Title
Strengthening Border Control

Sub-Programme
Justice and Home Affairs

Geographical Location
Ministry for Interior

Objectives
The objective of the Project is to:
• strengthen the Czech Republic’s ability to ensure full border security in the short term, notably that with the Slovak Republic which may become part of the future external border of the Union, by increasing compliance with EU standards in the area of security and protection of “common territory” upon accession to the European Union, particularly in relation to the prevention of illegal trafficking.

It is aimed that this will be achieved by the installation of modern technology in combination with related core training.

Institutional Framework
Recipients of the Project are the Ministry of Interior of the Czech Republic - Police Presidium of the Czech Republic.

Description
This 2.5 MECU Project consists of 5 Sub-Projects: (1) Border Crossings Networks; (2) Automated Fingerprint Identification System (AFIS) System; (3) System of Control of Cars at the Border; (4) Thermographic and Underground Detectors at the Border; (5) Training of Alien and Border Police.

With regard to the structure and intensity of cross-border traffic and the existing technical background, three border crossings are proposed in relation to the Sub Projects 1, 2, 3, 4:
- the motorway crossing at Beclav (D-2),
- the road border crossing at Starý Hrozenkov,
- the road border crossing at Mosty u Jablunkova.

At the first stage of each equipment Sub-Project there will be a fact finding mission by alien and border police to relevant EU Member State authorities, in order to verify in further detail the requested equipment. The results of these missions will lead to the technical specification of the equipment and improved implementation of the four equipment Sub-Projects.

1. Border-Crossing Networks
The objective of this 0.8 MECU Sub-Project is to increase the effectiveness of overall border management at the above-mentioned selected border crossings.

Activities proposed to achieve this objective are:

- to supplement existing technology at these points;
- to link the installation of the equipment with specialised training for alien and border police staff.

The alien and border police already have local networks, computer technology, optical scanning devices for travel documents and some PSION equipment. The alien police point at the Breclav crossing has been connected to the departmental data network through a fixed data network. Data transfer using satellite technology and multiplexor equipment, which will allow parallel data transfer, will be tested at Starý Hrozenkov and Mosty u Jablunkova.

Phare support is thus to consist of:

a) provision of equipment to these border crossings, by
   - connection of automatic scanning devices for the identification and verification of car registration numbers to a LAN network;
   - connection of AFIS equipment for the scanning and identification of forensic fingerprints to a LAN network;
   - installation of equipment for wireless connection of PSION equipment to the local network;
   - technical equipment for the connection with the Ministry of Interior communication structure.

b) provision of equipment to the central unit, by
   - central technical equipment for the operation of the entire centre;
   - software to cover inquiries and data transfers.

c) provision of specialised training as indicated in Sub-Project 5.

Phare support will be delivered preferably via one supply contract.

2. Automated Fingerprint Identification System (AFIS) System

The objective of this 0.5 MECU Sub-Project is to increase the effectiveness - at the above-mentioned three border crossings - of identifying aliens who enter the Czech Republic illegally, or those who are returned from bordering EU Member States. (Following the required equipment supplementation, the inquiring unit will be able to verify in the central database within minutes whether the fingerprints of a foreign national are in the database or whether they are recorded in the database with different identification details).

Activities proposed to achieve this objective are:

- to develop on-line connections between alien and border police points and departments for the control of movement of aliens at the regional level and at the central AFIS site at the Institute of Criminalistics in Prague, by supplementing the AFIS system, which has been in operation since 1995, to its designed capacity;
- to link the installation of the software and hardware equipment with specialised training for alien and border police staff.

Phare support will be provided through:

a) equipment supplementation
• providing the central AFIS site with a server which will record the prints of the forefingers of the right and left hand;

• installation of “Expert Matching” software allowing to determine a match of similar prints;

• the alien and border police points will receive three stations which will be used for the identification of foreigners and dispatch of inquiries to the central database.

b) provision of specialised training as indicated in Sub-Project 5.

Phare support will be delivered preferably via one supply contract.

