC of the European Parliament and of the Council on the right of citizens of the Union and their family members to move and reside freely within the territory of the Member States, and on certain other challenges related to the misuse of the right to free movement. The issue has attracted considerable media attention since 2013, particularly in the UK and Germany, where it was linked to the opening of the labour market for Bulgarian and Romanian nationals in the beginning of 2014.

Fight against terrorism

An intensive discussion was taking place at all levels of the JHA Council throughout 2013 on the issue of returning **combatants (mainly jihadist) who travel in large numbers from Europe to Syria or to other areas** affected by a „security crisis“. After their return to Europe these fighters can pose great security risk. In June the EU counter-terrorism coordinator submitted a list of measures to tackle this problem, the proposal was adopted by the Council. At December Council the ministers agreed to step up their efforts in this field (priorities: prevention, exchange of information, criminal justice response and cooperation with third countries).

Transfers of information from the aviation **passenger name record (PNR)** are an important element of the fight against terrorism. Discussions were ongoing in 2013 in the European Parliament on using PNR in order to prevent, detect, investigate and prosecute terrorist acts and serious crime. However, there was not a large support for this legislative proposal (directive).

The draft directive is part of a broader PNR policy that includes also the conclusion of agreements with third countries on the transfer of PNR data (PNR agreements).

Protection of personal data

Intensive debates at all Council levels concerned in 2013 the **proposal for a Regulation on the protection of individuals with regard to processing of personal data** and on the **proposal for a directive on the protection of personal data processed in the framework of police or judicial bodies** (both proposals were tabled by the Commission in January 2012).

Fight against narcotics

At its June meeting the Council adopted the **new EU Action Plan on Drugs 2013–2016**, which follows-up on the previously agreed EU Drugs Strategy 2013–2020.

European Union Strategy for the Danube Region

Under the label of the so-called Danube strategy (priority area No 11: To work together to tackle security and organized crime) a conference of ministers of the Interior was held in May 2013, which, among other things, identified **new thematic priority – cybercrime**. In addition, two anti-corruption projects were concluded in 2013, with the involvement of the Czech Republic. Meetings of a coordination group took place, which resulted in a project on drug trafficking designed by Bavarian criminal police with the participation of the Czech Police National Anti-drug Police Centre as project partner. The implementation was due to start in early 2014.

International contractual activities (selection)

The **police cooperation agreements** are a standard way to ensure cooperation with other countries in respect of public order.¹⁷⁵ In recent years the MoI focused its priorities mainly on the Western Balkans countries, primarily as regards the visa liberalisation; West and South Caucasus countries were another priority.

The following police cooperation agreements entered into force in 2013 or early 2014:

- Agreement between the Government of the Czech Republic and the Government of the Russian Federation on cooperation in the area of fight against crime, signed on 8 December 2011 in Prague (entry into force: 1 December 2013, published as 92/2013 Coll. of international treaties);
- **Agreement between the Czech Republic and Montenegro on cooperation in the fight against crime**, signed on 22 June 2012 in Podgorica (in force since 1 January 2014, published as 1/2014 Coll. of international treaties);

The following agreements were signed in 2013:

- Agreement between the Czech Republic and Bosnia and Herzegovina on cooperation in the fight against crime, particularly terrorism, illegal trade in narcotic and psychotropic substances and organized crime (signed on 12 September 2013);
- Agreement between the Czech Republic and the State of Israel on cooperation in the fight against crime (signed on 7 October 2013).

Both agreements are of presidential category, they were submitted for approval to both chambers of the Parliament of the Czech Republic and subsequently to the President of the Czech Republic for ratification.

¹⁷⁵ The following provisions are considered as standard content of such agreements: provisions on the extent and forms of cooperation, bodies responsible for the implementation of the agreement, modalities of application for cooperation, possibility to refuse cooperation, possibility to second liaison officers, transfer and protection of personal data and classified information and bearing of costs. Some agreements can contain also provisions on sharing the data received from the other party in databases established under the EU law, particularly in the Schengen Information System, with other EU or Schengen member states, even without a prior consent of the other party to the agreement.

The following proposal was debated at national level in 2013: proposal for the negotiation of an **Agreement between the Czech Republic and the Republic of Austria amending and complementing the agreement between the Czech Republic and the Republic of Austria on police cooperation and on the second appendix to the European Convention on mutual assistance in criminal matters of 20 April 1959**.¹⁷⁶

Seven expert negotiation rounds were held in 2013 in respect of a proposal of an **Agreement between the Czech Republic and the Federal Republic of Germany on police cooperation and on the amendment and supplement of the Agreement between the Czech Republic and the Federal Republic of Germany on appendices to the European Convention on mutual assistance in criminal matters of 20 April 1959 and on the facilitation of its application of 2 February 2000**.¹⁷⁷

In June 2013 the government approved a proposal to negotiate an **Agreement between the Government of the Czech Republic and the Government of the Socialist Republic of Vietnam on cooperation in the fight against crime**.

The wording was negotiated of an **Agreement between the Government of the Czech Republic and the Government of Armenia on cooperation in the fight against crime**. The agreement was signed on 30 January 2014. The text of a similar **agreement with Georgia** was finalised as well.

