Independent Reporting Mechanism (IRM): Czech Republic End-of-Term Report 2016–2018

Vera Rihackova Pachta, Independent Researcher

Table of Contents

Overview: Czech Republic

Independent Reporting Mechanism (IRM) End-of-Term Report (2016-2018)

Implementation of the Czech Republic's third action plan saw significant progress in open data, a long-term priority of the country. The next action plan could benefit from improved formulation of the commitments with focus on measurability of milestones and relevance to OGP values, as well as from a more efficient multistakeholder approach.

The Open Government Partnership (OGP) is a voluntary international initiative that aims to secure commitments from governments to their citizenry to promote transparency, empower citizens, fight corruption, and harness new technologies to strengthen governance. The Independent Reporting Mechanism (IRM) carries out a review of the activities of each OGP-participating country. This report summarizes the results of the period July 2016 to August 2018 and includes some important developments up to October 2018.

OGP in the Czech Republic has been closely intertwined with the government's anti-corruption agenda but has not enjoyed the same level of publicity and political ownership. The Anti-Corruption Unit, which is located in the Regulatory Impact Assessment Department of the Office of Government and supports the Government Anti-Corruption Council, coordinates the OGP process overall, but various ministries have contributed to the OGP agenda and action plan design. The Minister for Human Rights, Equal Opportunities and Legislation was initially responsible for the OGP agenda.

The Minister of Justice took over coordination of the action plan following the October 2017 general elections. The Ministry of Interior implemented the majority of the commitments without direct involvement of other state bodies. Civil society was involved in the action plan development but to a lesser extent during implementation. The Government Anti-Corruption Council served as the multistakeholder forum. In the first half of 2018, the Working Committee on Transparency of Public Administration, a body of the Government Anti-Corruption Council, was enlarged by four civil society representatives and renamed the Working Committee on Open Government and Transparency of Public Administration. In spring 2018, this committee took over the role of running the OGP multistakeholder forum. OGP is explicitly mentioned as one of the tools for better engagement in international fora in the new 2018–2020 Anti-Corruption Strategy. This inclusion could serve to raise the profile of the initiative domestically.

On 3 September 2018, the government opened a two-week public consultation on the draft self-assessment report for 2016–2018.[1] The government then organized a workshop on the comments received during the consultation period on 20 September 2018.

Table 1: At a Glance	Mid-term	End of term
Number of Commitments	6	
Level of Completion		
Completed	1	3
Substantial	1	1
Limited	4	2
Not Started	0	0
Number of Commitments with...		
Clear Relevance to OGP Values	5	5
Transformative Potential Impact	0	0
Substantial or Complete Implementation	2	4
All Three (✪)	0	0
Did It Open Government?		
Major		*2*
Outstanding		*0*
Moving Forward		
Number of Commitments Carried Over to Next Action Plan		1

This report was prepared by Vera Rihackova Pachta, an independent researcher.

The government approved its fourth action plan for 2018–2020 on 31 July 2018.[2] From the commitments in the third action plan, open data has been carried forward under "Open Education." The aim is to facilitate publication of open data on education and the education system (including higher education and universities), on information regarding schools and school facilities from the InspIS information system, and on the aggregated findings of the Czech School Inspectorate's activities. One commitment topic from the third action plan, Implementing the Civil Service Act, is not explicitly carried forward but there is a commitment on quality management in public administration, which focuses on the introduction of quality management principles in service authorities.

---

[1] The Office of Government of the Czech Republic, http://www.korupce.cz/assets/dokumenty/aktuality/Verejna-konzultace---Zaverecna-sebehodnotici-zprava-Akcniho-planu-Ceske-republiky-Partnerstvi-pro-otevrene-vladnuti-na-obdobi-let-2016-az-2018.pdf

[2] The Office of Government of the Czech Republic, http://www.korupce.cz/assets/dokumenty/aktuality/The-Czech-Republic_s-Open-Government-Partnership-Action-Plan-2018-2020.pdf

Consultation with Civil Society during Implementation

Countries participating in OGP follow a process for consultation during development and implementation of their action plan.

The Government Anti-Corruption Council, which served as the multistakeholder forum until the beginning of 2018, carried out the consultation process during implementation of the third action plan. The Council's Working Committee on Transparency of Public Administration tracked the implementation progress of the action plan. According to the rules of procedure, the Council can establish a working committee and invite experts to participate on a permanent or ad hoc basis. Civil society, academia, and any interested member of the public may participate in each working committee meeting as guests after receiving an invitation.

In the first half of 2018, the working committee was enlarged by four civil society representatives and renamed the Working Committee on Open Government and Transparency of Public Administration. This committee is taking over the role of the OGP multistakeholder forum with evenly balanced representation from government and civil society. It is composed of 18 members, nine from government and nine from civil society, professional associations and academia.

At the working committee meeting on 27 March 2017, representatives of the lead implementing agencies presented progress on five of the six commitments. (The last commitment was presented by the coordination unit based on information provided by the lead implementing agency.) It is unclear from the minutes of the meeting whether there was any debate on the implementation progress, although the meeting minutes are not meant to be a full transcript. The preparation and adoption of the Midterm Self-Assessment Report was also mentioned during two meetings of the Conceptual Committee, on 8 September 2017 and 13 October 2017, but there was no debate or elaboration on the implementation progress. The online public consultations on the draft final self-assessment report were open for two weeks. During the in-person consultation meeting on 20 September 2018, civil society representatives remarked that the National Open Access to Scientific Information Strategy for 2017–2020 (Commitment 4) was not available online. Based on this comment, the full text of the strategy was published. The civil servant interviewed for this report noted that new steps should be taken to raise the level of interest and involvement of civil society in OGP.[1]

Table 2: Consultation during Implementation

Regular Multistakeholder Forum	Midterm	End-of-Term
1. Did a forum exist?	Yes	Yes
2. Did it meet regularly?	Yes	Yes

Table 3: Level of Public Influence during Implementation

The IRM has adapted the International Association for Public Participation (IAP2) "Spectrum of Participation" to apply to OGP.[2] This spectrum shows the potential level of public influence on the contents of the action plan. In the spirit of OGP, most countries should aspire for "collaborative."

Level of Public Influence during Implementation of Action Plan	Midterm	End of Term

Empower	The government handed decision-making power to members of the public.		
Collaborate	There was iterative dialogue AND the public helped set the agenda.		
Involve	The government gave feedback on how public inputs were considered.	✔	✔ 5
Consult	The public could give inputs.		
Inform	The government provided the public with information on the action plan.		
No Consultation	No consultation		

---

¹ The comment was made during the meeting on 24 September 2018 with the representatives of the Office of Government.
² More information on the IAP2 Spectrum,
http://c.ymcdn.com/sites/www.iap2.org/resource/resmgr/foundations_course/IAP2_P2_Spectrum_FINAL.pdf

About the Assessment

The indicators and method used in the IRM research can be found in the IRM Procedures Manual.[1] One measure, the "starred commitment" (✪), deserves further explanation due to its particular interest to readers and usefulness for encouraging a race to the top among OGP-participating countries. Starred commitments are considered exemplary OGP commitments. To receive a star, a commitment must meet several criteria:

- Starred commitments will have "medium" or "high" specificity. A commitment must lay out clearly defined activities and steps to make a judgment about its potential impact.
- The commitment's language should make clear its relevance to opening government. Specifically, it must relate to at least one of the OGP values of Access to Information, Civic Participation, or Public Accountability.
- The commitment would have a "transformative" potential impact if completely implemented.[2]
- The government must make significant progress on this commitment during the action plan implementation period, receiving an assessment of "substantial" or "complete" implementation.