3. **System of Control of Cars at the Border**

The objective of this 0.4 MECU Sub-Project is the improved verification of cars which cross the border, in order to combat the increasing crime rate in the area of car thefts and the ever more sophisticated methods used by international organised groups engaged in the transit and export of stolen cars to the former “Eastern block” countries. (The pilot operation of an automated verification system proved the introduction of such a system to be well-founded. A total of 690 missing cars were detained in this manner during 1997.)

Activities proposed to achieve this objective at the above-mentioned three border crossings are:

• the installation of 3-part automated identification system which is able to identify a car with the help of a radio code and the car registration number and to identify the owner with no traffic interruption, multiplying the chance and success rate of car identification;

• to link the installation of the equipment with specialised training for staff in its use.

Phare assistance will be provided through:

a) equipment provision

• a mobile system where the computer is built into the boot of a police vehicle and uses a camera installed behind the windscreen;

• a fixed computer installed in a room with a connection to an external camera mounted in an air-conditioned cover;

• handycam - integration of a compact computer and a portable video camera.

b) provision of specialised training, as indicated in Sub-Project 5.

Phare support will be delivered preferably via one supply contract.

4. **Thermographic and Underground Detectors at the Border**

The objective of this 0.35 MECU Sub-Project is to heighten the effectiveness of border control by border police by means of one of the modern methods used to detect illegal immigrants who unlawfully cross the state border. (Due to the direction of penetration of illegal immigrants to the Czech Republic and through the territory of the Czech Republic, the priority location for the installation of the thermographic and underground detector equipment in question is the Czech-Slovak border).

Activities proposed to achieve this objective at the Czech - Slovak border reflect the following needs:

• The Border Police section, which is involved in the security of the Czech - Slovak border mainly through its patrolling activities, will use thermographic equipment for the detection of individuals/ vehicles in the terrain which will be installed in an off-the-road vehicle. Due to the geographical situation, two vehicles with this type of equipment are envisaged, one for the Administration of the Czech Police of the Northern Moravian Region, and one for the
Administration of the Czech Police of the South Moravian Region. The border police will use real-time information and respond to illegal crossings of the state border in a flexible manner.

- Technical equipment used in other states includes underground detectors for detecting movement of individuals in the terrain, with units installed on the most frequented routes used by illegal immigrants. The sensors of these units signal the movement of individuals to the police patrol. The improvement of the rate of detention and repatriation of illegal immigrants requires six of the above units to be installed on the Czech - Slovak border.

Phare assistance will be provided through:

a) equipment provision. (It is expected that the requested thermographic equipment will be installed in existing vehicles.)

b) provision of specialised training, as indicated in Sub-Project 5.

Phare support will be delivered preferably via one supply contract.

5. **Training of Alien and Border Police**

The objective of this 0.45 MECU Sub-Project is to increase the level of specialised staff knowledge in conjunction with the application of modern means of equipment, leading to conformity with EU standards.

Activities proposed include short visits (1 - 2 weeks) of management staff of the border police section and alien police points at border crossings to BGS sections in Germany according to professions. Priority should be given to police members who serve at the state border with Slovakia (above mentioned 3 border crossings). The border police should become familiar with the organisation and tasks of the BGS border units, their use of computer technology and infraoptic and thermographic tools, their tactics in the terrain and methods of professional training.

Another kind of training for alien police at the borders should focus on the procedures applied to controlling activities at external border crossings; differentiation of control according to nationality, purpose and objective of the trip; method and frequency of verification of individuals in search registries; co-operation with customs authorities etc.

The inland alien police would focus on the methods of interviews with foreign nationals who apply for residency in the given state; methods of use of police and non-police registers for the verification of applicants; methods of deporting aliens; treatment of aliens from the point of view of the application of the alien law etc.

Although the focus of the training provided in this Sub-Project would be that of specialised training for the border and alien police, a link with professional training proposed in 1998 Phare project ‘Strengthening of the Institutions of Law Enforcement’ is also expected.

Phare support will be delivered preferably via one service contract with a suitable EU Member States’ training institute, and will include a mix of training based in the Czech Republic, short-term study-stays/stages to EU Member States, plus consultations with EU experts.

