

Independent Reporting Mechanism

Results Report:
Czech Republic 2020-2022

Open
Government
Partnership



Independent
Reporting
Mechanism

Executive Summary

The 2020–2022 action plan of the Czech Republic yielded early results in judicial transparency and whistleblower protection. While implementation of several commitments was transferred to the next action plan, new synergies were built between public administration and civil society.

Early Results

Commitments 1 and 2 on judicial transparency and whistleblower protection, flagged in the Action Plan Review as promising, yielded early results. The remaining commitments were either not fully implemented (Commitments 3 and 4) or their results have not yet manifested (Commitment 5).

Major results were achieved in judicial transparency (Commitment 1). At the end of the implementation period, more than 350,000 decisions of district, regional, and high courts were published in the new database administered by the Ministry of Justice. Enactment of a law obliging the courts to publish the selected decision facilitated success.

On whistleblowing protection, only marginal results were accomplished (Commitment 2). The public administration's active approach in adopting methodological guidance, training, and support to public bodies in establishing internal reporting mechanisms somewhat compensated for the protracted process of adopting the new whistleblower legislation. Cooperation with civil society organizations (CSOs) and the impending deadline of the EU Whistleblower Directive's transposition proved crucial in achieving these results. The marginal results in whistleblower protection are owed to the redrafting of the new act on whistleblower protection after the 2021 parliamentary elections. Public-awareness activities linked to the adoption of the new bill were delayed accordingly.

Completion

Out of five commitments included in the 2020–2022 action plan, only two were fully implemented. The improvement is most remarkable in judicial transparency (Commitment 1) where implementation progress was lacking in previous years due to technical and budgetary constraints.¹ The obligation to publish court decisions in law and the long-term efforts of all stakeholders were behind the success of judicial transparency. Commitment 5, on public grant transparency, was completed ahead of schedule, but it was of a consultative nature, mapping waters for more meaningful future reform. Commitment 2, on whistleblower protection, had limited implementation. Commitment 4, on participation in decision-making, had substantial completion. Here, the active participation of CSOs and good practice of shared the role of chair in the working committee yielded concrete outcomes in the form of a methodology that is

IMPLEMENTATION AT A GLANCE

LEVEL OF COMPLETION

3/5

Complete or substantially complete commitments

EARLY RESULTS

2/5

Commitments with early results

1/5

Commitments with major or outstanding early results

COMPLIANCE WITH MINIMUM REQUIREMENTS

Acting according to OGP process.

accepted by all stakeholders. Commitment 3, on open data in education, was transferred to the next action plan with a new implementation strategy.

The length of public procurement procedures is among the main factors blocking substantial progress of commitment implementation. A complete revamp of the implementation strategy in open data in education and subsequent procurement delayed implementation of Commitment 3. Similarly, public procurement for the public-awareness campaign for Commitment 2 is ongoing. The decision to link the campaign to the adoption of new legislation has hampered implementation of planned activities.

Participation and Co-Creation

The Open Government Partnership contact point remained with the Anti-Corruption Unit of the Ministry of Justice. As in the previous implementation period, the Multi-Stakeholder Forum (MSF) meets as the Working Commission on Open Government and State Administration Transparency once every three months to discuss and oversee the implementation of the action plan. No major innovations were adopted in the co-creation process or MSF's functioning. While the co-creation process of the 2020–2022 action plan has not attracted many stakeholders outside the already engaged actors, new synergies between public administration and CSOs were formed during implementation of commitments on whistleblower protection and public engagement in decision-making (Commitments 2 and 4). The agency implementing Commitment 4 tested (as a new practice) and saw good results with sharing the role of chair of the working committee between CSOs and public administration.

Implementation in Context

The 2021 parliamentary elections impacted the implementation of multiple commitments. Commitment 2 was particularly affected, as the expiry of the deputies' mandate led to a delay of more than a year in implementation and the redrafting of the draft bill on whistleblower protection. Civil society criticized the redraft of the whistleblowing law.² A complete change in implementation strategy, in terms of sources of financing and scheduling, has moved Commitment 3 on open data in education to the next action plan. The interviewed stakeholders mentioned the administrative challenges of public procurement, limited personal capacity, and budgetary constraints as common factors hindering meaningful reforms.³ From among the public administration bodies, the OGP process is dominated by the Ministry of Justice, which was responsible for the implementation of four out of five commitments in the 2020–2022 action plan. While political commitment to the OGP process is necessary, a fresh approach to engaging a more diverse set of public bodies, experts, and CSOs could strengthen open government projects.

¹ IRM, *Czech Republic Transitional Results Report 2018–2020*, <https://www.opengovpartnership.org/wp-content/uploads/2021/09/Czech-Republic-Transitional-Results-Report-2018-2020-EN.pdf>.

² Jan Dupák (Transparency International), information provided to IRM during prepublication period, 14 April 2023.

³ František Kučera, and Johana Trešlová (Anti-Corruption Unit, Ministry of Justice), interview with IRM, 13 February 2023; Přemysl Sezemský (Ministry of Justice), interview with IRM, 21 February 2023; Lukáš Kraus (Frank Bold), interview with IRM, 20 February 2023.

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Section I: Key Lessons

Observation 1: Adopting clear legislation can accelerate the implementation of open government reforms that have otherwise stalled.

Publication of court decisions has been on the Czech Republic's OGP agenda since 2018, but a combination of technical and financial barriers has hindered substantial progress. In 2022, the Czech parliament passed a law obliging the courts to publish selected decisions in a publicly accessible online database administered by the Ministry of Justice. A clear legal commitment to publish court decisions has eliminated existing resistance to the reform and motivated involved stakeholders to work toward overcoming existing barriers. The reform was also supported by the development of anonymization software, its application to the database, and technical and training support to the courts. As a result, the courts have published more than 350,000 decisions in civil and criminal matters.

The scope of the reform is still limited by financial and technical possibilities and some of the technical solutions are still in an experimental stage. Nonetheless, the database containing court decisions is fully functional, the courts have dedicated capacities to publish decisions, and the Ministry of Justice is working toward perfecting the technical aspects of the database to make the publication process as effective as possible. This important, long-awaited reform toward judicial transparency has laid the foundation for routine publication of all court decisions in the future.

In contrast, unsuccessful attempts to pass the law on whistleblower protection have paused most of the activities planned for the 2020–2022 implementation period. Notably, the awareness-raising campaign and trainings for professionals have been moved to the next action plan. The lack of legislative progress caused legal uncertainty, which the Ministry of Justice mitigated with proactive measures, such as adopting methodological guidance for directly applying the EU Whistleblower Directive and for training municipalities.