Starred commitments can lose their starred status if their completion falls short of substantial or full completion at the end of the action plan implementation period.

At the end of term, the Czech Republic's action plan did not contain any starred commitments.

Finally, the tables in this section present an excerpt of the wealth of data the IRM collects during its reporting process. For the full dataset for Czech Republic, see the OGP Explorer at www.opengovpartnership.org/explorer.

About "Did It Open Government?"

To capture changes in government practice, the IRM introduced a new variable "Did It Open Government?" in end-of-term reports. This variable attempts to move beyond measuring outputs and deliverables to looking at how the government practice has changed as a result of the commitment's implementation.

As written, some OGP commitments are vague and/or not clearly relevant to OGP values but achieve significant policy reforms. In other cases, commitments as written appear relevant and ambitious, but fail to open government as implemented. The "Did It Open Government" variable attempts to captures these subtleties.

The "Did It Open Government?" variable assesses changes in government practice using the following spectrum:

- Worsened: Government openness worsens as a result of the commitment.
- Did not change: No changes in government practice.
- Marginal: Some change, but minor in terms of its effect on level of openness.
- Major: A step forward for government openness in the relevant policy area but remains limited in scope or scale.
- Outstanding: A reform that has transformed "business as usual" in the relevant policy area by opening government.

To assess this variable, researchers establish the status quo at the outset of the action plan. They then assess outcomes *as implemented* for changes in government openness.

Readers should keep in mind limitations. IRM end-of-term reports are prepared only a few months after the implementation cycle is completed. The variable focuses on outcomes that can be observed in government openness practices at the end of the two-year implementation period. The report and the variable do not intend to assess impact because of the complex methodological implications and the timeframe of the report.

[1] IRM Procedures Manual, https://www.opengovpartnership.org/documents/irm-procedures-manual.
[2] The International Experts Panel changed this criterion in 2015. For more information, visit http://www.opengovpartnership.org/node/5919.

Commitment Implementation

General Overview of Commitments

As part of OGP, countries are required to make commitments in a two-year action plan. The tables below summarize the completion level at the end of term and progress on the "Did It Open Government?" metric. For commitments that were complete at the midterm, the report will provide a summary of the progress report findings but focus on analysis of the 'Did It Open Government?' variable. For further details on these commitments, please see the Czech Republic IRM progress report (2016–2017).

The Czech Republic's third action plan focused on implementing the adopted Civil Service Act to carry out the depoliticization, professionalization and stabilization of public administration; improving access to open data and information; and creating safer communities.

Table 4: Assessment of Progress by Commitment

Commitment Overview	Specificity				OGP Value Relevance (as written)				Potential Impact				Completion				Did It Open Government?				
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not Started	Limited	Substantial	Completed	Worsened	Did Not Change	Marginal	Major	Outstanding
4.1.1. Implementing Civil Service Act (Midterm)			✔		✔			✔			✔				✔				✔		
4.1.1. Implementing Civil Service Act (End of Term)																✔					
4.2.1. Opening priority data sets of public administration and supplementing them based on public consultations (Midterm)			✔		✔	✔		✔			✔			✔						✔	
4.2.1. Opening priority data sets of public administration and supplementing them based on public consultations (End of Term)															✔						
4.2.2. Supporting of the development of the Public Administration's of the Czech Republic open data ecosystem (Midterm)				✔	✔			✔			✔			✔						✔	
4.2.2. Supporting of the development of the Public Administration's of the Czech Republic open data ecosystem (End of Term)																✔					

4.2.3. Forming the National Open Access to Scientific Information Strategy for 2017-2020			✔	✔						✔					✔ / ✔			✔	
4.3.1. Supporting Volunteering		✔		Unclear					✔				✔ / ✔				✔		
4.3.2. Improving Local Level Safety	✔			✔			✔		✔				✔ / ✔				✔		

9

4.1.1. Implementing the Civil Service Act

Commitment Text:

The adoption of Act No. 234/2014 Coll., on civil service, as amended, ensuring the depoliticization, professionalization and stabilization of public administration, was a very important commitment for the Czech Republic. The Act was promulgated on 6 November 2014, when some of its provisions also became effective. The Act became fully effective on 1 January 2015. Since then the Act has been put into practice, especially by subsequently systemizing civil service posts and work posts, separating clearly political and non-political (white-collar) posts, running the Civil Service Information System, etc. The overwhelming majority of its legal regulations have also been adopted and promulgated in connection with adopting this Act.

Since 1 July 2015 fundamental changes in the civil service have been started based on the transitional provisions of the Act in connection with the first systemization of civil service posts and work posts, employing existing employees as civil servants in civil service employment based on their applications, transferring existing chief employees to the positions of senior civil servants in civil service employment, and subsequently announcing new competitive hiring procedures for all the posts of deputies and directors of sections.'

Although the commitment was assessed as substantially completed in 2016, implementing the Act cannot be understood as a one-off event. It must continue with the implementation of the basic institutes of the Act.

Main Objective: Ensuring the depoliticization, professionalization and stabilization of state administration.

Brief Description of Commitment:
- *Depoliticization – transparent competitive hiring, the term of civil service employment not dependent on political changes (e.g. changes in the composition of the Government) and setting up a more rigid process for changing the organization of a civil service authority. The approval of the systemization of civil service posts guarantees that ad hoc organizational changes are more difficult.*
- *Stabilization – systemization, changes in systemization and defined types of changes in civil service status.*
- *Professionalization – a civil service examination, civil service assessment/appraisal and civil service discipline, and education of civil servants.*

Milestones:
1. Completing the legislative process for the regulations implementing the Civil Service Act – Decree defining a service badge specimen
2. Ensuring competitive hiring for the posts of Directors of Departments and Units – appointment of Directors of Departments and Units
3. Controls resulting from the Act (civil service employment of civil servants, evaluation of the observance of the systemization of civil service posts, control of creating a work and life balance of civil servants) – the number of controls carried out at civil service authorities
4. Meeting the requirement that newly hired civil servants take a civil service examination – the portion of newly hired civil servants in the period under consideration and meeting the requirement that a civil service examination is taken
5. Civil service bodies recognising the equality of examinations – the number of civil service examinations recognized based on equality for the period under consideration
6. Investigating whistleblowing – the total number of claims; the number of claims handed over to another investigator for investigation, to an investigative, prosecuting and adjudicating body or to an administrative body competent to hear an administrative delict and the number of completed investigations in the period under consideration
7. Exercise of disciplinary authority in a civil service authority – the number of disciplinary actions and disciplinary measures imposed
8. Developing and extending the Civil Service Information System to include other supporting functions – improving user comfort and creating additional functions supporting the exercise of acts under the Civil Service Act – the number of newly created modules and functions

9. Producing annual reports on implementing the Civil Service Act (regular annual task) and submitting the reports to the Government – the number of reports

Responsible institution: Ministry of the Interior

Supporting institution(s): N/A

Start date: 2014   **End date:** 2018

Commitment Overview	Specificity				OGP Value Relevance (as written)				Potential Impact				Completion Midterm End of Term				Did It Open Government?				
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not Started	Limited	Substantial	Completed	Worsened	Did Not Change	Marginal	Major	Outstanding
4.1.1. Overall			✔		✔			✔			✔				✔				✔		
																✔					

Commitment Aim:

The Civil Service Act aimed to depoliticize and professionalize the Czech Republic's public administration. Following the Act's entry into force in July 2015, this commitment aimed to complete the legislative framework for implementation, introduce competitive hiring in civil service, investigate internal whistleblowing, and exercise disciplinary actions in civil service authorities, among other activities.