### Budget

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**Implementation Arrangements**

Responsibility for the administration related to the procedural aspects of procurement, contracting and accountancy will rest upon the CFCU. Responsibility for the administration related to the preparation, technical control and implementation will rest with the Ministry of Interior.

**Implementation Schedule**

Start of tendering: 4Q/98
Start of project activity: 2Q/99
Completion: 2Q/00

**Equal Opportunity**

Equal opportunity principles and practices in ensuring equitable gender participation in the Project will be guaranteed.

**Environment**

The investment components of this Project all relate to Institution Building activities.

**Rates of Return**

The investment components of this Project all relate to Institution Building activities.

**Investment Criteria**

The investment components of this Project all relate to Institution Building activities.

**Conditionality and Sequencing**

- The effective operation of the model laboratory-workplace for the testing and evaluation of technical equipment (1997 Phare project Work Programme 2 ‘Directorate of Alien and Border Police’) will support the four equipment Sub-Projects.
• Furthermore the results of the Phare project ‘Machine-Readable Documents’ CZ 9703-01-02-07 will reinforce the effectiveness of the four equipment Sub-Projects.

• Installation of further equipment at the border precedes specialised training in its use.

Annexes to Project Fiche

1. Logframe Matrix
2. Detailed Cost Breakdown for Sub-Projects
3. Detailed Implementation Chart
4. Contracting and Disbursement Schedule for the Project
5. Relation of Project with Previous Phare Activities and On-Going Projects Financed from Other Sources
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## Cumulative Quarterly Contracting Schedule (MECU)

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Installation of additional equipment at border crossings is partly financed by readmission funds and funds of the Czech Ministry of Interior.

Past equipment installation includes:
- LAN equipment at some border crossings (subject to different projects)
- AFIS system installed 1995 (needs supplementation for effectivity)
- the Falcon automated system has been piloted at the Hodonín border crossing since February 1997

There is ongoing co-operation with the BGS in Germany.

The evaluation of 1997 Phare project ‘Directorate of Alien and Border Police Service’, concerning establishment of a pilot laboratory-workplace for the development and evaluation of technical equipment and the training of staff in its use at border crossing points is of importance to the current project.

In addition, the 1997 Phare project ‘Machine Readable Documents’, concerning equipment installation for capturing and digitising data for the central data base, is expected to have future impact on the control of documents.

The project is also related to the proposed institution-building based 1998 Phare project ‘Strengthening of the Institutions of Law Enforcement/Asylum’, aimed at professional staff training, human resources systems development for the Czech police and a study on improvement measures for the communications structures within and between the various law enforcement institutions, among other objectives.
Standard Summary Project Fiche

Project Number CZ 9810-02

Title
Strengthening the Institutions of Law Enforcement/ Asylum

Sub-Programme
Justice and Home Affairs

Geographical Location
Ministry of Interior

Objectives
The objective of this Project is for the Czech Republic to:

- develop effective systems to reinforce the fight against organised crime, such as that involved in the trafficking of drugs, human beings, arms, explosives, nuclear materials etc; corruption; serious economic crime, such as money laundering, asset confiscation etc., by improvement of technology, professional skill levels, human resource management and communication and other structures of the institutions of law enforcement;

- develop the structures of asylum.

The specific objectives of the Project, ultimately all impacting positively on the fight against serious organised crime, therefore, are:

- to develop a comprehensive programme for human resources management for the Czech Police, resulting in recommendations for organisation, appraisal, promotion, training, career development improvement etc., as well as to design and deliver a programme of professional training and education for the Czech Police and staff of the Ministry of Interior of the Czech Republic

- to execute a study, resulting in recommendations for improvement measures, for the communications structures within and between the various law enforcement institutions,

- to strengthen the structures of asylum by staff training in information gathering and processing regarding countries of origin of asylum seekers, in adjudication procedures, and by reform of the first instance of asylum administration by provision of both equipment and training.

Institutional Framework
The Project will be implemented through the Ministry of Interior of the Czech Republic - Department of Human Resources and Education; Police Presidium.
Description

This 1.3 MECU Project consists of 3 Sub-Projects: (1) Comprehensive System for Human Resources Management for the Czech Police/Professional Training Programme to Members of the Police Force and Staff Members of the Ministry of Interior of the Czech Republic; (2) Study on Improvement Measures for the Communications Structures of the Law Enforcement Institutions; (3) Strengthening the Institutions of Asylum.