Observation 2: Public administration taking an active approach to providing direction can help advance open government when legislation is stalled.

There have been several unsuccessful attempts to pass a dedicated legislation on whistleblower protection in the Czech Republic. First, the draft bill on whistleblowing was suspended pending the adoption of the EU legislation. Then, subsequent draft legislation was not adopted due to the mandate ending before 2021 parliamentary elections. Slow legislative progress resulted in missing the transposition deadline of the EU Whistleblower Directive in December 2021 and legal uncertainty for public and private actors. To fill the legislative vacuum, the Ministry of Justice proactively published methodological guidance on the direct application of the EU Whistleblower Directive.⁴ This guidance clarified specific obligations arising from the directive, particularly the requirement for public bodies and municipalities to set up internal reporting mechanisms. Furthermore, Ministry officials have provided trainings and support to municipalities and other public bodies in setting up their internal reporting mechanisms.

While comprehensive legislation to protect whistleblowers is still missing, the active approach of the public administration avoided complete legal uncertainty and actively engaged municipalities

and other public bodies on the topic. Thanks to the methodological guidance and subsequent training activities, the Ministry has built an important network of contacts for future cooperation. Notably, through the adoption of the guidance on direct applicability and subsequent trainings, the Ministry of Justice has become a major stakeholder in the area⁵ and has built a network of contacts for future cooperation within municipalities, other public bodies, and CSOs. The active approach of the Ministry has temporarily filled the gap caused by the delays in legislative process and has at least partially prevented legal uncertainty regarding obligations following from the EU Whistleblower Directive.

Observation 3: Actively engaging CSOs led to better outcomes.

The implementation of the Czech Republic's fifth action plan opened new possibilities for CSOs' engagement. Cooperating with CSOs proved particularly beneficial in implementing the commitment to raise awareness about whistleblower protection despite legislative obstacles because Czech CSOs have a long-standing record of assisting whistleblowers and communicating with the public. The Ministry of Justice procured the services of CSOs in preparing the comparative study of good practices in media campaigns on whistleblowing. The Ministry also built on CSOs' experience with providing trainings on whistleblower protection.

Cooperation with CSOs proved fruitful when implementing the commitment to civic participation in the decision-making processes. The working committee preparing the draft methodology for authorities engaging the public in their decision-making process was composed of CSOs and public administration and co-chaired by representatives from both groups. The co-chairing proved particularly beneficial as it secured the active involvement of CSO representatives in the process and provided the opportunity for a broader network of CSOs to review the draft document. The result is a widely accepted document that has the potential to change the practices of civic engagement in public authorities' decision-making.

Observation 4: Building on preliminary commitments can lead to more ambitious future reforms.

The commitment on public grants transparency, proposed by CSO representatives, was designed as a preliminary commitment with the goal of mapping possibilities in the area. During the implementation process, the Ministry of Justice organized two consultation meetings to bring the main stakeholders together, clarify problematic areas, and brainstorm possible solutions. A continuation of this topic has since been included as a commitment in the upcoming 2022–2024 action plan, envisaging the adaption of the existing public grants database to tackle some of the problems identified during the mapping exercise. This demonstrates that building on preliminary actions in previous commitments to continue open government reforms through the OGP process can lead to more ambitious commitments. What initially looked like a weak commitment has paved the way toward an important reform that could improve the transparency of public grants.

⁴ Ministry of Justice, *Guidance on Direct Applicability of the EU Whistleblower Directive*, 15 December 2021, https://korupce.cz/wp-content/uploads/2021/12/met-wb_aktualizace_2021-12-15.pdf.

⁵ Marek Zelenka (Oživení), interview with IRM, 16 February 2023.

Section II: Implementation and Early Results

The following section looks at the one commitment that the IRM identified as having the strongest results from implementation. To assess early results, the IRM referred to commitments identified as promising in the Action Plan Review as a starting point. After verification of completion evidence, the IRM also took into account commitments or clusters that were not determined as promising but that, as implemented, yielded significant results.

Commitment 1: Justice Transparency

Ministry of Justice

Context and Objectives

The commitment on judicial transparency, graded as promising in the Action Plan Review, aimed to increase transparency of judicial decision-making and access to justice through the publication of the judicial decisions of district, regional, and high courts in an online database. The implementing authority also sought to increase the number of categories of published decisions and evaluate the publication process. The commitment was directly linked to the Departmental eJustice Development Strategy for 2016–2020.⁶ Before the reform, only decisions of the three highest courts in the country were published online; decisions of lower courts were not publicly accessible. The government proposed the continuation of this reform following the previous action plan.⁷ The publication of court decisions was supported by civil society as a new step toward greater transparency of judicial decision-making.⁸

The promised reform was seen as an opportunity to deliver substantial results in making judicial decisions transparent and available to the public. However, the CSOs pointed to the slow pace of the reform in the past as a barrier, and the Ministry of Justice mentioned technical barriers as potential obstacles to the reform on a larger scale.⁹

Did It Open Government? Major

The results achieved during the implementation period were a step forward for government openness in judicial transparency but remained limited in scope. The number of published decisions of the district, regional, and high courts increased beyond expectations. At the adoption of the Action Plan Review in March 2021, the Ministry of Justice expected to reach 200,000 published decisions by the end of the implementation period. This indicator was met in the course of 2022 (more than 270,000 decisions in August 2022)¹⁰ and by the time of this writing (March 2023), the number of published decisions of the district, regional, and high courts surpassed 350,000, mostly from the civil agenda.¹¹

The major boost for the commitment was anchoring, in the Act on Courts and Judges, a legal obligation of the district, regional, and high courts to publish their decisions.¹² The ministerial decree designates the types of cases that courts are obligated to publish in the database run by the Ministry of Justice.¹³ The database is supported by a customized anonymization application that has been implemented at the courts and has been running in a pilot stage.¹⁴ The combination of the new legal obligation and the technical possibilities of anonymization has

kicked off the publication process of court decisions that has long been criticized as slow¹⁵ by the expert public. A representative from civil society raised a concern that the rules around anonymization leave room for diverse techniques to be used at the discretion of individual courts.¹⁶ The decision of the Ministry of Justice to limit the scope of the publication obligation to court decisions in civil matters and crimes of bribery has further limited the impact of the commitment.¹⁷