Status
Midterm: Substantial

The completion of individual milestones at the midterm was difficult to determine as the end dates were generally set for 2018 with the exception of milestone 2 (which was 30 July 2017). In the self-assessment report, the government declared six milestones (3, 4, 5, 6, 7, and 8) completed. In 2016, the government carried out three inspections on the systemization and organizational structure of civil service authority (milestone 3) and reported that the pass-rate for civil servants required to take a civil service exam was 67 percent (milestone 4). The lead implementing agency recognized 164 examinations between July 2016 and May 2017 (milestone 5) and declared 110 notifications in compliance with the Government Resolution No. 145/2015 Coll (milestone 6). Additionally, the government reported that 21 disciplinary proceedings were held at public authorities with at least 25 civil servants (milestone 7), and the processes for submitting, assessing, and approving proposals for organizational structures posts (milestone 8) were developed within the Civil Service Information System (ISoSS).

Several milestones had no clear targets for completion or further steps determined by the nature of the activities. Furthermore, although most of the planned processes (e.g., inspections, examinations, notifications from whistleblowers, or disciplinary proceedings) were established, the specific targets were either not set or were set in general terms. For details, please refer to the IRM Progress Report.

End-of-Term: Complete

The commitment is complete, as all outlined targets in the action plan were implemented.

Milestone 1: Regulations implementing the Civil Service Act
The decree No. 388/2017 Coll.[1] determining the model of the service badge to serve as identification for civil servants was adopted and came into force on 1 January 2018. All service badges should be issued by the end of December 2019.

Milestone 2: Ensuring competitive hiring for Directors
Most of the selection processes for service posts and department directors and deputies were completed, but there are still a small number of selections to be made.[2]

Milestone 3: Civil service employment controls
In addition to the three inspections carried out in 2016, four more inspections were initiated in 2017, and one was concluded. The three remaining inspections were carried over to 2018.[3]

These inspections looked into the systemization and organizational structure of a service authority, requests for appointment to civil service processed by the authority in accordance with the temporary provisions of the Civil Service Act, selection processes, service performance appraisals, and implementation of the civil service examination. The annual report on civil service for both 2016 and 2017[4] details the procedures in place and number of controls.

Milestone 4: Civil service examination
In the final self-assessment report, the lead implementing agency stated that between July 2017 and June 2018, 54 percent of currently serving civil servants required to take a civil service exam in this period attended the tests. The stated percentage cannot be verified, but the procedure is in place and exams are ongoing. The overall data on civil service examinations are published in the annual report on civil service and information about the exam is published on the ISoSS portal.[5]

Milestone 5: Civil service bodies recognizing additional examinations
Between July 2016 and May 2017, the Ministry of the Interior recognized 164 examinations as equivalent civil service examinations. According to the government's final self-assessment report, 169 examinations were recognized between July 2017 and June 2018.

Milestone 6: Investigating whistleblowing
In 2017, 991 notifications were submitted via email and notification boxes. Out of these notifications, 71 were related to whistleblowing in compliance with the Government Resolution No. 145/2015 Coll., and 39 investigations were closed internally. In six cases, the investigation concluded with a suspicion of a crime committed, and one case had already been forwarded to the criminal proceeding authorities.[6]

Milestone 7: Disciplinary authority in civil service authorities
In 2017, the second-level disciplinary board, the highest disciplinary body established within the Ministry of Interior, decided on 21 disciplinary proceedings; one decision was challenged at the court. The first-level boards established at each service authority initiated 47 disciplinary proceedings. The process is in place and disciplinary proceedings are ongoing.

Milestone 8: Developing and extending the Civil Service Information System
As of December 2017, information on vacant civil service positions and open competitions is published in open data format on ISoSS.[7] In 2017, a new functionality generating the number of service badges was introduced (milestone 1). Implementation of ELTES system, which is designed for conducting civil service exams remotely, has started. A number of new functionalities have been developed and, since the target is defined only in general terms, the milestone is completed.

Milestone 9: Producing annual reports on implementing the Civil Service Act
The 2017 annual civil service report was completed in July 2018 and can be found online.[8] The annual report on civil service for 2018 is expected to be published in the second half of 2019.

Did It Open Government?
Access to Information: Marginal

The internal governance and practices within the civil service have been changing in line with the implementation of the Civil Service Act. CSOs working with official consultation bodies under the Government Anti-Corruption Council have contributed to shaping these changes, such as milestone 6 on internal whistleblowing. In order to support the Civil Service Act implementation, the Advisory Board of the Deputy Minister of the Interior for Civil Service on the Civil Service Act started working in April 2016. This board includes 20 representatives of service authorities, experts, and academia, but its exact composition is unknown. According to a civil servant[9] interviewed for this report, several journalists requested information concerning the commitment milestones, like the disciplinary authority. Also, due to these and other requests, the annual civil service reports are now regularly published.

This commitment aligned with the implementation of the Civil Service Act. It marginally changed the established government practice by publishing information on open competition in open data format. It also led to the sharing of information on the evaluation of the new procedures (appraisals, exams, disciplinary authority, whistleblowing) via the annual reports on civil service and in the civil service newsletter. The quality of information provided to the public has improved but there are still areas where greater transparency could be introduced. For example, the Ministry of the Interior started publishing data from the database of vacant work posts in civil service and open competitions in open data format on ISoSS. The module for submitting, assessing, and approving proposals for organizational structure and systemisation of service authorities and work posts (titled OSYS), developed within the ISoSS, allows individual service authorities to submit their organizational charts and all work posts. However, use of OSYS is internal within the public administration. According to an interviewed civil society representative, public access to complex data from OSYS is unlikely because it is politically sensitive information, though the basic systemization data, approved by the government, is accessible on the Section for Civil Service website.[10]

Carried Forward?
The commitment has not been carried forward to the next action plan.[11] However, there is a commitment on quality management in the public administration, which focuses on the introduction of quality management principles in service authorities.