1. Comprehensive System for Human Resources Management for the Czech Police/Professional Training Programme to Members of the Police and Ministry of Interior Staff

This 0.9 MECU Sub-Project will consist of a) the development of a comprehensive programme of human resource management for the Czech Police, with a particular focus on the appraisal and promotion systems of the Czech Police, thereby developing greater compatibility with EU Member States’ systems, and b) the design and delivery of a professional training programme for both members of the police forces and the staff of the Ministry of the Interior.

Rationale and activities to address these objectives are as follows:

a) To date, no significant changes have been made to the promotion procedures of the inherited police system. The system uses a complicated and excessive structure of ranks which prevents the development of a transparent and motivating appraisal system. Additionally, police-officers carry out a large range of activities which could better be taken over by civilian employees. Finally, there is no long-term comprehensive system of police training.

Activities to address the above will thus include a comparative analysis of the structure of functions and ranks of the police forces of the EU countries; an analysis of the relevant situation and systems in the Czech Republic, resulting in recommendations for improvement of the Czech Police structure, human resources management and in particular the promotion and appraisal systems. The incorporation into the Project of a quality management model suitable for the police, border patrol or judiciary, such as one derived from the ‘European Federation of Quality Management Model’ already in use by the United Kingdom and the Netherlands, will also be considered.

b) The Justice and Home Affairs Expert Mission Report of November 1997 to the Czech Republic reports the lack of programmes for specialised training in the area of international co-operation and fight against organised crime, and the need for professional, advanced and specialised training programmes or exchange of experience in co-operation with the different Member States, e.g. in combating serious trans-national economic crime and corruption, in cross border co-operation etc. Activities to achieve this aim include:

- the development of a strategic comprehensive training programme for the police and ministerial staff in all spheres, i.e. the above and other areas such as asylum, the fight against drugs, forged/falsified documents, asset confiscation, language skills etc.; reinforcing the policy of the Czech government on combating organised crime;
- the strengthening of the links between all involved authorities such as the police, the judiciary, Ministry of Finance etc. in combating organised crime, envisaging joint training, for example, with magistrates/state attorneys in the fight against economic and financial crime etc.;
- training to police psychologists/psychology teachers at police schools regarding assistance to the victims of crime, with the overall aim of establishing a working network of psychologists and trainers within the Czech Police, with links to non-police institutions, e.g. the White Safety Circle, religious institutions etc.
Institutions involved in the project will include the Department of Management and Organisation (Department of Concepts and Analyses), the Organised Crime Unit of the Police of the Czech Republic, the Service for Combating Corruption and Serious Economic Crimes, the Bureau of Investigation, the Police Academy of the Czech Republic, the Border Police School, Alien and Border Police, the Department of Human Resources and Education, as well as other relevant units and Departments of the Ministry of Interior and the Police of the Czech Republic.

A strong link with Sub-Project 3 and the 1998 Phare project ‘Strengthening Border Control’ will be made.

Phare support for this Sub-Project, is expected to be delivered primarily through twinning (including at least one long-term secondment – PAA) and Technical Assistance, for the design of suitable human resources management and training programmes, the training of trainers and the delivery of training.

2. Improvement Measures for the Communications Structures of the Law Enforcement Institutions

The Justice and Home Affairs Expert Mission Report cites much overlapping of competencies and loss of information due to complicated communication structures of the law enforcement institutions, and states that internal communication structures, for example in the sector of border management (border/ alien police), hinder the Czech Republic from achieving EU standards.

This 0.15 MECU Sub-Project thus aims to support the development of efficient communications in combating organised crime and corruption, in ensuring effective border management etc.

In order that the security structures of the Czech Republic, therefore, are able to meet the tasks, of, for example, maintaining the Schengen border of the common market area, a comprehensive study will be commissioned to describe the communication structures within and between the different institutions of law enforcement, incorporating recommendations for improvement of communication channels and co-operation of these institutions, as well as concrete suggestions for change implementation in policy and structures.