Despite a significant number of published decisions, the reform has so far had only a moderate impact on the indicators measuring judicial transparency and public perception of judicial independence. The EU Justice Scoreboard indicator of online access to published decisions has moved up only slightly—from 6.5/9 in 2000 to 6.9/9 in 2021.¹⁸ The indicator reflects the percentage of civil/commercial, administrative, and criminal cases that are made available to the public. The level of perceived judicial independence by the general population in the Czech Republic has remained almost unchanged in the past two years. In 2022, 57 percent of the general population perceived Czech courts as “fairly or very good” compared to 56 percent in 2020.¹⁹

As of 1 July 2022, the district, regional, and high courts are obliged to publish selected final decisions in the publicly available database managed by the Ministry of Justice. This legislative step has sent a clear signal to the courts and removed any doubts about the direction of the reform. The development of the customized anonymization application and adherence to technical and training support for courts in publishing decisions have also contributed to the success of the reform. However, the courts have not received dedicated budgetary and personal support to perform their new functions, and technical constraints persist. According to government officials, anonymization is still in the piloting stage and is happening in two steps: (1) the decision is anonymized by the application and (2) the decision is reviewed by court personnel. Public officials acknowledge that technical and budgetary constraints limit the types and number of decisions that can be made public.²⁰

The reform is evaluated positively by academia and civil society provided that the Ministry continues its efforts to extend the database to more types of court decisions.²¹ The features CSOs value are the increased transparency of judicial decisions, the number of newly published decisions, and the quality and searchability of the new database. Still, civil society respondents suggest a more ambitious approach and the publication of more types of judicial decisions.²² Compared to 350,000 published civil cases, only 65 cases in the criminal agenda were published. Engagement with the expert public could also be improved, considering that the adoption of the ministerial decree specifying the types of decisions to be published was not accompanied by a meaningful public debate involving courts, CSOs, academia, media, or other interested stakeholders.²³ Further, civil society noted that the decision to anonymize authorities and entities set up by the state in the same way private individuals are anonymized was constraining. It also found that excluding decisions adopted in summary procedures²⁴ from publication was constraining. An expert from academia has alerted the public to the existence of parallel databases of published court decisions that are both run by the Ministry of Justice.²⁵ One database contains court decisions with jurisprudential value, while the new database contains all decisions of district, regional, and high courts in selected agendas. In addition, the highest courts and administrative courts manage their own court-decision databases, and none of these databases are interconnected.²⁶ The Supreme Audit Office has recently criticized the Ministry for slow progress in the computerization of the judiciary, ineffective use of information

systems in the department, and uncoordinated management of the 2016–2020 eJustice strategy.²⁷

Despite the limited scope available to the public regarding civil agenda and decisions related to crimes of bribery, the progress in the publication of court judgments in the past two years is substantial. Over 350,000 court decisions are currently publicly available, and the public can benefit from a new, well-functioning judicial database. In the last 12 months (since April 2023), the database has received 50,000 visitors.²⁸ Companies specializing in providing services to legal professionals have already approached the Ministry of Justice with a request to cooperate in sharing the data from the database.²⁹

Looking Ahead

The commitment to publish lower court decisions has been on the Czech OGP agenda since the fourth action plan (2018–2020). In the previous action plan, preparatory work was done in terms of technical solutions for the anonymization of court decisions and the management of the database, but the commitment was not implemented due to persisting technical challenges.³⁰ The commitment has not been carried forward under the upcoming 2022–2024 action plan despite room for further developments. However, the Ministry of Justice plans to continue strengthening the judicial transparency and publication of lower courts' decisions outside the OGP framework.³¹

In the currently reviewed action plan, developments are promising for a more substantial reform in judicial transparency, provided the reform is supported by budgetary and capacity reinforcements. The overall goal of judicial transparency is to publish all court decisions in a quality, accessible, searchable form and establish an automated and effective anonymization mechanism to minimize administrative burden for courts. The Ministry of Justice should address technical challenges (e.g., modernizing courts' technical equipment, developing software solutions for automating the anonymization and publication of court decisions, and ensuring that anonymization is carried out uniformly across all courts) and proceed more efficiently in using information systems in the judiciary.³²

⁶ Ministry of Justice, *Departmental eJustice Development Strategy for 2016–2020*, <https://www.databaze-strategie.cz/cz/ms/strategie/strategie-pro-rozvoj-elektronizace-justice-ejustice>.

⁷ The commitment was originally launched and advocated for solely as an academic initiative and was not at the initial stage openly supported by any relevant stakeholder. Lukáš Králík (Assistant Professor, Palacký University Olomouc), information provided to IRM during prepublication period, 14 April 2023.

⁸ Lukáš Kraus (Frank Bold), interview with IRM, 20 February 2023.

⁹ IRM, "Action Plan Review: Czech Republic 2020–2022," <https://www.opengovpartnership.org/documents/czech-republic-action-plan-review-2020-2022/>.

¹⁰ Ministry of Justice, *End-of-Term Self-Assessment Report on the Action Plan of the Czech Republic Open Government Partnership 2020 to 2022*, Open Government Partnership, 2022, <https://korupce.cz/wp-content/uploads/2023/02/End-of-Term-Self-Assessment-Report-on-the-Action-Plan-of-the-Czech-Republic-for-Open-Government-Partnership-2020-to-2022.pdf>.

¹¹ Přemysl Sezemský, Ministry of Justice, Interview with IRM researcher, 21 February 2023. The court decisions are published in the publicly accessible database run by the Ministry of Justice, <https://rozhodnuti.justice.cz/soudnirozhodnuti/>.

¹² Act No. 6/2002 Coll. Act on Courts and Judges, Section 118a, amendment effective from 1 July 2022.