---

[1] Ministry of Interior of the Czech Republic, Legal documents related to the implementation of the Civil Service Act including the service badge template, https://www.mvcr.cz/sluzba/clanek/pravni-predpisy.aspx ;
[2] Annual Civil Service Report 2017, pg. 37-39,
https://www.google.be/url?sa=t&rct=j&q=&esrc=s&source=web&cd=1&ved=2ahUKEwiA4d6ej7LjAhWXEMAKHRb3AkQQFjAAegQIABAC&url=https%3A%2F%2Fwww.mvcr.cz%2Fsluzba%2Fsoubor%2Fvyrocni-zprava-o-statni-sluzbe-za-rok-2017.aspx&usg=AOvVaw1_VyAa9HEoxuwbA6yySTw7; https://www.mvcr.cz/sluzba/clanek/ostatni-dokumenty.aspx?q=Y2hudW09Mw%3d%3d;
[3] Ministry of Interior of the Czech Republic, Annual Civil Service Report 2017, pg.19,
file:///C:/Users/lukas/Downloads/Vyrocni_zprava_o_statni_sluzbe_za_rok_2017_-_rev_4.pdf
[4] Vyrocni zprava o Statni Sluzbe (2016), http://www.mvcr.cz/sluzba/soubor/vyrocni-zprava-o-statni-sluzbe-za-rok-2016-pdf.aspx; and Vyrocni zprava o Statni Sluzbe (2017),
https://www.google.be/url?sa=t&rct=j&q=&esrc=s&source=web&cd=1&ved=2ahUKEwj9xNW73v_fAhXSwAIHHQzJAisQFjAAegQIBxAC&url=https%3A%2F%2Fwww.mvcr.cz%2Fsluzba%2Fsoubor%2Fvyrocni-zprava-o-statni-sluzbe-za-rok-2017.aspx&usg=AOvVaw1_VyAa9HEoxuwbA6yySTw7
[5] Ministry of Interior of the Czech Republic, https://www.mvcr.cz/sluzba/urednicka-zkouska.aspx
[6] Vyrocni zprava o Statni Sluzbe (2017), Annual Civil Service Report,
https://www.google.be/url?sa=t&rct=j&q=&esrc=s&source=web&cd=1&ved=2ahUKEwj9xNW73v_fAhXSwAIHHQzJAisQFjAAegQIBxAC&url=https%3A%2F%2Fwww.mvcr.cz%2Fsluzba%2Fsoubor%2Fvyrocni-zprava-o-statni-sluzbe-za-rok-2017.aspx&usg=AOvVaw1_VyAa9HEoxuwbA6yySTw7
[7] "Open Data" (Civil Service Information System),
https://portal.isoss.cz/irj/portal/anonymous/dokument?cd=EOSM/open_data&src=EOSM
[8] Vyrocni zprava o Statni Sluzbe (2017), Annual Civil Service Report,
https://www.google.be/url?sa=t&rct=j&q=&esrc=s&source=web&cd=1&ved=2ahUKEwj9xNW73v_fAhXSwAIHHQzJAisQFjAAegQIBxAC&url=https%3A%2F%2Fwww.mvcr.cz%2Fsluzba%2Fsoubor%2Fvyrocni-zprava-o-statni-sluzbe-za-rok-2017.aspx&usg=AOvVaw1_VyAa9HEoxuwbA6yySTw7

[9] Civil servant from the Ministry of Interior, interview, 13 February 2018.
[10] Ministry of Interior of the Czech Republic, Vyjádření ke změně systemizace služebních a pracovních míst s účinností od 1. 4. 2018, http://www.mvcr.cz/sluzba/clanek/vyjadreni-ke-zmene-systemizace-sluzebnich-a-pracovnich-mist-s-ucinnosti-od-1-4-2018.aspx.
[11] The Office of Government of the Czech Republic, Action Plan of the Czech Republic Open Government Partnership for 2018-2020, http://www.korupce.cz/assets/dokumenty/aktuality/The-Czech-Republic_s-Open-Government-Partnership-Action-Plan-2018-2020.pdf

4.2.1. Opening Priority Data Sets of Public Administration and Supplementing Them Based on Public Consultations

Commitment Text:

One of the commitments in the First Action Plan was to open the most important data sources to the public, companies and professional public for wider use. This commitment was not fulfilled due to the lack of uniform standards, methodological support and the absence of the National Open Data Catalogue (NODC). These obstacles have now been removed within meeting the commitments of the Second Action Plan, when the Ministry of the Interior of the Czech Republic created the Standards and Methods for Publishing and Cataloguing the Public Administration of the Czech Republic and created the National Open Data Catalogue (NODC). To start the use of open data of the Czech public administration, the data sets that are of special significant economic benefit or enhance the efficiency and optimization of the services and transparency of the state must be published. The proposed list of priority data sets is not complete because there is not enough dialogue between the public administration and the public. Therefore, the public does not know what data sources public administration institutions work with and public administration institutions do not know what data sets the public are interested in. This "recurring" cycle can be solved by a dialogue between selected public administration institutions and the public through public consultations.

Main Objective:
1. Publish priority public administration data sets as open data.
2. Update the list of priority public administration data sets based on public consultations.

Brief description of the commitment:
1. Publish priority data sets in an open form and update them regularly to ensure that they are as up-to-date as possible. (The list of priority data sets is given in the Appendix to Commitment 4.2.1, below the commitment table.)
2. Catalogue the priority data sets in the National Open Data Catalogue
3. When publishing, updating and cataloguing, proceed according to the Standards for Publishing and Cataloguing the Open Data of the Public Administration of the Czech Republic issued by the Ministry of the Interior of the Czech Republic and published (Standardy publikace a katalogizace otevřených dat veřejné správy ČR) issued by the Ministry of the Interior of the Czech Republic and published on http://opendata.gov.cz.
4. Update the list of priority data sets based on public consultations.
5. Publish, update and catalogue the data sets added to the list of priority data sets based on public consultations according to the Standards for Publishing and Cataloguing the Open Data of the Public Administration of the Czech Republic.

Milestones:
1. Making selected public administration data sets accessible in an open form and catalogued in the NODC – see the List of Priority Public Administration Data Sets
2. Public consultations on the most required public administration data sets
3. Public administration open data sets made accessible based on public consultations

Responsible institution: Ministry of the Interior

Supporting institutions: Ministry of Finance, Ministry of Regional Development, Ministry of Justice, Ministry of Transport, Ministry of Environment, General Financial Inspectorate, Office for Government Representation in Property Affairs, and Czech Office for Surveying, Mapping and Cadastre

Start date: 1 August 2016   **End date:** 31 December 2018

	Specificity				Midterm	

Commitment Overview					OGP Value Relevance (as written)				Potential Impact				Completion				End of Term	Did It Open Government?				
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not Started	Limited	Substantial	Completed		Worsened	Did Not Change	Marginal	Major	Outstanding
4.2.1. Overall			✔		✔	✔		✔			✔			✔	✔						✔	

Commitment Aim:

Under its previous action plan, the Czech Republic developed and approved standards for publishing and cataloguing data in open format. In September 2016, Act No. 106/1999 Coll. on Access to Information was amended to include the definition of open data and established the National Open Data Portal. Within this Portal, the National Open Data Catalogue (NODC) was established as a registry of the datasets provided by public administration bodies, including state agencies, municipalities, and regional governments. The Portal and the Catalogue are updated on an ongoing basis.

This commitment aimed to further open public administration data by establishing a list of priority datasets based on Government Resolution No. 425/2016 Coll. The Ministry of the Interior, as coordinator of the open data agenda, proposed the priority datasets. It also aimed to expand the list of open datasets through consultations with civil society stakeholders and citizens using the Open Data Wishlist, an online data survey available on the Open Data Portal, the Czech Digital Agenda Coordinator's website, and the Otakar Motejl Fund's website.

Status
Midterm: Limited

Implementation was limited at the midterm as only 5 of the 14 priority datasets identified were published in open data format. Although the public consultations took place via Open Data Wishlist and produced new suggestions for datasets to be opened, Government Resolution No. 425/2016 Coll. was not amended to start the process of opening the new datasets.

End of term: Substantial

Of the 14 datasets identified in the action plan, 10 were published in open data format at the end of the implementation period. The Ministry of Interior continued to offer and provide methodological and training support to the state bodies responsible for publishing the identified datasets.