The study will thus investigate communication strategies within and between the Departments of the Ministry of Interior of the Czech Republic, the Police of the Czech Republic/Police Presidium of the Czech Republic, the Alien and Border Police of the Czech Republic, Border Contact Points, the Green Border, asylum instances, district and regional police headquarters, the judiciary and other relevant parties.

Phare support will be provided via a single service contract.

3. Strengthening the Institutions of Asylum

The objective of this 0.25 MECU Sub-Project is to strengthen the structures/administrative procedures of asylum requests, in relation to the planned reform of asylum and aliens legislation. The proposed activities are aimed to enhance the effective functioning of the national administrative authorities and facilitate the harmonisation of the national asylum procedures with EU Member States’ standards. As background:

- The new law on asylum that is currently being drafted presupposes that the first instance of decision making in asylum procedures will be implemented by a civil unit of the Ministry of Interior - the Department of Refugees and Integration of Foreigners (DRIF) - and not, as it is at present, the Directorate of the Alien and Border Police at the Police Presidium of the Czech Republic. This change is supported by the Justice and Home Affairs Expert Mission Report;
In the second half of 1998, construction of the reception centre for asylum seekers will be completed in the refugee centre Vyšní Lhoty (district Frýdek Místek), located close to the Czech-Slovak border. Two other detached units of first instance decision making will be created in the refugee camps Zastávka u Brna (South Moravia) and in Řevní Újezd (North Bohemia). In connection to the progress of construction of the reception centre at Vyšní Lhoty, the process of shifting first instance decision making to the civil authority may be completed prior to the adoption of the new asylum law;

This reform of the first instance of administrative asylum procedures requires, along with a training programme, technical assistance in the field of computer equipment, and for the above stated reasons, requires action as soon as possible.

Activities proposed to achieve the above objectives, therefore, include:

- an introductory training programme for information officers of DRIF, officers of the Supreme/High Courts responsible for collecting and analysing information regarding country of origin of asylum seekers, and staff of relevant NGOs active in the field of asylum and refugee issues,

- a specialised training programme for adjudicators engaged in administrative decision making, judges from the Supreme/High Courts and lawyers employed at counselling centres within the framework of NGOs, in regard to political, economic, social, religious and ethnic aspects of judicial administration.

From the non-governmental sector, the participation of well established partners in the field of legal counselling, such as the Czech Helsinki Committee and the Association of Citizens to Aid Immigrants (SOZE) is foreseen. The above proposed training programmes will complement, but are not included in, the framework of the Phare horizontal project ‘Joint Support Programme for the EU Acquis Application in the Area of Asylum and Related Standards and Practices in the Associated Countries of Central and Eastern Europe’,

- in support of the reform of the first instance of administrative asylum procedures, a programme of:
  
  a) specialised training - the effective functioning of the new first instance authority will be only be achieved through the employment of additional staff. Professional training, particularly in the qualified practice of adjudication, is thus considered essential for such new staff,

  b) assistance to the new units, which will require computer facilities adequate for the purposes of asylum procedures, e.g. in order to conduct, record, analyse and store interviews, to create and maintain statistical files etc. Support will consist of:

    - the computerisation of administrative and other activities related to first instance decision making,

    - securing of the communications between the central unit in Prague and the detached units at the reception centre in Vyšní Lhoty and the units located at the refugee camps in Zastávka u Brna and in Řevní Újezd.

Phare support will be provided via a single service contract for training, with equipment provided via a supply contract.
### Budget

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### Implementation Arrangements

Responsibility for the administration related to the procedural aspects of procurement, contracting and accountancy will rest upon the CFCU. Responsibility for the administration related to the preparation, technical control and implementation will rest with the Ministry of Interior.

### Implementation Schedule

- Start of tendering: 4Q/98
- Start of project activity: 4Q/98
- Completion: 4Q/00

### Equal Opportunity

Equal opportunity principles and practices in ensuring equitable gender participation in the Project will be guaranteed.

### Environment
The investment components of this Project all relate to Institution Building activities.

**Rates of Return**

The investment components of this Project all relate to Institution Building activities.

**Investment Criteria**

The investment components of this Project all relate to Institution Building activities.