- ¹³ Decree of the Ministry of Justice No. 403/2022 Coll. on publication of court decisions, effective from 1 January 2023.
- ¹⁴ Sezemský, interview.
- ¹⁵ European Commission, *2022 Rule of Law Report Country Chapter on the Rule of Law Situation in Czechia*, https://commission.europa.eu/system/files/2022-07/12_1_193978_coun_chap_czechia_en.pdf.
- ¹⁶ Králík, information provided to IRM.
- ¹⁷ Decree of the Ministry of Justice No. 403/2022 Coll. on publication of court decisions, Annex 1 and 2, <https://www.zakonyprolidi.cz/cs/2022-403>.
- ¹⁸ European Commission, "Figure 48: Online Access to Published Judgments by the General Public, 2021," in *The EU 2022 Justice Scoreboard*, (Luxembourg: Publications Office of the European Union, 2022), 44, https://commission.europa.eu/system/files/2022-05/eu_justice_scoreboard_2022.pdf.
- ¹⁹ European Commission, *2022 Rule of Law Report*, https://commission.europa.eu/system/files/2022-07/12_1_193978_coun_chap_czechia_en.pdf.
- ²⁰ Sezemský, interview.
- ²¹ Kraus, interview; Králík, interview.
- ²² Kraus, interview.
- ²³ Králík, interview.
- ²⁴ Kraus, interview.
- ²⁵ Králík, interview. Compare the database of high and regional courts decisions, https://www.nsoud.cz/judikaturavks/judikatura_vks.nsf/uvod, with the database of district, regional, and high court decisions, <https://rozhodnuti.justice.cz/soudnirozhodnuti/>.
- ²⁶ Ministry of Justice, Court decisions and case law, <https://justice.cz/web/msp/rozhodnuti-soudu-judikatura->.
- ²⁷ Supreme Audit Office, "Lacking Progress in the Computerization of the Justice System. The Ministry of Justice Uses Outdated Information Systems," (Press release on audit No 21/28), 7 November 2022, <https://www.nku.cz/en/for-media/press-releases/lacking-progress-in-the-computerization-of-the-justice-system--the-ministry-of-justice-uses-outdated-information-systems-id12856/>.
- ²⁸ Přemysl Sezemský (Ministry of Justice), email conversation with IRM, 6 April 2023.
- ²⁹ Sezemský, interview.
- ³⁰ IRM, *Czech Republic Transitional Results Report 2018–2020*, <https://www.opengovpartnership.org/wp-content/uploads/2021/09/Czech-Republic-Transitional-Results-Report-2018-2020-EN.pdf>.
- ³¹ Sezemský, interview.
- ³² Supreme Audit Office, "Lacking Progress," <https://www.nku.cz/en/for-media/press-releases/lacking-progress-in-the-computerization-of-the-justice-system--the-ministry-of-justice-uses-outdated-information-systems-id12856/>.

Section III. Participation and Co-Creation

The Czech Republic has adhered to formal rules of co-creation and participation during implementation of the 2020–2022 action plan. While the co-creation process has not piqued the interest of new stakeholders, the implementation of two commitments helped create new synergies between the public administration and CSOs.

OGP process is coordinated by the Anti-Corruption Unit at the Ministry of Justice. As of 2018, the Multi-Stakeholder Forum (MSF) has been meeting regularly (every three months) as the Working Commission on Open Government and State Administration Transparency, one of six working commissions of the Government Council for the Coordination of the Fight against Corruption.³³ Accordingly, its statute and working procedure apply to the functioning of the MSF. The MSF currently has 14 members, 8 public officials, and 6 representatives of academia and civil society.³⁴ Two places for CSO members are presently vacant, with their replacement expected in the coming months.³⁵ MSF meetings are open to non-members who express interest in participating. Expert support and logistics are provided to the MSF by the Anti-Corruption Unit.³⁶

The chairperson of the MSF changed twice during the implementation period, and the chair is currently held by one of four senior directors at the Ministry of Justice.³⁷ The changes were caused by the adjustments in the Ministry's leadership. Public officials who were interviewed said they have not had substantial impact on the MSF's business.³⁸ They also stated that the high-ranking position of the MSF's chair within the public administration, a structural change that occurred in 2018, gives the MSF credibility and political support for OGP commitments.³⁹ CSOs agree that the MSF sometimes lacks political support for OGP commitments and that the true decisions are adopted at higher levels (e.g., at the Government Council for the Coordination of the Fight against Corruption where the administration is represented by more senior public officials).⁴⁰

During the COVID-19 pandemic, because of restrictions, MSF's meetings were held online (5 out of 14 meetings were held online). The MSF uses a *per rollam* procedure where appropriate. It uses communication tools and social media of the Ministry of Justice and other governmental institutions to communicate public calls and other OGP related topic.⁴¹ No substantial budgetary or personal changes to the MSF or its coordination were made during the implementation period. While Ministerial officials regularly participate in MSF meetings, CSOs have stated that they often face capacity and financial constraints to participating more substantially in the OGP process.⁴²

The MSF could benefit from a more diverse and gender-balanced membership. From among current members, only three are women and only one of them officially represents women's interests. Voices of ethnic minorities and other marginalized populations are not reflected.

The co-creation process of the 2020–2022 action plan was organized within the MSF, which agreed on its format and schedule.⁴³ In January 2020, the Ministry of Justice issued a call inviting the public to participate in the co-creation of the new action plan.⁴⁴ Any interested person or entity could propose an OGP commitment, either in writing or by attending the public

workshop.⁴⁵ The MSF received seven written proposals with twelve different commitments from various nongovernmental actors and individuals.⁴⁶ The public workshop, held on 2 March 2020, was attended by 24 participants, most of them government officials; CSOs and professional bodies had only four representatives.⁴⁷ At the following MSF meeting, all commitments, including those proposed at the meeting, were debated and voted on.⁴⁸

The co-creation process had attracted few new actors besides those already engaged in the OGP process.⁴⁹ Despite efforts to engage a more diverse range of CSOs and governmental actors, the co-creation process was led predominantly by MSF members. According to a civil society representative, the pool of experts on the open government agenda is relatively small, almost everyone relevant is already involved, and engagement in the OGP process requires time and resources not all CSOs have.⁵⁰ Proposals for commitments by CSOs were discussed during the co-creation process, but most of them have not been adopted by the respective authorities and did not make it to the action plan. For example, a proposal to collect police statistics on gender-based and sexual violence was approved by the MSF but not adopted by the relevant authority.⁵¹ The Ministry of Justice took responsibility for four out of five commitments as other public authorities showed only limited interest in the process. According to CSOs, the co-creation process could benefit from a less formal atmosphere that would enable a more meaningful dialogue between CSOs and public administration.⁵² The facilitation of the co-creation meetings by a neutral external facilitator has brought about positive results in this respect in Slovakia.⁵³

No significant innovations were adopted in the implementation oversight, which remained a matter of formality. That means most of the commitments were implemented by the respective ministries and the role of CSOs was limited to receiving information regarding progress at quarterly MSF meetings.⁵⁴ Updates regarding the implementation of respective commitments were regularly published in a dedicated online repository.⁵⁵ Implementation of commitments on whistleblower protection and engaging civil society in decision-making triggered new synergies between CSOs and governmental agencies on capacity building and information exchange. Notably, implementation of the commitment on the engagement of civil society in decision-making tested new methods of cooperation between CSOs and public administration, in terms of shared chairpersonship and broad consultation processes with CSOs.⁵⁶ The end of the implementation cycle and preparation of the upcoming action plan has attracted new actors from among CSOs and research institutions who attended MSF meetings as invited hosts.