Out of 13 new datasets that were suggested through the Open Data Wishlist consultation, at least 6 were amended to Government Resolution No. 425/2016 Coll. on 24 July 2018; the new resolution No. 184/2018 Coll. was due to come into effect on 1 January 2019.[1] These newly included datasets must comply with the legal condition that data requested through public consultations must already be publicly available before it can be published in open format. Outside the framework of this commitment but relevant to opening publicly consulted datasets, several datasets were identified within the Working Group for the Digitalization of Automotive Industry. In cooperation with the government's open data task force, the industry identified more than 80 datasets it could benefit

from accessing in open data format. However, according to civil society representatives, no further steps were taken after the identification of the datasets and the cooperation with the industry was interrupted.

Did It Open Government?
Access to Information: Major
Civic Participation: Major

This commitment builds on the first and second action plans, where open data was featured prominently. In the past three years, the process of opening data that was primarily pushed by civil society has become a priority for the Ministry of the Interior.[2]

This commitment further opened access to government-held data and promoted its publication in open data format. Introducing the Open Data Wishlist as a method of communication, including feedback with stakeholders and the general public, has proven successful over the course of the action plan implementation period; citizens are actively using the Wishlist and feedback from the coordinators of the open data agenda is comprehensive.[3] The Ministry of the Interior, as the coordinator of the open data agenda, has the mandate to propose the priority datasets but most of them fall under the responsibility of other ministries or agencies. The ministry cannot effectively enforce open data publication and mandatory publishing. The regular rounds of evaluation of the proposals from the public provided backing to the Ministry of Interior when pushing the open data agenda further, on demand from the side of the citizens and stakeholders. The direct impact on government policy has materialized in the amended list of datasets in the government resolution that is binding for all public administration bodies. Although the list is still limited, the coordinators of the open data agenda expect that the list will grow after the action plan implementation period and that a change in government practice will result as other public bodies begin to comply by publishing open data. The public facing element of the consultations is contributing to the changing attitude to open data policy within the government, where different parts of the administration are publishing data in open format voluntarily (in synergy with commitment 4.2.2. that aims to support an open data ecosystem). Thus, in terms of access to information, the change in government practice is considered major.

The commitment expanded the list of open datasets based on public consultations with civil society stakeholders, citizens, and industry. The consultations via Open Data Wishlist are open and ongoing,[4] and the analysis of the proposals is conducted about twice a year. The feedback[5] is provided online and includes comments on why certain datasets can or cannot be published in open format at the given point of time. Such a procedure strengthens civic participation and facilitates participation of citizens in the selection of datasets to be published. At the same time, citizens cannot participate in the final decision making on the datasets to be mandatorily published; the priority datasets are identified on the basis of the highest aggregated demand and compliance with legislative conditions, not on participatory deliberation.

Carried Forward?
This commitment is carried forward in the 2018–2020 action plan[6] under the topic "Open Education." The aim is to facilitate publication of open data on education and education systems, information on schools and school facilities from the InspIS information system in open data format, and the aggregated findings from outcomes of the Czech School Inspectorate's activities. The responsible public body for the implementation of this commitment is the Ministry of Education, Youth and Sports, in cooperation with the education-focused NGO, EDUin.

---

[1] The Government Resolution No. 184/2018 Coll, https://www.epravo.cz/top/zakony/sbirka-zakonu/narizeni-vlady-ze-dne-24-cervence-2018-kterym-se-meni-narizeni-vlady-c-4252016-sb-o-seznamu-informaci-zverejnovanych-jako-otevrena-data-22236.html
[2] Výroční zpráva o stavu publikace otevřených dat v České republice za rok 2017 (Annual Report on the State of Open Data Publishing in the Czech Republic in 2017), Ministry of Interior, May 2018.

[3] Analýza nejžádanějších datových sad (Analysis of Most Requested Datasets), Ministry of Interior, 30 October 2018, https://opendata.gov.cz/_media/dokumenty:v%C3%BDro%C4%8Dn%C3%AD-zpr%C3%A1va-2017.pdf

[4] All suggestions received via the Open Data Wishlist, https://docs.google.com/spreadsheets/d/1tJl4dmtOVOon63c_Tla21TGl3RkT8Ty4ut3euQKhydE/edit#gid=468459059

[5] The feedback and analysis, https://opendata.gov.cz/dokumenty:analýza-opendata-wishlist

[6] The Office of Government of the Czech Republic, Action Plan of the Czech Republic Open Government Partnership for 2018-2020, http://www.korupce.cz/assets/dokumenty/aktuality/The-Czech-Republic_s-Open-Government-Partnership-Action-Plan-2018-2020.pdf

4.2.2. Supporting the Development of the Public Administration of the Czech Republic's Open Data Ecosystem

Commitment Text:

Running the National Open Data Catalogue in 2015 started the sequential process of publishing and cataloguing open data in the Czech Republic. CTO, SAO, CTIA, MI, MF, MT, the Moravian-Silesian Region, the Vysočina Region, CSO, CSSA and COSMC, the town of Bohumín, the town of Děčín, and the municipality of Huntířov recoded their data in the National Catalogue. Most public administration institutions do not publish and do not catalogue open data because there is no legislative duty to do so. Enshrining the National Open Data Catalogue in the legislation is a subject of the amendment of Act No. 106/1999 Coll., on free access to information, implemented within the draft of a proposed law, which changes some laws in connection with adoption of the Act on Services Creating Trust in Electronic Transactions (the draft of the proposed law was considered in the Chamber of Deputies when the Third Action Plan was being prepared). In addition to enshrining open data in the legislation, it is also necessary to provide knowledge support on open data for individual public administration institutions. The public administration of the Czech Republic's National Open Data Catalogue and the standards for publishing and cataloguing the open data of the Czech Republic's public administration in accordance with the development of needs and standards approved by the European Commission must be regularly adjusted and extended. To advance the principles of public administration open data and their access, it is necessary to support and develop the methods and standards needed to provide and continuously improve the quality of public administration open data, both from the technical and process aspects.

Main Objective: Support and develop the open data ecosystem.

Brief description of the commitment:
1. Develop open and interconnected data standards.
2. Educate public administration employees.
3. Provide assistance for public administration authorities in opening data.
4. Develop the National Open Data Catalogue.
5. Develop a dialogue between public administration institutions and the general public.

Milestones:
1. Developing open and interconnected data standards (measurement method: functioning and existing standards are available on opendata.gov.cz)
2. Public administration employee training on publishing and cataloguing open data (measurement method: according to the project application – 3 x conference on open data and 10 x 1-day training)
3. Providing assistance to public administration authorities on opening data (measurement method: 10 ministries or central authorities; unspecified number of regional authorities and municipalities)
4. Developing the National Open Data Catalogue (NODC) (measurement method: data.gov.cz available; compatibility with the EU standard: DCAT-AP)

Responsible institution: Ministry of the Interior

Supporting institutions: Committees of Government Council for Information Society

Start date: 1 August 2016   **End date:** 31 December 2018

Commitment Overview	Specificity	OGP Value Relevance (as written)	Potential Impact	Completion	Midterm	Did It Open Government?
					End of Term	

	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not Started	Limited	Substantial	Completed	Worsened	Did Not Change	Marginal	Major	Outstanding
4.2.2. Overall				✔	✔			✔			✔			✔		✔				✔	

Commitment Aim:

This commitment aimed to support and develop the open data enviroment. The commitment's four activities focused on advancing and publishing the methods and standards for open data in a user-friendly manner to engage public administrations and guarantee the quality of datasets. Implementation of these methods and standards also involved organizing three conferences and 10 one-day trainings for civil servants responsible for open data. This commitment was based on a project titled "Implementation of open data strategies II (Open Data II),"[1] funded by the European Social Fund. The project runs from January 2017 until October 2019.