The **Arrangement between the Ministry of the Interior of the Czech Republic and the Federal Ministry of the Interior of Germany on the establishment of a Joint Czech-German Police and Customs Cooperation Centre Petrovice – Schwandorf** signed in Hof on 13 February 2012 entered into force on 13 February 2013 (*more details below in the Chapter on International police cooperation – Joint centres for police and customs cooperation*).

¹⁷⁶ The agreement provides for a significant extension of possibilities to deploy police on the territory of the other party, extension of cooperation to cover misdemeanours and regulation of cross-border surveillance carried out exclusively by technical means.

¹⁷⁷ The prepared agreement is supposed to provide for a comprehensive regulation of police cooperation both at national level and in border areas, and to replace therefore the existing legal regulation. The negotiations will continue throughout 2014.

Furthermore, the following significant multilateral contractual documents became binding for the Czech Republic in 2013 – their ratification had for long been hindered by the lack of regulation of liability of legal persons in the Czech legal framework:

The **UN Convention against transnational organized crime**, as well as its two protocols, became binding for the Czech Republic on 24 October 2013.¹⁷⁸ The Convention and its protocols¹⁷⁹ are some of the most important international documents against transnational crime. They provide not only for criminal punishment of organized crime, but deal also with related measures in other areas, such as prevention and international cooperation.

On 26 September 2013 the Czech Republic became bound by the **Optional Protocol to the Convention on the rights of the Child concerning trade in children, child prostitution and child pornography** (published as 74/2013 Coll. of international treaties).¹⁸⁰

In respect to combating of **illegal migration** the Ministry of the Interior focused on so-called **readmission agreements** (agreements on transfers and reception of illegal residents) negotiated on behalf of the Czech Republic.¹⁸¹

¹⁷⁸ **Protocol against the smuggling of migrants by land, sea and air and Protocol against the illicit manufacturing and trafficking in firearms, their parts and components and ammunition**. Documents published in the collection of international treaties under ref.: 75/2013, 76/2013 and 77/2013.

¹⁷⁹ Third protocol supplementing the Convention – **Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children**.

¹⁸⁰ It lays down binding international standards for the prevention, suppression and punishment of crimes related to trade in children for the purpose of their sexual abuse and exploitation, forced labour or illegal adoption, act related to child prostitution or child pornography.

¹⁸¹ The **Agreement between the Czech Republic and the Republic of Kosovo on the readmission of persons residing without authorisation** (signed on 24 June 2011) entered into force on 1 February 2013.

The **Protocol between the Government of the Czech Republic and the Government of Serbia to implement the Agreement between the European Community and the Republic of Serbia on the readmission of persons residing without authorisation** entered into force on 1 May 2013 (signed on 17 December 2012).

The **Implementing Protocol between the Government of the Czech Republic and the Cabinet of ministers of Ukraine in order to implement the Agreement between the European Community and**

International police cooperation

See the above section on **international contractual activities** in this chapter.

Czech Police participates in many international bodies.¹⁸²

As regards law enforcement the cooperation at the European level was made more effective in the area of cooperation of police units by determination of rules of expert groups falling under the scope of the EU Council Law Enforcement Working Party (LEWP); focus was on strengthening of the cooperation with specialized European police organizations or networks, such as TISPOL, establishment of contacts points and specialized police bodies in order to improve exchange of information and best practices.

Cooperation of the Czech Police with Europol has continued as in previous years, i.e. exclusively through the International Police Cooperation Department, particularly by means of liaison officers seconded to Europol headquarters in The Hague. Compared to 2012 there has been a slight increase in the number of initiated cases and communicated messages. Most cases and communicated messages concerned drugs, fraud and embezzlement,

Ukraine on the readmission of persons residing without authorisation was signed on 21 October 2013.

The **Implementing Protocol between the Government of the Czech Republic and the Council of Ministers of Bosnia and Herzegovina to implement the Agreement between the European Community and Bosnia and Herzegovina on the readmission of persons residing without authorisation** entered into force on 1 December 2013 (signed on 18 September 2012).

¹⁸² Under the scope of the JHA Council the representatives of the Czech Police take part in meetings of the Standing Committee on Operational Cooperation on Internal Security (COSI). In December 2013 the COSI Committee approved **Operational action plans** for 2014 in the framework of the EU Political cycle 2014–2017, which has 9 priorities. In the 2011–2013 political cycle the Czech Republic was involved in two projects: **Trafficking in human beings** (ÚOOZ SKPV) and **Synthetic drugs** (NPC SKPV).

The Czech Police participates, as the body in charge, in the following EU working groups: Law Enforcement working party, Schengen issues – subgroup SIS-SIRENE and subgroup SIS-TECH, Terrorism Working Group (TWG), Borders – subgroup for counterfeit documents, Visa WG - subgroup VISION and the WG on exchange of information and protection of data (DAPIX). In addition, the Czech Police participates as co-administrator in other working groups and committees (e.g. Schengen – subgroup for Schengen evaluations - Scheval).

robberies, illegal migration, counterfeiting of payment means and legalisation of the proceeds of crime.

As for cross-border cooperation the Czech Police has been using standard forms of joint intervention schemes, cross-border surveillance, etc.