Compliance with the Minimum Requirements

The IRM assesses whether member countries met the minimum requirements under OGP's Participation and Co-Creation Standards for the purposes of procedural review.⁵⁷ During co-creation, Czech Republic acted according to the OGP process. The two minimum requirements listed below must achieve at least the level of 'in progress' for a country to have acted according to OGP process.

Key:

Green= Meets standard

Yellow= In progress (steps have been taken to meet this standard, but standard is not met)

Red= No evidence of action

Acted according to OGP process during the implementation period?	
<p>The government maintained an OGP repository that is online, updated at least once during the action plan cycle, and contains evidence of development and implementation of the action plan. An OGP repository is maintained and regularly updated by the government. It contains information and evidence of development and implementation of the action plan, mainly through updated MSF meeting minutes.⁵⁸</p>	Green
<p>The government provided the public with information on the action plan during the implementation period. Updates about implementation of respective commitments were regularly published in a dedicated online repository.⁵⁹</p>	Green

³³ Ministry of Justice, "Government Council for the Coordination of the Fight against Corruption," Ministry of Justice of the Czech Republic, 2020, <https://korupce.cz/rada-vlady/>.

³⁴ Ministry of Justice, "Working Commission on Open Government and State Administration Transparency," Ministry of Justice of the Czech Republic, <https://korupce.cz/rada-vlady/pracovni-komise-predsedy-rady-vlady-pro-koordinaci-boje-s-korupci/komise-k-otevrenemu-vladnuti-a-transparentnosti-statni-spravy/>.

³⁵ František Kučera, and Johana Trešlová (Anti-Corruption Unit, Ministry of Justice), interview with IRM, 13 February 2023.

³⁶ Ministry of Justice, "Open Government in the Czech Republic," Ministry of Justice of the Czech Republic, <https://korupce.cz/partnerstvi-pro-otevrene-vladnuti-ogp/otevrene-vladnuti-cr/>.

³⁷ The chair of the Working Commission on Open Government and State Administration Transparency is Michal Franek, Senior Director of the Section for Regulatory Coordination and Corruption Prevention. "Management of the Ministry of Justice," Ministry of Justice of the Czech Republic, <https://justice.cz/web/msp/vedeni-ministerstva>.

³⁸ Kučera, and Trešlová, interview.

³⁹ Kučera, and Trešlová, interview.

⁴⁰ Lukáš Kraus (Frank Bold), interview with IRM, 20 February 2023.

⁴¹ Kučera, and Trešlová, interview.

⁴² Jan Dupák (Transparency International), interview with IRM, 14 February 2023.

⁴³ Ministry of Justice, Minutes from the meeting of the Working Commission on Open Government and State Administration Transparency, 16 January 2020, <https://korupce.cz/wp-content/uploads/2020/02/Zaznam-z-21.-jednán%C3%AD-pracovni%C3%AD-komise-k-OVTSS-2020-01-16.pdf>.

⁴⁴ Ministry of Justice, "Accompanying Material to the Public Consultation on the Development of the Czech Republic's Open Government Partnership Action Plan for 2020 to 2022 – Phase of Sending Proposals for Commitments," <https://korupce.cz/wp-content/uploads/2020/01/Doprovodný-materiál-k-veřejným-konzultacím-k-vytváření-5.-NAP-OGP.pdf>.

⁴⁵ Ministry of Justice, "Action Plan 2020–22, Co-Creation Phase," Ministry of Justice of the Czech Republic, <https://korupce.cz/partnerstvi-pro-otevrene-vladnuti-ogp/narodni-akcni-plan-2020-2022/faze-vytvoreni/>.

⁴⁶ Ministry of Justice, Minutes from the first public workshop on the development of the Czech Republic's OGP action plan 2020–2020, 2 March 2020, https://korupce.cz/wp-content/uploads/2021/02/2020-03-02_WS-OGP_Zaznam.pdf.

⁴⁷ Ministry of Justice, Attendance list of the first public workshop on the development of the Czech Republic's OGP action plan 2020–2020, 2 March 2020, https://korupce.cz/wp-content/uploads/2021/02/1.-verejny-workshop_Prezencni-listina.pdf.

⁴⁸ Ministry of Justice, Minutes from the meeting of the Working Commission on Open Government and State Administration Transparency, 10 March 2020, <https://korupce.cz/wp-content/uploads/2020/05/Záznam-z-22.-jednán%C3%AD-pracovn%C3%AD-komise-k-OVTSS-2020-03-10.pdf>.

⁴⁹ OGP, *IRM: Czech Republic Design Report 2018–2020*, https://www.opengovpartnership.org/wp-content/uploads/2020/05/Czech-Republic_Design_Report_2018-2020_EN.pdf.

⁵⁰ Dupák, interview.

⁵¹ Marta Smolíková (Czech Women's Lobby), interview with IRM, 17 February 2023.

⁵² Kraus, interview.

⁵³ IRM, *Action Plan Review: Slovak Republic 2022–2024*, https://www.opengovpartnership.org/wp-content/uploads/2023/02/Slovak-Republic_Action-Plan-Review_2022-2024_EN.pdf.

⁵⁴ Kraus, interview.

⁵⁵ Ministry of Justice, "Action Plan 2020–2022, Implementation Phase," Ministry of Justice of the Czech Republic, <https://korupce.cz/partnerstvi-pro-otevrene-vladnuti-ogp/narodni-akcni-plany-nap/paty-akcni-plan-2020-2022/faze-implementace/>.

⁵⁶ Hana Fungačová (Secretariat of the Government Council for Non-Governmental Non-Profit Organisations), interview with IRM, 17 February 2023.

⁵⁷ Please note that future IRM assessment will focus on compliance with the updated OGP Co-Creation and Participation Standards that came into effect on 1 January 2022. OGP, "OGP Participation and Co-Creation Standards," <https://www.opengovpartnership.org/ogp-participation-co-creation-standards/>.

⁵⁸ OGP repository, "National Action Plans (NAPs)," Ministry of Justice of the Czech Republic, <https://korupce.cz/partnerstvi-pro-otevrene-vladnuti-ogp/narodni-akcni-plany-nap/>.

⁵⁹ Ministry of Justice, "Action Plan 2020–2022, Implementation Phase", <https://korupce.cz/partnerstvi-pro-otevrene-vladnuti-ogp/narodni-akcni-plany-nap/paty-akcni-plan-2020-2022/faze-implementace/>.

