

GRECO: Fifth Round Evaluation Report on the Czech Republic



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European Law Forum: Prevention • Investigation • Prosecution

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News

On 4 March 2024, GRECO presented its [5th round evaluation report on the Czech Republic](#). The country has been a member of GRECO since 2002, with a good track record in implementing GRECO recommendations: 89% of the first evaluation round have been fully implemented, 58% of the second evaluation round, and 77% of the third evaluation round. The compliance procedure under the fourth evaluation round is still ongoing, with six recommendations out of fourteen not implemented and seven only partly.

In the past five years, the Czech Republic's position in Transparency International's Corruption Perception Index was somewhere between the 38th and 49th rank. According to the TI Global Corruption Barometer 2022, 85% of respondents living in the Czech Republic think that government corruption is a big problem (EU average: 62%). And, in the 12 months prior to the questioning, the country has the highest score in the EU (57% of the respondents against an EU average of 29%) when it comes to the use of personal connections for public services.

The Czech police is seen as the institution being least affected by corruption, with only 6% of respondents considering most of its members as corrupt, according to the Global Corruption Barometer, and 62% of respondents trusting the police when it comes to reporting a corruption case (EU average: 58%).

The Czech Republic has a well-established legal framework to fight corruption. However, progress with some key pieces of legislation has recently been very slow: the reform of the Civil Service Act, the Public Prosecution Act as well as the adoption of the Act on Lobbying or the Act on Whistleblower Protection.

In order to prevent corruption in respect of persons with top executive functions (PTEFs), including the Prime Minister, ministers, deputy ministers, ministers' advisers as well as members of the police, GRECO recommends the following:

- Regulating the recruitment process and obligations of ministers' individual advisers, and applying appropriate rules on conflicts of interest to them;
- Laying down rules on adequate integrity checks prior to the appointment of ministers, deputy ministers, and individual advisers in order to identify and manage possible risks of conflicts of interest;
- Carrying out risk analysis specifically covering PTEFs' specific integrity risks on a regular basis and including remedial measures in a dedicated anti-corruption programme at the government level;
- Adopting and publishing a code of conduct for PTEFs', complemented with clear guidance regarding conflicts of interest and other integrity-related matters, and coupled with a credible and effective mechanism of supervision and sanctions;

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- Developing efficient internal mechanisms to promote and raise awareness of integrity matters in the government, including confidential counseling and training of PTEFs at regular intervals;
- Introducing rules on how PTEFs may engage in contact with lobbyists and other third parties who seek to influence the government's legislative and other activities, disclosing sufficient information about these contacts;
- Strengthening the duty to declare ad hoc conflicts of interest by making it applicable to all PTEFs and to all situations or activities connected with their functions, and by making such declarations public and excluding the persons concerned from decision-making;
- Strengthening the system of incompatible and outside activities by summarising the applicable rules in one single text; ensuring that such activities are prohibited unless the person has received a written authorisation based on a considered determination, which shall be made available to the public;
- Ensuring that a full set of rules on gifts and other benefits be applicable to all PTEFs, with a reporting obligation for gifts and other benefits, and making this information available to the public in a timely manner;
- Broadening the rules on post-employment restrictions to cover all PTEFs and avoid potential conflicts of interest when the employment concerns a field of activity subject to authorisation or scrutiny by the body the person is leaving;
- Making ministers' individual advisers subject to the same disclosure requirements as ministers and deputy ministers.

Regarding law enforcement agencies, GRECO made the following recommendations:

- Increasing the representation of women at all levels in the police, particularly at the managerial level;
- Providing for practical guidance on the code of ethics and the binding instruction on rules of conduct;
- Introducing mechanisms of confidential counseling on ethical and integrity matters for police staff;
- Carrying out security checks relating to the integrity of police officers at regular intervals throughout their career;
- Reviewing the system of donations and sponsorships to the police, setting safeguards against conflicts of interest, and publishing donations and sponsorships online on a regular basis;
- Publishing online centralised statistics on complaints against police staff and measures taken in this respect.

In total, GRECO addressed 20 recommendations to the Czech Republic whose implementation will be assessed through the compliance procedure in 2025.

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