The number of police deployed in three international peace missions stayed in 2013 between 20 and 30 officers.

Programmes co-financed from EU funds and other kinds of international assistance

The Czech Police has continuously implemented projects co-financed from the EU structural funds, EU Community programmes and the Swiss-Czech cooperation and Norwegian funds.

The implementation of the project of **Contact and coordination Centres (Phase II)** has continued in the framework of the **Integrated operational programme** – the focus was on the reconstruction and modernisation of police stations, including the ICT equipment of the Czech Police regional directorates.

In addition to that the implementation of the project titled **Integration of Operations Centres** has continued; the objective is to increase the effectiveness and efficiency of operational management and deployment of forces and means and to ensure interoperability at regional level. Other projects included: **Amendment of the Aliens police system and creation of a relevant data fund for ROB** run by the Police Presidium; **Localisation and Recording devices at regional police directorates**, aimed at the provision of technologic devices to be built-in police vehicles in order to increase action readiness. The total amount equalled **almost CZK 1.25 billion**.

Another project was approved at the end of 2013: „**Modern technology for the Czech Police**“, implemented primarily in the first semester of 2014.

Community programmes: as in 2012 most implemented projects concerned the generic programme Solidarity and management of migration flows. Implementation of a project „Together against the threat of CBRN materials“

– in the framework of prevention and fight against crime.

Furthermore, **11 projects were approved within the Swiss-Czech cooperation programme**; total budget equals CZK 295.5 million.

These projects are meant to finance purchases of new protective sets for riot and intervention police units, the construction of a multi-function training facility and modernisation of a training compound, etc. In general terms, these project should also help in the field of prevention and mitigation of consequences of natural disasters, fight against organized crime and corruption and economic crime.

(More details on particular programmes and projects co-financed by the EU can be found in Chapter 3.4.4. „Economy and ICT systems“.)

Joint police and customs cooperation centres

The joint centres have been playing an increasingly important role in the field of international cooperation.

An arrangement between the Czech MoI and the Federal Ministry of the Interior of Germany became effective on 13 February 2013 – it establishes a **Joint centre for Czech-German police and customs cooperation Petrovice – Schwandorf**, signed in Hof on 13 February 2012.¹⁸³

There are currently six joint police and customs cooperation centres: 2 with Poland (Kudowa Słone and Chotěbuz) and Germany (Petrovice and Schwandorf) and one with Slovakia (Hodonín-Holíč) and Austria (Mikulov-Drasenhofen). The customs are involved either directly or by means of contact points.

The role and results of the Czech Customs Administration in the EU structures for customs cooperation (selection)

In the framework of the Customs Cooperation Working Group (CCWP) the Czech Customs Administration took active part in the discussion of the Council conclusions on **stepping up the fight against cigarette**

smuggling and other forms of illicit trade in tobacco products.

At the same time it participated in the work on the Seventh Action Plan for Customs Cooperation in law enforcement 2014–2015. The plan is composed of 11 actions that are, to a large extent, linked to priorities of the new Policy cycle on organised and serious international crime in 2014–2017. The COSI Committee supervise the Policy cycle with the Council bodies. In this context the Czech Customs Administration took an active part in the identification of priorities and volunteered to participate in the work on priority focused on the issue of missing trader fraud in respect of tax and customs evasion. The objective within this priority is to disrupt the activities of organized crime groups involved in it and help develop cooperation between relevant bodies at national and EU level.

The liaison officer attached to the German Customs Criminal Authority (ZKA) dealt with a total of 189 cases (requests, support, investigations, etc.). 79 cases concerning international drug crime were closed. 57 cases were coordinated and closed in respect of detection of tax-related offences.

¹⁸³ The arrangement shall anchor basic rules for the running of the Joint Centre and the status of its staff (Since 2007 the Centre has functioned on an interim basis).

3.4. Activities of the Czech Ministry of the Interior in the field of security research and development, police training, personnel issues, economy and ICT systems

3.4.1. Security research, development and innovations

The MoI is in charge of **national security research and development** (hereinafter „security R&D“). The Ministry fulfils the tasks of provider of state support to R&D pursuant to Act No 130/2002 on the support to research, experimental development and innovation from public funds. In addition the MoI sets out subject focus and methodology of security R&D. The MoI participated in the drafting of the following significant strategic documents related to R&D:

- **National policy for research, development and innovation** (updated in 2013, ref. 294/2013), defines long-term strategic guidelines for the development of R&D, sets out coordination principles and gives tasking to individual providers in their specific scopes of competence.
- **National priorities for the oriented research, experimental development and innovation** (ref. 552/2012), a document, which identifies six priority areas and key directions for the allocation of state support with outlook up to 2030; „Safe and secure society“ is one of the priorities to be implemented by the Ministry of the Interior and Ministry of Defence.

Policy, strategy and legal framework

The security R&D is based on the „**Interministerial policy of security research and development in the Czech Republic to 2015**“, approved under ref. 743/2008, and subject to regular updates.¹⁸⁴

In the context of the **implementation of National priorities for the oriented research, experimental development and innovation** (ref. 569/2013), the MoI has submitted for approval **two draft proposals for programmes of security R&D for the period 2015 – 2021**:

- Programme „**Security research in the Czech Republic for 2015 – 2020**“, approved

under ref. 593/2013 (notification procedure to the European Commission, proposed allocation from national budget equals CZK 2.2 billion).