Section IV. Methodology and IRM Indicators

This report supports members' accountability and learning through assessment of (i) the level of completion for commitments' implementation, (ii) early results for commitments with a high level of completion identified as promising or that yielded significant results through implementation, and (iii) participation and co-creation practices throughout the action plan cycle.⁶⁰ The IRM commenced the research process after the first year of implementation of the action plan with the development of a research plan, preliminary desk research, and verification of evidence provided in the country's OGP repository.⁶¹

In 2022, OGP launched a consultation process to co-create a new strategy for 2023–2028.⁶² The IRM will revisit its products, process, and indicators once the strategy co-creation is complete. Until then, Results Reports continue to assess the same indicators as previous IRM reports:

Completion

The IRM assesses the level of completion for each commitment in the action plan, including commitments clustered in the Action Plan Review.⁶³ The level of completion for all commitments is assessed as one of the following:

- *No evidence available*
- *Not started*
- *Limited*
- *Substantial*
- *Complete*

Did It Open Government?

The IRM assesses changes to government practices that are relevant to OGP values, as defined in the OGP Articles of Governance, under the "Did it open government?" indicator.⁶⁴ To assess evidence of early results, the IRM refers to commitments or clusters identified as promising in the Action Plan Review as a starting point. The IRM also takes into account commitments or clusters with a high level of completion that may not have been determined as "promising" but that, as implemented, yielded significant results. For commitments that are clustered, the assessment of "Did it open government?" is conducted at the cluster level, rather than the individual commitment level. Commitments or clusters without sufficient evidence of early results at the time of assessment are designated as "no early results to report yet." For commitments or clusters with evidence of early results, the IRM assesses "Did it open government?" as one of the following:

- *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

This report was prepared by the IRM in collaboration with Alexandra Dubová and was reviewed by Ernesto Velasco Sánchez, IRM external expert. The IRM methodology, quality of IRM

products and review process is overseen by the IRM's International Experts Panel (IEP). The current IEP membership includes:

- Snjezana Bokulic
- Cesar Cruz-Rubio
- Mary Francoli
- Maha Jweid
- Rocio Moreno Lopez

This review process, including the procedure for incorporating comments received, is outlined in greater detail in Section III of the Procedures Manual⁶⁵ and in the Czech Republic Action Plan Review 2020–2022. For more information, refer to the "IRM Overview" section of the OGP website.⁶⁶ A glossary on IRM and OGP terms is available on the OGP website.

⁶⁰ For definitions of OGP terms, such as *co-creation* and *promising commitments*, see the "OGP Glossary," <https://www.opengovpartnership.org/glossary/>.

⁶¹ OGP Repository, "Fifth Action Plan (2020–2022)," Ministry of the Czech Republic, accessed 8 March 2023, <https://korupce.cz/partnerstvi-pro-otevrene-vladnuti-ogp/narodni-akcni-plan-ny-akcni-plan-2020-2022/>.

⁶² See OGP, "Creating OGP's Future Together: Strategic Planning 2023–2028," <https://www.opengovpartnership.org/creating-ogps-future-together/>.

⁶³ The IRM clusters commitments that share a common policy objective during the Action Plan Review process. In these instances, the IRM assesses "potential for results" and "Did it open government?" at the cluster level. The level of completion is assessed at the commitment level. For more information on how the IRM clusters commitments, see Section IV: Methodology and IRM Indicators of the Action Plan Review.

⁶⁴ See OGP, *Open Government Partnership Articles of Governance*, 17 June 2019, https://www.opengovpartnership.org/wp-content/uploads/2019/06/OGP_Articles-of-Governance_2019.pdf.

⁶⁵ Independent Reporting Mechanism, *IRM Procedures Manual, V.3*, 16 September 2017, <https://www.opengovpartnership.org/documents/irm-procedures-manual>.

⁶⁶ Open Government Partnership, "Independent Reporting Mechanism Overview," <https://www.opengovpartnership.org/irm-guidance-overview/>.

Annex I. Commitment Data⁶⁷

Commitment 1: Publication of Lower Court Decisions

- | | |
|---|---|
| <ul style="list-style-type: none"> • Verifiable: Yes • Does it have an open government lens? Yes • Potential for results: Substantial | <ul style="list-style-type: none"> • Completion: Complete • Did it open government? Major |
|---|---|

This commitment is assessed in Section II.

Commitment 2: Raising Awareness on Whistleblowers

- | | |
|---|---|
| <ul style="list-style-type: none"> • Verifiable: Yes • Does it have an open government lens? Yes • Potential for results: Substantial | <ul style="list-style-type: none"> • Completion: Limited • Did it open government? Marginal |
|---|---|

The commitment sought to adopt a comprehensive legal regulation of whistleblower protection, accompanied by awareness raising and capacity building. Parliament discussed the draft law on whistleblowing in May 2021, but the October 2021 parliamentary elections halted the adoption of the new legislation and subsequent activities. After the elections, the Ministry of Justice prepared a new draft law on whistleblowing, which is currently (at the time of drafting this report) being discussed in Parliament.⁶⁸ The new draft envisages the establishment of secure and confidential reporting channels and whistleblower protection mechanisms. The Ministry of Justice would be responsible for collecting and publishing data on whistleblowing, providing expert advice, and raising awareness of the issue. Experts and civil society organizations (CSOs) noted that the draft law excludes anonymous reports and reports of misdemeanors from whistleblower protection, limiting the scope of protection.⁶⁹ The Government Council for Coordination of the Fight against Corruption (an advisory body to the government) has also recommended broadening the scope of the draft law.⁷⁰

The European Commission noted the delay in adopting a law (the deadline was December 2021).⁷¹ The obligation to transpose the EU Whistleblower Directive⁷² continues to motivate public authorities to engage in the agenda and adopt internal reporting mechanisms. (In February 2023, the European Commission referred the Czech Republic and seven other member states to the European Court of Justice for failure to transpose and notify national measures transposing the EU Directive on Whistleblowing.)⁷³

A CSO representative said that the missing legal regulation and corresponding legal uncertainty opened the door for private companies to offer services setting up whistleblower protection mechanisms for public authorities, particularly municipalities.⁷⁴ In response, the Ministry of Justice organized eight online trainings for municipalities and other interested parties from November 2021 to March 2022,⁷⁵ which were attended by more than 20 participants. In November 2022, CSOs experienced in organizing trainings on whistleblowing trained the trainers from the Ministry of Justice.⁷⁶