**Conditionality and Sequencing**

Training needs analyses will be the basis for the professional training of staff. The training will be followed, in certain instances, by the publication of studies and textbooks.

For Sub-Project 3, training and equipment supply require commencement as early as possible to complement equipping and processes in progress.

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**Annexes to Project Fiche**

1. Logframe Matrix
2. Detailed Cost Breakdown for Sub-Projects
3. Detailed Implementation Chart
4. Contracting and Disbursement Schedule for the Project
5. Relation of Project with Previous Phare Activities and On-Going Projects Financed from Other Sources
Strengthening the Institutions of Law Enforcement/Asylum

- Police, border police, and the judiciary, including at an international level,

- ...
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## Annex 4

### Cumulative Quarterly Contracting Schedule (MECU)

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### Cumulative Quarterly Disbursement Schedule (MECU)

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A link with specialised training for the border and alien police professional training proposed in 1998 Phare Project ‘Strengthening Border Control’ is expected.

The Project will relate to the horizontal Phare Project ‘Joint Support Programme for the EU Acquis Application in the Area of Asylum and Related Standards and Practices in the Associated Countries of Central and Eastern Europe’, language training at the Czech Ministry of Interior, and past projects ‘Drugs Monitoring’ - Phare GTAF CZ 9405-0304, and ‘Drugs Profiling - Pervitin’ - UNDCP.
Title
Strengthening the Independence and Functioning of the Judiciary

Sub-Programme
Justice and Home Affairs

Geographical Location
Ministry for Justice, Association of Judges, Association of State Attorneys

Objectives
The broad objective of this Project is to support the Czech Republic’s efforts to address the requirements and recommendations of the Accession Partnership, the National Programme, and the Justice and Home Affairs (JHA) Expert Mission Report of November 1997, in order to ensure within an optimal period of time its approximation to and application of the same standards in justice that apply within the European Union.

The specific objectives of this Project, therefore, are:

• to support the professional associations representing judges and state attorneys in order to strengthen their role and the role of judges and state attorneys in the development of the Czech judicial system,

• to assess and recommend improvements in the overall functioning of the commercial and civil courts systems by means of a management study and establishment of two ‘model’ courts,

• to assess and recommend improvements to the system of regulations governing administrative aspects of courts.

Institutional Framework
The beneficiaries of the project will be the Czech judiciary via the Ministry of Justice of the Czech Republic (MJ), the Association of Judges of the Czech Republic (AJ) and the Association of State Attorneys (ASA) of the Czech Republic.

The courts system of the Czech Republic comprises of the Supreme and Constitutional Courts, 2 High Courts, 3 regional courts with a commercial orientation (Praha, Brno, Ostrava), 8 regional courts, and over 80 district courts with generalist responsibilities. Although ensured by the Constitution, an Administrative Court has not yet been established.

The Ministry of Justice maintains responsibility for administrative matters pertaining to the courts systems, including the management of personnel, organisational, economic, financial and training issues.

The Association of Judges and Association of State Attorneys are professional, non-political organisations representing judicial intellectual, material, public and social interests and promoting the professional development, international engagement and independence of the judiciary.
Description

This 1 MECU Project consists of 3 Sub-Projects: (1) Support to the Association of Judges and to the Association of State Attorneys; (2) Support to Develop the Commercial and Civil Courts Systems; (3) Comparative Study of the Legislative Relationship and Practice between Ministries of Justice and Court Administration Bodies with Courts and the Judiciary in EU Member States.

1. Support to the Association of Judges and to the Association of State Attorneys

A vital role in preparing the judiciary for EU accession will rest with the professional associations in the sector, specifically the Association of Judges and the Association of State Attorneys. This 0.5 MECU Sub-Project thus aims to strengthen the independent role of professional associations, to ensure their abilities to provide effective support to their members and to the judiciary in general. Particular areas of interest and activities to achieve this objective will include:

- strengthening the professional associations to identify the specific professional needs of their members and to identify suitable providers/mechanisms in response (this will automatically need to include a definition as to the role the associations themselves could play in supplying services to their members);
- reinforcing information and training provision to the judiciary relating to EC law and the implications arising from accession.