- Programme „**Security Research for the State 2016 – 2021**“. Estimated amount of the allocation from national budget: CZK 800 million.

The **Advisory commission for security research** is a body set up in order to assist the MoI in the management.¹⁸⁵

Implementation of the security research programmes

The MoI has issued two calls for the period 2010 to 2015:

- Security research in the Czech Republic for 2015 – 2020 (ref.: 50/2009)

Programme implemented through public tenders, the value of state support amounted to CZK 2.3 billion, later on cut down to CZK 1.88 billion. The programme aims to increase citizens' security using the latest technology, better identification of threats to critical infrastructure, better emergency management; it is also meant to stimulate the market with security technologies.

A total of **134 projects** are currently being financed in public tendering process, with a **total value of CZK 1 878 430 thousand**.

¹⁸⁴ Summary of generic conclusions of the evaluation was published e.g. in the Situation Report on Internal Security and Public Order for 2012.

¹⁸⁵ The commission convened twice in 2013 in order to come up with a number of recommendations and to evaluate proposals for the **Award of the Minister of the Interior for exceptional results in security research, experimental development and innovation for 2013**. Based on the commission's recommendation the award was handed on 11 November 2013 to the research team of Czech Fire and Rescue Service Directorate – Institute for the protection of population in Lázně Bohdaneč, for two patents concerning technical improvements to ventilation filtering units of protective devices, and 12 certified methodologies, of them five methodologies for the **analysis of methanol in spirits in the aftermath of the „methanol case“**.

- Programme „Security research for the state in 2010 to 2015“ (ref. 49/2009)

Programme implemented through public tenders with original funds amounting to CZK 800 million (later on cut down to CZK 607.9 million), based on the needs identified in areas such as: internal security, protection of stability of the economic and financial system of the state and civil emergency planning (natural disasters and other emergency situations).

Currently, 32 projects are being financed, in total value of CZK 444 271 thousand. Further 45 projects are being implemented or in preparatory phases.

All projects, including annotations, are available on:

<http://www.mvcr.cz/bezpecnostni-vyzkum.aspx>.

Institutional support

Since 2010 the MoI has been the provider of institutional support to **research organizations and organizational units of the state focusing on R&D**¹⁸⁶; in the past these entities were supported from three different headings of state budget (MoI, Ministry of Justice and State Office for Nuclear Safety).

In 2013 the decisions on allocation of support totalled **CZK 52 457 thousand**.

Control activities

The Ministry of the Interior carries out both financial and subject inspection of the aid. In 2013 the MoI carried out **subject inspections of 27 projects**.¹⁸⁷

A total of **53 financial inspections on the spot**¹⁸⁸ took place; of those 49 were continuous public administrative inspections, 1 follow-up inspection and 3 general inspections of aid receiving entities.

Sharing and disseminating information about the security R&D

The MoI keeps a database of security research experts, which contains more than 300 specialists on different areas. The database is open to all interested experts.

The Ministry has designed and runs a **Security R&D Information System**, a database system containing modules for the selection of projects through public tenders and an implementation module.

The Ministry of the Interior hosts various training sessions and offers methodological support to beneficiaries of public support for the security R&D.

¹⁸⁶ The institutional support for the development of research organizations is provided to the following 8 institutions:

- Police of the Czech Republic – Criminalistic Institute
- Czech Fire and Rescue Service Directorate – Institute for the protection of population, Lázně Bohdaneč
- Czech Fire and Rescue Service Directorate – Fire Protection Technical Institute
- National Archives
- Police Academy of the Czech Republic in Prague
- Institute for Criminology and Social Prevention
- National Institute for Nuclear, Chemical and Biological Protection
- National Radiation Protection Institute

¹⁸⁷ Deficiencies were found in 14 cases; recommendations were given and a report on the corrective action was requested.

¹⁸⁸ No criminal offences, frauds or irregularities that would require a project to be suspended (with reimbursement of the financial support) were found during the inspections.

3.4.2 Police training

The priorities of police education and training have for long been based on the missions and tasks stemming from the Czech EU membership, the reform of the Czech Police and priorities in the area of security policy and public order.¹⁸⁹

A significant change concerns the introductory training for police officers – the simplified introductory training (introduced in 2008) was replaced again since 1 September 2013 by a 12-month basic professional education (ZOP – *základní odborná příprava*).

In total 200 police officers concluded the MoI Police High School and 158 newcomers began to study. As of 31 December 2013 a total of 512 police were attending the Ministry of the Interior Police High School.

Police training events

Events organized in 2013 reflected current trends in crime and the security policy priorities. All courses included (higher education, professional training, language courses, etc.), a total of 14 633 police and other MoI staff were attending the courses provided by the MoI Police High School.

A new basic professional training (ZOP) is currently considered a flagship priority. Other important courses include those focused on **corruption** and other serious crime, in particular **organized crime**¹⁹⁰, **seizures and confiscation of the proceeds of crime**.