In December 2021, the Ministry of Justice published guidance clarifying which provisions of the EU Whistleblower Directive would be directly applied, the authorities that are obliged to adopt an internal reporting mechanism, how to adopt and operate internal reporting mechanisms, and how to deal with whistleblower reports.⁷⁷ A CSO representative welcomed the adoption of the guidance as it helped to prevent legal uncertainty and possible litigation.⁷⁸ While ministries and other state authorities already had some internal reporting mechanisms in place, a CSO representative said the guidance has been particularly useful to municipalities with no or little previous experience with whistleblower protection.⁷⁹

The awareness-raising campaign envisaged in the action plan did not happen as the Ministry of Justice waited for the adoption of new legislation. However, in December 2021, the Ministry launched a new website dedicated to whistleblowing that includes information for citizens and potential whistleblowers and a form to report illegal behavior.⁸⁰ The Ministry received 28 reports so far through this form.⁸¹ The procurement procedure for the production company to raise awareness is currently taking place.⁸² According to CSO representatives, it is not imperative to await adoption of legal regulation to enhance public awareness on whistleblowing.⁸³ In the past two years, CSOs have been particularly active in leading awareness-raising campaigns and providing legal and other support to whistleblowers.⁸⁴ In 2022, the Ministry of Justice, in cooperation with CSOs, published a comparative study on good practices in awareness raising on whistleblowing and conducted further training of trainers for municipalities.⁸⁵

Stakeholders transferred the incomplete activities (adopting comprehensive legal regulations for whistleblowing and ensuing activities, including public-awareness campaigns, training professionals, and data collection) to a commitment to enhance whistleblower protection in the next action plan.⁸⁶

Commitment 3: Open Data on Education System

- | | |
|--|---|
| <ul style="list-style-type: none"> • Verifiable: Yes • Does it have an open government lens? Yes • Potential for results: Modest | <ul style="list-style-type: none"> • Completion: Not started • Did it open government? No early results to report yet |
|--|---|

The commitment on open data in education aimed to establish a publicly available, centralized, cohesive information system at the Ministry of Education, Youth and Sports. This commitment was carried over from the previous action plan. Its implementation was again deferred by a major change in the strategy of its fulfillment in terms of budgeting, phasing, scheduling, and milestones. In October 2020, the Ministry canceled the public contract for the information system, MEYS DIS, that was linked to EU funding and adopted a new project for the Education Information System that will be fully funded from the Ministry's budget and implemented in three phases.⁸⁷ The contract for the first phase, eEdu-I, was concluded toward the end of the implementation period.⁸⁸ The commitment has been transferred to the upcoming 2023–2024 action plan.⁸⁹

Commitment 4: Development of Methodology for Civil Society Participation

- | | |
|--|---|
| <ul style="list-style-type: none"> • Verifiable: Yes • Does it have an open government lens? Yes • Potential for results: Modest | <ul style="list-style-type: none"> • Completion: Substantial • Did it open government? No early results to report yet |
|--|---|

In July 2021, the agency implementing this commitment—the Government Council for Non-Governmental Non-Profit Organisations (GCNGO)—committed itself to adopting and implementing the methodology on civil society participation in public processes to facilitate cooperation between public administration and nongovernmental organizations for 2021–2030.⁹⁰ In June 2022 (six months behind the planned schedule) it adopted the methodology on civil society participation in advisory and working bodies.⁹¹ The efforts of the GCNGO to discuss the draft methodology on many different platforms and the institutional constraints to convening the GCNGO after elections delayed adoption of the methodology.⁹² The methodology includes regulatory and practical information about the participation of civil society in consultation, advisory processes, and drafting policy documents. It also includes information on providing the right conditions for civil society participation, e-participation, and participation of marginalized communities.

Testing of the newly adopted methodology was postponed and carried over to the 2022–2024 action plan. Government representatives stated that while the methodology is yet to be tested in practice, a highly participative review of its adoption process resulted in new synergies being established among CSOs within the consultation procedures and ministries becoming highly interested in testing the methodology.⁹³ While a civil society representative appreciated the active involvement of CSOs and the informal atmosphere during the preparation of the methodology, they added that implementation would depend on the political culture of the respective ministries.⁹⁴ The effective practice of shared chairpersonship between the state and CSO representatives on the GCNGO was also incorporated in the methodology, after it had boosted the participation of civil society in the process of adopting the methodology.⁹⁵

Commitment 5: Consultations on Creation of a Publicly Accessible Open Data Aggregated Database on Public Grants

- | | |
|---|--|
| <ul style="list-style-type: none"> • Verifiable: Yes • Does it have an open government lens? Yes • Potential for results: Unclear | <ul style="list-style-type: none"> • Completion: Complete • Did it open government? No early results to report yet |
|---|--|

The commitment laid the groundwork for greater transparency in awarding public grants by reviewing the existing grant databases and suggesting possibilities for further steps. In 2021, the Ministry of Justice held two public consultations with stakeholders from public administration, experts, and CSOs. In 2022, it published a report mapping the possibility of creating a new database or adjusting existing grant databases to overcome shortcomings in

available data.⁹⁶ According to the government representative, the consultation process laid important preparatory work and enabled an opinion exchange between various experts involved in the process.⁹⁷ The CSOs perceive public grants transparency as high priority. While the existing databases include some information, they are not interconnected and miss, for example, the information on beneficial ownership.⁹⁸ The consultation process resulted in including a commitment to adjust existing public grant databases in the 2023–2024 action plan.⁹⁹ While the consultation process was beneficial in bringing stakeholders to one table, concrete results in grant transparency will manifest only after implementation works begin on the new action plan.

⁶⁷ Editorial notes:

1. For commitments that are clustered: The assessments of “potential for results” and “Did it open government?” are conducted at the cluster level, rather than the individual commitment level.
2. Commitments’ short titles may have been edited for brevity. For the complete text of commitments, please see the Czech Republic’s action plan. Ministry of Justice, *Action Plan of the Czech Republic Open Government Partnership for 2020 to 2022*, OGP, 2020, https://www.opengovpartnership.org/wp-content/uploads/2020/12/Czech-Republic_Action-Plan_2020-2022_EN.pdf.
3. For more information on the assessment of the commitments’ design, see Czech Republic’s Action Plan Review. IRM, *Action Plan Review: Czech Republic 2020-2022*, OGP, https://www.opengovpartnership.org/wp-content/uploads/2021/07/Czech-Republic_Action-Plan-Review_2020-2022_EN.pdf.