Status
Midterm: Limited

The commitment was launched in parallel with the start of the project Open Data II in January 2017, five months later than originally planned. The planned trainings and workshops on open data were organized and guidelines on open data procedure published on the Open Data Portal.[2] The second annual conference (the first took place in 2015), "Open Data in Public Administration," was held on 10 November 2017.[3] The National Open Data Catalogue (NODC) 2.0 was in the process of being developed to be more user-friendly but the preparations were delayed due to the late start of the Open Data II project.

End of term: Complete

The new version of the National Open Data Portal (https://data.gov.cz) was launched in June 2018 but was not fully functional until several months later. Compared to the previous pilot version, all guidelines on open data procedures are now systematized according to type of recipients, such as ministries, central public administration bodies, regional and local authorities, and government agencies. The portal also provides examples of good and bad practice in the process of opening data, including the most frequent legal and technical mistakes, such as the incorrect usage of Creative Commons licence or coding. The list of good and bad practice is updated on an ongoing basis with recommendations on how to tackle the related problems and obstacles to publishing. The planned trainings and workshops on open data were organized and announced on https://opendata.gov.cz/edu:start.

The Ministry of the Interior organized 56 trainings and workshops for more than 300 participants in 2017 and 2018. In 2017, 8 trainings were conducted for 93 employees from 38 different public bodies.[4] The follow-up individual consultations (milestone 3) were provided in at least 69 cases. According to the annual report on open data in the Czech Republic 2017,[5] the trainings and consultations on open data were organized for 139 employees from 97 different public bodies. The third annual "Open Data in Public Administration" conference took place on 2 November 2018.[6] The National Open Data Catalogue (NODC) 2.0 was upgraded to a more user-friendly and fully integrated platform for citizens (https://data.gov.cz/english/). It provides targeted information to the

group of open data users, owners and entities interested in providing data in open format. The upgraded version of the portal was launched on 1 July 2018. The portal is compatible with the EU standard: DCAT-AP.

Did It Open Government?
Access to Information: Major

After launching the National Open Data Catalogue (NODC) in 2015, the start of its 2.0 version in June 2018 accelerated the process of publication and cataloguing public administration information in open data format. The aim of the commitment was to further support and develop open data by assisting public bodies with the process of opening data and facilitating user-friendly access for citizens. Most public authorities do not publish and catalogue in open data format as there is no legally binding provision for them to do so unless the respective dataset is listed in the Government Resolution. Following the launch of this commitment, the following authorities started publishing requested information in open data: the Ministry of Finance, the Ministry of Regional Development, the Ministry of Justice, the Ministry of Transport, the Ministry of Environment, the General Financial Inspectorate, the Office for Government Representation in Property Affairs, and the Czech Office for Surveying, Mapping and Cadastre.

The trainings, workshops, and information sharing facilitated by this commitment helped to change the established practice by educating the responsible employees in open data process. Although only 25 public authorities, out of more than 7,500, currently publish and catalogue their data in NODC, including government ministries (as stated above), and there is a positive trend in terms of involving public bodies and providing them with support for publishing in open data, which was not the case before the commitment implementation. Consequently, access to information for citizens has improved, as the upgraded NODC offers more than 130,000 open datasets, searchable by key words, provider or formats, which can be used for non-commercial and commercial purposes. There is still room for improvement, namely in opening data from areas under the competence of the Ministry of Environment, Ministry of Education, or Ministry of Transport.

Carried Forward?
This commitment is not carried forward to the next action plan.

---

[1] Ministry of the Interior, "Otevrena data II" (2018), http://www.mvcr.cz/clanek/otevrena-data-ii.aspx
[2] Otevrena dat, "Otevrena data v CR: Portal pro poskytovatele" (27 July 2018), https://opendata.gov.cz/
[3] The second annual conference, https://opendata.gov.cz/edu:konference:2017. The first conference took place in 2015. (There was no annual conference in 2016.)
[4] Annual Report on open data in the Czech Republic 2017, https://opendata.gov.cz/_media/dokumenty:výroční-zpráva-2017.pdf
[5] Ibid.
[6] Ministry of the Interior, https://www.mvcr.cz/clanek/ministerstvo-vnitra-usporadalo-konferenci-o-otevrenych-datech-ve-verejne-sprave.aspx

4.2.3. Forming the National Open Access to Scientific Information Strategy for 2017–2020

Commitment Text:

The Czech Republic is one of the few countries that have no national open access strategy and no document unifying the plans for developing open access to scientific information at the national level. The Czech Republic, along with other OECD and EU countries, committed to advancing open access to research data from projects financed by public funds as early as 2004.

Main Objective:
Define and implement a clear strategy for open access to scientific information from projects financed by public funds according to § 16 of Act No. 130/2002 Coll. and other legal regulations regulating the publication of RDI results (such as classified information or trade secrets). The document "Czech National Open Access to Scientific Information Strategy for 2017–2020" should be based on the recommendations of the Council for Research, Development and Innovations "Open Access ("OA") to the Published Results of Research Financed by Public Funds of 28 February 2014 and the binding OA principles at the EU level. This is a prerequisite for the full integration of the Czech Republic into the European Research Area and enhancing the competitiveness of Czech research. The strategy also develops the principles of the National Policy of Research, Development and Innovations for 2016–2020 and other national documents.

Brief description of the commitment:
Submit the National Open Access to Scientific Information Strategy to the Government for approval.

Milestone:
1. Approval of the Czech National Open Access to Scientific Information Strategy for 2017-2020 by the Government

Responsible institution: Section of the Deputy Prime Minister for Science, Research and Innovation, the Office of the Government of the Czech Republic

Supporting institution(s): N/A

Start date: May 2016   **End date:** May 2017

Commitment Overview	Specificity				OGP Value Relevance (as written)				Potential Impact				Completion				Did It Open Government?				
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not Started	Limited	Substantial	Completed	Worsened	Did Not Change	Marginal	Major	Outstanding
4.2.3. Overall				✔	✔					✔						✔ (Midterm) ✔ (End of Term)			✔		

Commitment Aim:

This commitment called for the adoption of a national strategy for open access to scientific information from publicly funded projects.

Status
Midterm: Complete

This commitment was completed by the midterm. The government adopted the National Open Access to Scientific Information Strategy 2017–2020 on 14 July 2017.[1, 2] For more information, please see the IRM Progress Report.

Did It Open Government?
Access to Information: Marginal

Unlike other EU countries, the Czech Republic had no policy on open access to scientific publications and data from publicly funded projects prior to the start of the action plan. Adopting such a policy was a prerequisite set by the European Commission in July 2012 for an EU member state to join the European Research Area. However, this prerequisite did not stipulate the type of publication repository or means for sharing the data. The National Information System for Research, Experimental Development and Innovation (IS VaVaI)—the search application for publicly funded scientific projects—was in place, but not all results have been accessible to the public. Furthermore, there was no standard definition of exceptions from the requirement to publish results of the research, and according to an employee of the Technology Agency of the Czech Republic, many authors and grant holders raised concerns over intellectual property rights in relation to open access, re-use and attribution.