¹⁸⁹ The MoI police schools (VPŠ MV) follow the **Policy of life-long education of officers of the Czech Police**. In addition to the standard education the schools (VPŠ MV) provide also the basic professional training (ZOP), qualification preparation, language and other preparation. To a limited extent the schools provide education to MoI personnel and civilian staff of the Czech Police.

The educational process keeps up with the latest developments in respect of the fight against corruption, crime prevention, anti-drug policy, fight against trafficking in human beings, terrorism, organized crime and a very topical issue of extremism. A great deal of attention is paid, *inter alia*, to human rights and gender issues, integration of foreigners, domestic violence, financial and cyber crime, emergency management, National Schengen Plan, etc.

¹⁹⁰ Criminal activities perpetrated by an organized group [e.g. § 41(m), § 42(o)] or an organized criminal group (§ 129 Criminal Code).

Qualification courses (selected)

- 142 police officers were attending a qualification course for local public order police district officers in 2013.
- 99 officers participated in the new course on interrogations of child interrogations in special interrogations rooms.

In a number of other courses a total of 3904 police officers met the qualification requirement for their posts; in the courses of further professional training (perfection and improvement courses) a total of 5565 police participated.

Secondary education concluded by a school leaving exam of a subject matter No 68-42-M/01 Security and legal activity

The branch of study titled „**Security and legal activity**“ (68-42-m/01) can only be studied at school established by the Ministry of the Interior or at school authorised to do so by a cooperation agreement with the MoI in order to ensure the same level of competences of graduates.

Institutional arrangements for police education and training

The Ministry of the Interior has a specialized department to manage police education – Security Research and Police Education Department (hereinafter the „OBVPV MV“) that works closely with the Police Education Unit of the Czech Police Presidium.

International cooperation

International cooperation in the field of education and training takes place in the framework of multilateral and bilateral relations with e.g. the following institutions:

- **CEPOL** – (European Police College) – a network of national highest-level education institutions in the EU. Based on a system of agreements between EU bodies (CEPOL, Europol, Frontex, Eurojust, OLAF) its objective is to harmonize European police education and to support cross-border cooperation in the fight against organized crime. Each year around 100 educational and

training events take place¹⁹¹ (residential courses, conferences, webinars, etc.).

- **MEPA** (Mittleeuropäische Polizeiakademie)¹⁹² – a seven-member educational institution - (Austria, Germany, Hungary, Switzerland, Czech Republic, Slovakia and Slovenia). The MoI of the Czech Republic is represented at the governing board. The MEPA's annual work plan includes a three-month MEPA Headline course devoted to cross-border cooperation against organized crime. During the course its participants work on three practical workshops and present the results before an international expert commission. The workshop outputs can subsequently be used at national level. The MEPA Special four-week course is another important activity focused on border and immigrations police. In addition the MEPA organizes between 12 and 15 thematic workshops each year as well as language courses, etc.
- **Marshall Center** at the U.S. Embassy in Prague. The Center focuses particularly on civil security, terrorism threats and the U.S. – Europe cooperation in these areas.
- **EU – China Police Training Project:**
Since 2011 the Czech Republic has been a member of the group of countries that volunteered for the EU – China Police Training Project. France acts as lead country, other members are as follows: Finland, Germany, Hungary, Italy, Malta, Netherlands, Poland, Spain and the United Kingdom. For the Czech Republic the project is coordinated by the OBVPV MV.

Recognition of results of further education (authorisation)

OBVPV is in charge of so-called „Authorisation“ pursuant to Act No 179/2006 on the recognition of results of further education for the following ten professional qualifications:

- Warrant officer (68-008-E)
- Detective in articles (68-009-M)
- Dog handler Security Service (68-001-H)
- Locks specialist (69-038-H)
- PC technician (26-023-H)
- Software engineer/designer (18-002-N)
- Mechanic obstacles technician (69-050-H)
- Staff of supervision centre (69-045-H)
- Programmer (18-003-M)
- Lead detective (68-002-T).

Since 2009 a total of 76 323 candidates went through testing, of them 75 780 for Warrant Officers, 536 for Detective in articles and 7 for Dog handler Security Service.

(More on police education activities can be found on the MV – OBVPV website.)

¹⁹¹ Example: CEPOL Course Public Order – Security during Major Events/Public Private Partnership held between 23 and 27 September 2013 in Brno, CZ. The course focused on large-scale public order events.

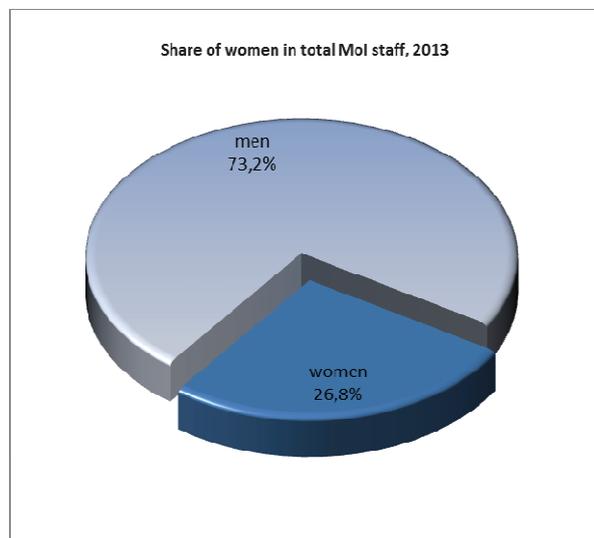
¹⁹² Example: **21st MEPA Headline** Course held between 4 March and 3 May 2013 with the participation of the Czech Republic. The focus was on the prevention and combating of international crime.