⁶⁸ The Chamber of Deputies adopted the law in April 2023. It is now awaiting approval by the Senate and expects to take effect in July 2023.

⁶⁹ Lukáš Kraus (Frank Bold), interview with IRM, 20 February 2023; Jan Dupák (Transparency International), interview with IRM, 14 February 2023.

⁷⁰ “Record of the 25th Meeting: Council of the Government for Coordination of the Fight against Corruption,” Government Council for Coordination of the Fight against Corruption, 14 November 2022, <https://korupce.cz/wp-content/uploads/2022/12/Zaznam-z-25.-jednani-Rady-vlady-konaneho-dne-14.-listopadu-2022.pdf>.

⁷¹ European Commission, “The European Commission Decides to Refer 8 Member States to the Court of Justice of the European Union over the Protection of Whistleblowers,” (press release), 15 February 2023, https://ec.europa.eu/commission/presscorner/detail/en/ip_23_703.

⁷² *Directive (EU) 2019/1937 of the European Parliament and of the Council of 23 October 2019 on the Protection of Persons Who Report Breaches of Union Law*, (26. 11. 2019, L 305/17), Official Journal of the European Union, 26 November 2019, <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32019L1937>.

⁷³ European Commission, “The European Commission Decides to Refer 8 Member States,” https://ec.europa.eu/commission/presscorner/detail/EN/IP_23_703.

⁷⁴ Dupák, interview.

⁷⁵ František Kučera (Anti-Corruption Unit, Ministry of Justice), email conversation with IRM, 21 February 2023.

⁷⁶ František Kučera, and Johana Trešlová (Anti-Corruption Unit, Ministry of Justice), interview with IRM, 13 February 2023.

⁷⁷ Ministry of Justice, *Guidance on Direct Applicability of the EU Whistleblower Directive*, 15 December 2021, https://korupce.cz/wp-content/uploads/2021/12/met-wb_aktualizace_2021-12-15.pdf.

⁷⁸ Kraus, interview; Dupák, interview.

⁷⁹ Dupák, interview.

⁸⁰ Ministry of Justice, “Secure Notification Form,” <https://oznamovatel.justice.cz/chci-podat-oznameni/>.

⁸¹ Kučera, email conversation.

⁸² Kučera, and Trešlová, interview.

⁸³ Dupák, interview.

⁸⁴ “Shut Up,” Oziveni, <https://www.oziveni.cz/vyslepicit-ututlat/> and “We Help in the Fight against Unfairness in the Workplace,” Whistleblowing Center, 24 April 2023, <https://www.whistleblowingcenter.cz>.

- ⁸⁵ Civil society also participated in the conference on whistleblowing in January 2023. Ministry of Justice, International Conference "Stepping Up the Fight against Corruption: Whistleblowing" Ministry of Justice of the Czech Republic, 17–18 January 2023, <https://korupce.cz/wp-content/uploads/2023/02/Zintenzivneni-boje-proti-korupci-whistleblowing-konference-program-17.-18.-1.-2023-final.pdf>; Oziveni, *Comparative Study on Whistleblower Protection*, 2022, <https://korupce.cz/wp-content/uploads/2023/02/Komparativni-studie-WB-grafika-finalni.pdf>.
- ⁸⁶ Ministry of Justice, *Action Plan of the Czech Republic Open Government Partnership for 2023 to 2024*, Commitment 4.2, OGP, 2023, <https://korupce.cz/wp-content/uploads/2023/02/Action-Plan-of-the-Czech-Republic-Open-Government-Partnership-for-2023-to-2024.pdf>.
- ⁸⁷ Ministry of Justice, *End-of-Term Self-Assessment Report on the Action Plan of the Czech Republic Open Government Partnership 2020 to 2022*, OGP, 2022, <https://korupce.cz/wp-content/uploads/2023/02/End-of-Term-Self-Assessment-Report-on-the-Action-Plan-of-the-Czech-Republic-for-Open-Government-Partnership-2020-to-2022.pdf>.
- ⁸⁸ Ibid.
- ⁸⁹ Ministry of Justice, *Action Plan of the Czech Republic Open Government Partnership for 2023 to 2024*, Commitment 4.3, OGP, 2023, <https://korupce.cz/wp-content/uploads/2023/02/Action-Plan-of-the-Czech-Republic-Open-Government-Partnership-for-2023-to-2024.pdf>.
- ⁹⁰ Government Council for Non-Governmental Non-Profit Organisations, "Strategy of Public Administration Cooperation with NGOs for the Years 2021 to 2030, Including Background Studies and Settlement of Consultations," B.1.1. and B.1.2, Government of the Czech Republic, 15 July 2021, <https://www.vlada.cz/cz/ppov/rnno/dokumenty/strategie-spoluprace-verejne-spravy-s-nestatnimi-neziskovymi-organizacemi-na-leta-2021-az-2030-189753/>.
- ⁹¹ Government Council for Non-Governmental Non-Profit Organisations, "Methodology of CSO Participation in Advisory and Working Bodies and in the Development of State Administration Documents," May 2022, <https://www.vlada.cz/assets/ppov/rnno/dokumenty/Methodika-participace-NNO-verze-po-verejnych-konzultacich-23-5-2022-final.pdf>.
- ⁹² Ministry of Justice, *End-of-Term Self-Assessment Report*, <https://korupce.cz/wp-content/uploads/2023/02/End-of-Term-Self-Assessment-Report-on-the-Action-Plan-of-the-Czech-Republic-for-Open-Government-Partnership-2020-to-2022.pdf>.
- ⁹³ Hana Fungačová (Secretariat of the Government Council for Non-Governmental Non-Profit Organisations), interview with IRM, 17 February 2023.
- ⁹⁴ Marta Smolíková (Czech Women's Lobby), interview with IRM, 17 February 2023.
- ⁹⁵ Ibid.
- ⁹⁶ Ministry of Justice, *Final Report on Commitment 4.5 OGP*, <https://korupce.cz/wp-content/uploads/2022/04/Zaverecna-zprava-zavazek-4.5-OGP.pdf>.
- ⁹⁷ Kučera, and Trešlová, interview; Přemysl Sezemský (Ministry of Justice), interview with IRM, 21 February 2023.
- ⁹⁸ Kraus, interview.
- ⁹⁹ Ministry of Justice, *Action Plan of the Czech Republic Open Government Partnership for 2023 to 2024*, Commitment 4.7, OGP, 2023, <https://korupce.cz/wp-content/uploads/2023/02/Action-Plan-of-the-Czech-Republic-Open-Government-Partnership-for-2023-to-2024.pdf>.