This commitment is a positive step forward as there was no official regulation in this area, nor a consensus among academia, the Ministry of Education, and other stakeholders on publishing standards. Also, open and free access to publicly funded publications is assured for experts and citizens.

However, there are several factors that impede the potential of this commitment to improve access to scientific information. First, the strategy is not legally binding beyond the public administration, as it is enshrined in a government resolution rather than a legal act. Second, there are no sanctions for non-compliance. Furthermore, while the strategy defines "open access" on what should be published, and narrows possible exceptions, it does not provide any specific implementation steps or timeline. Finally, with the change of government and the reorganization of the Office of Government, the unit that was championing this strategy was dissolved and the portfolio transferred to the Ministry of Education. This transfer caused delays in the preparations of the consequent action plan for implementation of the strategy. For this reason, the change is marginal.

Carried Forward?

This commitment is not carried over to the next action plan.

---

[1] The Office of Government, Government Resolution no. 444, https://apps.odok.cz/attachment/-/down/RCIAANGCDD4M
[2] The text of the strategy (in Czech), https://e-zdroje.vsb.cz/akcni-plan-pro-implementaci-narodni-strategie-otevreneho-pristupu-ceske-republiky-k-vedeckym-informacim-na-leta-2017-2020/

4.3.1. Supporting Volunteering

Commitment Text:

Volunteering is an important opportunity for a large number of citizens to engage in activities beneficial to the public on their own free will, in their free time and without a claim to any remuneration or service in return. Currently there is no comprehensive concept for supporting and developing volunteering in the Czech Republic. The current legal regulation (Act No. 198/2002 Coll., on volunteer services, as amended) only applies to organizations that are accredited by the Ministry of the Interior and includes only a few of the total number of volunteers in the Czech Republic.

Main Objective: Create conditions for maximizing the society-wide benefit of volunteering.

Brief description of commitment: At both the legislative and non-legislative level, the aim is to create conditions to further support and develop volunteering in the Czech Republic. The new Act on Volunteering and its Support will regulate the conditions for all types of volunteering and the support will apply to voluntary organizations and volunteers in and outside the accredited regime. The new concept of development of volunteering will focus especially on practical support and development of volunteering in the Czech Republic and will be based on the summary of foreign and domestic experience and good practice examples. It will also contain recommendations for voluntary organizations and volunteer centres when working with volunteers.

Milestones:
1. Distribution of the proposed draft of the Act on Volunteering and Its Support for the interministerial comment procedure
2. Addressing the draft of the proposed Act on Volunteering and Its Support to the Government of the Czech Republic for consideration
3. Start of the analytical phase of drawing up the Concept of the Development of Volunteering
4. Drafting the Concept of the Development of Volunteering by the working group
5. Final version of the Concept of the Development of Volunteering

Responsible institution: Ministry of the Interior of the Czech Republic

Supporting institution(s): N/A

Start date: 1 July 2016   **End date:** 30 June 2018

Commitment Overview	Specificity				OGP Value Relevance (as written)				Potential Impact				Completion				Did It Open Government?				
															Midterm							
															End of Term							
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not Started	Limited	Substantial	Completed	Worsened	Did Not Change	Marginal	Major	Outstanding
4.3.1. Overall			✔		Unclear					✔				✔				✔			
														✔							

Commitment Aim:

This commitment aimed to submit a new draft law on volunteering to the government as the current law only recognizes accredited volunteering centers. It also called for designing a Concept of the Development of Volunteering, a project run by the Department of Security Policy and Crime Prevention of the Ministry of the Interior. The concept proposed changes to the legal framework to develop volunteer activities at the regional level (whether or not the volunteering is accredited) and to further develop accredited volunteer centers.

Status
Midterm: Limited

The level of completion of this commitment was limited at the midterm. The Ministry of the Interior cancelled the legislative task of proposing the new law on volunteering because it was unable to reconcile the number of comments received via the government's resolution no. 942 of 24 October 2016. No further steps in the legislative area were envisaged. Changes in the procurement procedure delayed the implementation of the project "The Concept of Development of Volunteering in the Czech Republic with an Emphasis on Regional and Professional Availability of Volunteering in Volunteer Centres," pushing the completion timeline more than a month past the deadlines stated in the midterm self-assessment report.

End of term: Limited

After delays related to the changes in the procurement procedure, the Ministry of the Interior signed a contract with ACCENDO – the Center for Science and Research, a government institute, for drafting and designing the concept in October 2017. The contract is available online in the public Register of Contracts (https://smlouvy.gov.cz/smlouva/3609948). The draft was never presented to the Czech government for consideration (milestone 2). Milestones 3 and 4 were concluded in June 2018. The concept is available online.[1] Implementation of milestone 5 is ongoing; the official responsible for the project implementation stated the final version of the concept should be elaborated in cooperation and after consultations with CSOs and other stakeholders.

Did It Open Government?
Access to Information: Did Not Change
Civic Participation: Did Not Change
Public Accountability: Did Not Change

The relevance of this commitment to OGP values was unclear. As implemented, the commitment has not changed the government's practice in relation to increased access to information, citizen participation, or public accountability.

Efforts to improve the legal milieu for volunteering in the Czech Republic date back to 2011. The current Act on Volunteering (from 2002) does not provide a legal framework for all types of volunteering since it only facilitates accredited volunteer centers. There is no declaratory recognition of volunteering and no legal provision for non-accredited CSOs that depend on volunteers, which would enable them to benefit from state subsidies for volunteering or recognize the value of their volunteers' work as co-financing for their projects. There are also no official nationwide volunteering statistics.

Carried Forward?
This commitment is not carried over to the next action plan.

---

[1] Ministry of the Interior of the Czech Republic, ACCENDO Center for Science and Research, the Concept of the Development of Volunteering in the Czech Republic, Draft, 26 July 2018, https://www.google.be/url?sa=t&rct=j&q=&esrc=s&source=web&cd=1&ved=2ahUKEwj2itPar4LgAhWCalAKHXTED2kQFjAAegQICBAC&url=http%3A%2F%2Fwww.mvcr.cz%2Fsoubor%2F04-rozvoj-dobrovolnictvi-v-cr-navrh-koncepce-pdf.aspx&usg=AOvVaw3rz6_HUzELb01zX6_Bvmm8

4.3.2. Improving Local Level Safety

Commitment Text:

The MI has been carrying out the subsidy Crime Prevention Programme focused on supporting preventive projects of municipalities and regions which concentrate on situational prevention, social prevention, victimization prevention, and recidivism prevention for a long time. In 2015 the MI also established the subsidy programme Security Volunteer that helps to increase public integrity and develops and supports civic society by engaging local citizens in preventative activities. Crime prevention at the local level is however more difficult because there is no uniform platform providing information about criminality at the local level.

Main objective: Implement projects at the local level based on a careful analysis of the safety situation in the place concerned and provide access to information on criminality at the local level.

Brief description of the commitment:
The projects, supported by the subsidy programme Crime Prevention, are based on a careful analysis of the safety situation in the place concerned, are coordinated by professional crime prevention managers, and are implemented together with other crime prevention entities in the majority of cases. The aim of creating a crime information sharing platform at the local level is to give self-governments as well as citizens of the Czech Republic access to more detailed information about criminality (crimes and offences if need be) to raise their awareness of the safety information about where they reside, work etc. so that they can engage more in the subsequent co-creation of safer localities. The task includes setting rules for sharing and publishing information about criminality (to prevent the secondary victimisation of victims, to ensure that information is accurate, objective and undistorted and cannot be misused, etc.) and protection of personal and sensitive data. Based on this it will be possible to create and give access to tools that will allow self-governments and the public share and access information, including feedback to security forces.