19th MEPA Special Course for border police held between 15 September and 11 October 2013 in the Czech Republic, Germany, Croatia and Hungary. Focus was on border surveillance, compensation measures and checks carried out by border police, EU measures at external borders, illegal migration and counterfeiting of documents.

Expert seminar on the issue of **Russian-speaking organized** crime was hosted by VPŠ Holešov in Brno between 14 and 18 October 2013.

3.4.3 Human resources and personnel

Personnel and staffing of MoI, Police of the Czech Republic and the Fire and Rescue Service



As of 31 December 2013 the whole of MoI department counted 64 958 staff, while there were 64 422 staff in 2012. Annually the overall staffing increased by 536 persons (287 police, 18 firemen and 231 civilian employees).

As of 31 December 2013: 39 012 police (60.1%), 9104 firemen (14.0%), 16 842 civilian employees (25.9%). Out of the total of 64 958 there were 17 379 women, i.e. 26.8%, of them 6688 women under duty contracts (i.e. 13.9% of the total number of police and firemen) and 10 691 women under standard work contracts (i.e. 63.5% of all work contract staff).

In 2013 a total of 1061 police and firemen terminated their duty contracts (1238 in 2012). 1435 police and firemen entered the duty contract in 2013 (615 in 2012).

3.4.4. Economy and ICT systems

The table below shows the comparison of approved budgets of the Czech Police and Czech Fire and Rescue Service, including total income

and expenditure within the MoI budgetary heading for the years 2012 to 2014:

In CZK thousand

Approved budget	2012	2013	difference 2013-2012	2014	difference 2014-2013
income MV	6 915 896	6 762 545	-153 351	7 035 517	272 972
expenditure MV	52 656 658	52 292 118	-364 540	53 684 661	1 392 543
of that: Police	27 801 052	27 143 550	-657 502	28 108 389	964 839
Fire and Rescue	6 696 678	6 593 111	-103 567	6 827 567	234 456

Note: The financial means given for the Czech Police and Czech Fire and Rescue Service do not include the amount of social allocations for the security services personnel and the means for co-financing from the EU sources, particularly from the Integrated operational programme. Those categories of expenditure are indicated in the separate specific indicators for the MoI.

Salaries: for 2014 the number of posts of the security services staff increased by 1204 positions, including financial means for their salaries and related expenditure (1004 posts for Czech Police and 200 posts for Fire and Rescue), the amount of financial allocation approved by the Czech government was CZK 400 000 000. In addition, the amount on salaries in the MoI budgetary heading was increased by 2% (CZK 604 573 730) as provided for by the relevant government decision.

Further financial means for the Czech Police are allocated annually to a centrally procured

property and ICT services within the MoI budgetary heading.

In this context the following budgetary transfers were made in 2013 (examples):

From the General Budget Administration chapter:

- CZK 256 441 thousand on extraordinary expenditure for Police and Fire Rescue related to floods in June 2013, of these CZK 56 441 thousand made available from the

margin on extraordinary expenditure (Act No 239/2000 on the Integrated Rescue System);

- CZK 33 209 thousand for the Czech Police on expenditure related to the general amnesty (Government Resolution No 417/2013);
- CZK 68 919 thousand for the Czech Police on the fight against corruption (Government Resolution No 342/2013 and No 676/2013).

MoI budgetary heading expenditure in 2013:

overview	CZK thousand
MoI approved budget expenditure for 2013	52 292 118
Released from the General Budget Administration chapter	1 624 412
Transferred from other headings	1 251 375
Transferred to other headings	-49 221
As of 31 December 2013	55 118 684

Adjusted Czech Police budget as of 31 December 2013: CZK 27 916 602 thousand, i.e. the budget was increased during 2013 by CZK 773 052 thousand.

Adjusted budget for the Fire and Rescue as of 31 December 2013: CZK 7 018 471 thousand, i.e. budget increased during 2013 by CZK 425 360 thousand.

Internal security and public order in the Czech Republic continued in 2013 to benefit from the support from EU funds, particularly from the structural funds, Integrated operational programme and Operational programme Cross-border cooperation, Community programmes and Swiss-Czech cooperation programme.

Six projects were implemented thanks to the support from the EU sources, within the operational programme for cross-border cooperation Czech Republic – Austria, CZ – Poland and CZ – Saxony. The objective of the projects was to improve cooperation in border areas; a total of CZK 6041 thousand were spent in 2013.

The MoI, Czech Police and the MoI Detention Facilities Administration participated in the support from **Community programmes**: In the framework of the generic programme „Solidarity and migration flows management“ the following amount were used:

- European refugee fund – CZK 13 455 thousand used in 2013,
- External borders fund – CZK 60 567 thousand,
- European fund for the integration of third-country nationals – CZK 71 795 thousand in 2013,
- European return fund – CZK 8 953 thousand in 2013.

Projects within the Swiss-Czech cooperation programme were launched in 2013 with a total amount of financial means used of CZK 39 823 thousand.

Programme financing in 2013: the financial allocations were used for the purchase and technical improvement of assets, including related non-investment expenditure primarily on security and internal order.

Examples of project co-financed by external sources (EU and other)

- Under the Integrated Operational Programme (IOP): building of Contact and Coordination Centres II of regional Czech Police Directorates (accomplished: Liberecký, South Moravia, Plzeňský and Ústecký). Total financial means drawn in 2013: CZK 25 502 thousand.
- Under the IOP: project of Localisation and Record equipment. Radio stations (GPS) purchased for the Czech Police in 2013 in a total amount of CZK 105 159 thousand.
- Under the IOP: continuation of a project „Border Police System change and creation of a relevant data fund ROB CZ.1.06/1.1.00/03.06324“. Particularly the changes to the application software of Aliens Information System. Claims from unspent expenditure were drawn at: CZK 14 656 thousand.
- Continuation of build-up of Integrated Operational Centres of regional Police directorates (excluding Prague regional directorate). Primarily ICT equipment, total amount of CZK 295 891 thousand.
- **Swiss-Czech Cooperation Programme**: total expenditure incurred: CZK 39 913 thousand.

Projects: „Development of a consolidated IT Infrastructure for the Czech Police, ref.: 7F-07534.01“, „Central weapons registry /CRZ/ 7F-08138.01“, „Effectively against corruption and financial crime 7F-08139.01“,

„Enhanced protection of democratic society against terrorism and extremism 7F-07901.01“, „Increased citizens’ safety through strengthening of the police capability in the fight against organized crime and terrorism 7F-07905.01“ and „Czech Police DVI team – theoretic and practical training and technical equipment 7F-07447.01“.

Other significant activities under the Czech Police programme financing included particularly the following:

- Czech Police vehicles: total amount invested: CZK 293 355 thousand;
- Immovable assets: total amount invested: CZK 170 045 thousand.
- ICT: continued implementation of the National Schengen Information System. Financial amounts drawn: CZK 18 429 thousand. Continued implementation of the National Visa Information System. Total amounts drawn: CZK 41 157 thousand, primarily on changes to application equipment for external cooperation (MFA representative offices, Foreigners’ Information System and Back-up Centre).

Prevention of crime included subsidies at regional and local level, primarily on situational

and social prevention. Primarily subsidies to municipalities for the procurement and modernisation of camera and other security systems, public lighting of risk-prone areas, etc. In addition, playgrounds and youth sports facilities were built or refurbished. Total expenditure in 2013 in the area of programme financing: CZK 16 093 thousand.

Information and Communication Systems (ICT)

European Information Systems

Second generation of the **Schengen Information System (SIS II)** was launched in April 2013. The SIS II is the basic tool for police cooperation and exchange of information on wanted persons and items among Schengen countries. The new version has more functionalities (e.g. biometrics) and its capacity is more adapted to increased demands.

The **Visa Information System** was launched during 2013 in Africa, South America, Central and Southeast Asia and Palestine.

Information and Communication Structure of the Czech Police

Works on the national part of the VIS (NS-VIS) were finalised throughout 2012 and 2013. NS VIS became operational in two stages: January 2013 and June 2013.

In order to have access to data from the basic registries the Czech Police is now building three particular information systems (AIS):

- AIS PČR – to support the Czech Police agenda,
- AIS ARMS – weapons and ammunition,
- AISC – foreign nationals and border protection agenda.

By means of these AIS systems the Czech Police can draw on reference data contained in the basic registries and use them in its other information services.

Communication services

The works in 2013 focused primarily on the implementation and finalisation of projects designed to broaden the portfolio of radio communication services provided by the PEGAS system and to upgrade their level in general:

- Localisation and record devices – all regional Czech Police directorates were equipped by further technical means that enable the use of GPS for localisation of forces and means (radio terminals and GPS receivers). The second stage of this project is meant to provide police with easy, fast and reliable access to the Czech Police information systems and those of the MoI or other bodies directly from their police vehicles, including data communication to operational centres;
- Radio hand-sets – renewal of radio terminals including equipment for pedestrian patrols;
- Integrated operations centres – the project is being implemented in order to increase the quality and action readiness of Czech Police forces and their management.

As regards the radio telecom services the Ministry of the Interior launched in 2013 a **project on renewal of the radio communication system PEGAS used by the Integrated Rescue System**. As a follow-up to the necessary renewal of a part of the technology of the first-generation basic stations in 2012 the Ministry for Local Development started a project in 2013, which draws on EU funds in order to equip the Integrated Rescue System forces with an appropriate level radio communication support. The system renewal project is in line with the global trends in the field of non-public radio communication – the PEGAS network will thus become compatible with the security radio communication networks of other developed countries. At the same time steps were made in order to prepare implementation of a project under the Integrated Operational Programme for years 2014+, which includes a comprehensive technology upgrade of the PEGAS network.