The Security Volunteer subsidy programme for municipalities does not set exact crime prevention goals in advance but emphasises the initiative and creativity of applicants (within the specified legal framework). The programme supports the engagement of the public in ensuring public order at the local level. The purpose of the programme is to accommodate civic society initiatives and help municipalities create conditions for their citizens to volunteer, what contributes to the enhancement of life in the municipality

Milestones:
1. Determination of rules for sharing and publishing information about criminality so that it does not contribute to the secondary victimization of victims.
2. Possibility of concluding contracts for sharing information about criminality with self-governments according to the set rules
3. Putting a crime information publishing platform into operation
4. Executing subsidy safety and crime prevention procedures

Responsible institution: Ministry of the Interior of the Czech Republic

Supporting institution(s): N/A

Start date: 30 June 2016   **End date:** 31 December 2018

Commitment Overview	Specificity	OGP Value Relevance (as written)	Potential Impact	Completion	Midterm	Did It Open Government?
					End of Term	

	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not Started	Limited	Substantial	Completed	Worsened	Did Not Change	Marginal	Major	Outstanding
4.3.2. Overall		✔			✔		✔			✔				✔ ✔				✔			

Commitment Aim:

The objective of this commitment was to launch a unified online platform providing crime information through the Ministry of Interior's "Maps of the Future II" project. The project would assess what data and information on crimes the police can provide for the new platform and set the rules for sharing and publishing the respective data. This commitment also planned to support crime prevention via three grant programs. Two of these programs fund local administration bodies, municipalities, and regional administrations for local crime prevention and volunteer security forces. The third program funds corruption prevention implemented by CSOs and other nonprofits (such as foundations and churches).

Status
Midterm: Limited

Completion of this commitment was limited at the midterm. A delay in preparations for the Maps of the Future II project postponed milestones 1, 2, and 3. The Ministry of the Interior cooperated on preparations for the project proposal with the Police of the Czech Republic. The police requested a budgetary transfer to cover the personnel costs for employees working on the project. The Ministry of the Interior implemented all three of the subsidy programs covered under milestone 4 with the list of beneficiaries for 2016 and 2017 available online.

End of term: Limited

The timeline of the implementation of the Maps of the Future II project has been delayed. According to the official originally responsible for the implementation of the project, the Ministry of the Interior has not yet announced if the Ministry itself or the Police of the Czech Republic will be responsible for the implementation, and thus also on budgetary transfers. The grant programs listed in the commitment are ongoing and new beneficiaries were selected in 2018 in line with the planned schedule. The list of beneficiaries is available online.[1]

Did It Open Government?
Access to Information: Did Not Change

Unlike many other countries, the Czech Republic did not have a detailed, user-friendly crime map centrally managed by state bodies and accessible to the public. An initiative of civil society resulted in the first comprehensive online crime map; Otevrena Spolecnost, an NGO working in civic space issues, uses the consolidated data provided by the police in one database as of 2016 for its crime map.[2] Local crime maps exist in several smaller cities where the Police of the Czech Republic and metropolitan police provide input to official municipal crime maps available on local government websites.[3] However, access to crime information has been a contentious issue in the country. The Ministry of the Interior and the police were in civil litigation with the journalist Jan Cibulka from Czech Radio, over access to crime information. In May 2017, the Municipal Court in Prague ruled in

favor of the journalist and ordered the Police of the Czech Republic and Ministry of Interior to release data on territorial distribution of police districts and stations in an electronic version.[4] Consequently, the Ministry of the Interior calculated the cost of providing the requested data at CZK 25 million (EUR 1 million).[5] The amount was challenged by the journalist and the litigation is ongoing.

Given the delays in the Maps of the Future II project, this commitment has not changed government practice. It remains to be seen what type of interactive map will be created by the state bodies responsible for the project implementation, or if civil society will be involved in the preparation and implementation of the new platform. Civil society representatives[6] interviewed for this report suggested that if the preparation of the map stays only with the ministry and Police of the Czech Republic, the added value to the existing tools will be limited. According to the government's end-of-term self-assessment, the timeline for implementation of the project moved to 2019 and 2020.

Carried Forward?
This commitment is not carried over to the next action plan.

---

[1] Ministry of the Interior, https://www.mvcr.cz/clanek/prevence-korupcniho-jednani-dotace-pro-rok-2018.aspx; https://www.mvcr.cz/clanek/bezpecnostni-dobrovolnik.aspx; https://www.mvcr.cz/clanek/vysledky-programu-prevence-kriminality-na-mistni-urovni-na-rok-2018.aspx

[2] Otevrena spolecnost, "About the project", http://www.mapakriminality.cz/o-aplikaci/#oAplikaciUzivatele

[3] Safe Pribram, "Mapy kriminality a prestupku" (2017), http://www.bezpecnapribram.cz/218-mapy-kriminality; Safe Kolin, "Mapy kriminality a vyvoj kriminality ve meste Kolin" (July 2018), www.bezpecnykolin.cz/mapy-kriminality

[4] Jan Cibulka, "Vymluva na autorsky zakon neobstala, policie musi zverejnit mapu policejnich okrsku" (iRozhlas, 18 May 2017), https://www.irozhlas.cz/zpravy-domov/vymluva-na-autorsky-zakon-neobstala-policie-musi-zverejnit-mapu-policejnich_1705180725_cib

[5] Dominika Pihova, "Vnitro potvrdilo castku 25 milionu za data o kriminalite. Spor se zrejme potahne roky," (iRozhlas, 11 October 2016), https://www.irozhlas.cz/zpravy-z-domova/vnitro-potvrdilo-castku-25-milionu-za-data-o-kriminalite-spor-se-zrejme-potahne_1610111053_dp

[6] The representative of Otevrena Spolecnost, and data journalist from Cesky Rozhlas (Czech Radio public broadcaster)

Methodological Note

The end-of-term report is based on desk research and interviews with governmental and nongovernmental stakeholders. The IRM report builds on the findings of the government's self-assessment report; other assessments of progress put out by civil society, the private sector, or international organizations; and the previous IRM progress report.

Analysis of end-of-term results of the OGP action plan was based on interviews, desk research, and feedback from a public meeting with the stakeholders in Prague on 24 September 2018. The end-of-term report also refers to the findings from the government's own self-assessment report and any other assessments of progress put out by civil society, the private sector, or international organizations.

Vera Rihackova Pachta is an Advocacy Manager at the Secretariat of the Eastern Partnership Civil Society Forum in Brussels. She is also an associated research fellow at EUROPEUM Institute for European Policy, a Prague-based think tank. Her areas of expertise include EU foreign policy with focus on Eastern Partnership countries, transformation and reform processes in the EU neighborhood, security, EU democracy assistance and EU instruments of external action with focus on civil society support.

The Open Government Partnership (OGP) aims to secure concrete commitments from governments to promote transparency, to empower citizens, to fight corruption, and to harness new technologies to strengthen governance. OGP's Independent Reporting Mechanism assesses development and implementation of national action plans to foster dialogue among stakeholders and to improve accountability.

Open
Government
Partnership