Production of basic ID documents

In 2013 the system of data processing, application lodging and deliveries of basic ID documents (passports, residence permits for third-country nationals, national IDs) operated in a routine manner. In accordance with Council

Regulation (ES) No 2252/2004, in respect of issuing of travel documents with biometric elements the testing of SPOC communication system has begun – a system enabling the exchange of access certificates to finger prints between EU member states. Tests were carried out in 2013 with Germany, Italy, the UK and Finland.

Basic registries Information System

In accordance with Act No 111/2009 on basic registries work has been completed on the **Basic Registries Information System**. The system provides for interconnection of individual basic registries into one unit, it creates the basic reference interface for communication of public administration agenda information systems with the system of basic registries and mutually between the agenda systems. It ensures a secure and provable issuance of reference data from the basic registries and secure updates of data as well as propagation of changes in reference data into the public administration information systems. The Basic Registries IS was launched on 1 July 2012 – no major obstacles have been reported after 18 months of operation.

Public authorities can therefore make use of reference data pursuant to § 5 of the law on basic registries. As of 31 December 2013, after 18 months of operation, the Administration of basic registries records 1905 OVM, which requested connection of 2864 agenda information systems. The basic registries are currently being used by 1567 OVM, which made during 18 months of operation a total of 254 083 406 transactions. Most key OVM do cooperate with basic registries. All regional councils and all statutory municipalities are connected.

As of 31 December 2013 a total of 2490 OVM registered at least one of their AIS into the public administration information system and in total 5418 AIS were registered to the ISVS information system to the same date. Out of the total number of OVM, which register one of their AIS in the ISVS information system, 76.5% cooperate with OVM.

4. Abbreviations and notes

BIS	Security Information Service (<i>Bezpečnostní informační služba</i>)
EU	European Union
HZS ČR	Fire and Rescue Service of the Czech Republic (<i>Hasičský záchranný sbor ČR</i>)
IOP	Integrated operational programme (<i>Integrovaný operační program</i>)
IKSP	Institute of Criminology and Social Prevention (<i>Institut pro kriminologii a sociální prevenci</i>)
IZS	Integrated Rescue System (<i>Integrovaný záchranný systém</i>)
MEPA	Mitteuropäische Polizeiakademie
MS	Ministry of Justice of the Czech Republic (<i>Ministerstvo spravedlnosti ČR</i>)
NBÚ	National Security Authority (<i>Národní bezpečnostní úřad</i>)
NNO	Independent non-governmental organizations (<i>nezávislé nevládní organizace</i>)
NPC	National Counter-Drug Centre (<i>Národní protidrogová central</i>)
NSZ	The Supreme Public Prosecutors' Office (<i>Nejvyšší státní zastupitelství</i>)
OPLZZ	Human Resources and Employment operational programme (<i>operační program Lidské zdroje a zaměstnanost</i>)
PČR	Police of the Czech Republic (<i>Policie České republiky</i>)
PMS	Probation and Mediation Service (<i>Probační a mediační služba</i>)
PP ČR	Police Presidium of the Czech Republic (<i>Policejní presidium ČR</i>)
ŘSP	Public Order Police Directorate (<i>Ředitelství služby pořádkové policie</i>)
SIS	Schengen Information System (<i>Schengenský informační systém</i>)
SKPV PČR	Criminal Police and Investigation Service of the Czech Police (<i>Služba kriminální policie a vyšetřování Policie ČR</i>)
TZ	Act 40/2009 Coll., Criminal Code (<i>trestní zákoník</i>)
ÚOKFK	Anti-corruption and Financial Crime Unit of the Czech Police (<i>Útvar pro odhalování korupce a finanční kriminality SKPV PČR</i>)
ÚSKPV PP ČR	Criminal Police and Investigation Service of the Police Presidium of the Czech Republic (<i>Úřad služby kriminální policie a vyšetřování Policejního prezidia ČR</i>)
ÚOOZ	Czech Police Unit for Combating Organized Crime (<i>Útvar pro odhalování organizovaného zločinu SKPV PČR</i>)

Notes:

Crime statistics of the Czech Police are supplemented by the **statistics of the Ministry of Justice**, which contains statistics of public prosecutors' offices and courts. The crime statistics data for a given year are not comparable with the Ministry of Justice statistics. This is caused primarily by the time gap, sometimes of several years, between a criminal case is closed in particular phases of criminal proceedings. The police statistics retains the case at the beginning of criminal proceedings, while the court statistics at the very end of it.

The court statistics does not feature acts nor perpetrators, whose case was postponed pursuant to § 159a of the Criminal Procedure Code before the start of criminal prosecution (e.g. due to lack of age, amnesty or insanity), or the criminal prosecution was suspended pursuant to § 172 of the Criminal Procedure Code (e.g. if it could not be proved that the act was perpetrated by the accused person) or interrupted. **A sentenced person is understood as a person against whom a court ruling had been pronounced and took legal effect.** The court statistics indicates the numbers of persons charged and sentenced; police statistics is the only one to also show crimes with unknown perpetrator, which makes it possible to take a broader perspective of the crime situation in the country.