Phare support will be delivered preferably via a single service contract with an appropriate EU Member State organisation, combining T.A./advice, information support/provision, support with training, plus limited equipment supply.

A co-ordination committee to manage this Sub-Project is recommended to comprise, at minimum, representatives of the AJ, the ASA and international professional bodies.

Strengthening the Professional Associations

To help appraise the needs of the two professional associations for their improved functioning. In particular the associations are to be supported in representing their members in the debate on the development of the judiciary, as well as in better serving their members’ requirements for access to core information and training. For the initial period, T.A. is expected to be intensive, to be followed by frequent consultations over a 1.5-2 years period, in order to further assist in the evolution of the Sub-Project.

Key areas of interest to the associations include information exchange and provision (establishing an independent source of core information on the developments, conditions and issues facing European judiciary, regular publications etc), and training (regular professional training, study visits to partner courts in the EU, seminars in the Czech Republic with EU experts).

In addition, the JHA Mission Report proposes that the associations and perhaps the ASA in particular, are helped in their typical associative activities, including the publication of materials.

Information Access - Judicial Information Centre

Assistance is requested with the provision of information on EC legislation, documents and other information, to be concentrated in a ‘Judicial Information Centre’, requiring limited equipment enhancement as set-up inputs, with a key focus on establishing sustainability in the medium-term, e.g. through receipt of training and membership fees, transfer of the Centre to non-profit status etc. It is intended that the Information Centre would enable the judiciary to have more efficient access to and flow of information than is possible at present, and that it would be continually supplemented both in the preparation phase for the accession of the Czech Republic to the EU, and subsequently to this event.
It is envisaged that the ASA would fully partake in the management and utilisation of the Centre, thus addressing one of the observations of the JHA report regarding the lack of beneficial non-contact of Czech judicial professional associations.

**Training**

The overall concept of training is that the Czech judiciary should be able to communicate with their European colleagues on the basis of a certain common understanding of the history, the development, the problem areas and the value of the judiciary, its role and responsibilities, a knowledge of its duties and an application of these duties in new contexts and relationships according to the definitions of the Treaty of the European Union and the further development of the Justice and Home Affairs sector under the Amsterdam Treaty. This concept presupposes abilities and knowledge other than mere orientation in Community law and in Community languages, and aims to ensure, in the shortest possible time, a deep change in the thinking of a specific social group, who will play a significant role in implementing European values and law.

Training is proposed to largely take place within courts themselves, thereby increasing time effectiveness to the judiciary as well as reducing costs, and to cover such topics as:

- orientation to the basic European institutions, including their legislative framework,
- the concept and ethical principles of the European judiciary at the beginning of the 21st century,
- judges, state attorneys, the media and the public - the ability to convincingly communicate with interest groups, such as journalists, in environments that are capable of asserting pressure/ the right of the citizen to obtain judicial information by means of the media/ confidence in the judiciary as an independent and non-partisan institution,
- psychology techniques relevant to the performance of judicial duties,
- communication technology,
- language training as requested, relevant and customised to different professional specialisation,
- assistance in the organisation of specialist training, e.g. management skills, or of training in co-operation with other authorities, e.g. managerial courses for investigation techniques of financial and economic crimes for magistrates, state attorneys and the police.

The staff of the Information Centre will actively support the planning and provision of training. It is pre-supposed that co-operation with the Ministry of Justice will take place in the planning of such activities.

In addition to professional training within the Czech Republic, the associations also aim to organise study visits for Czech judicial staff - short-term, intensive visits to courts of the EU Member States, in particular to facilitate the practical application of gradually acquired theoretical knowledge of European law.

Additionally, seminars or conferences within the Czech Republic would be held with EU experts, ensuring regular contact with the developing trends of European judiciary and EC law. The associations presently plan to strengthen the on-going public debate regarding the significance and position of judiciary power in Europe and on the current situation in the Czech Republic, with an initial seminar to bring together representatives of the three branches of state - the legislative, executive and judiciary - the media and international experts, laying the basis for the transformation of the judiciary in line with European trends and standards. The planning and support of the conference ‘Meeting of the European Association of Judges’ in 2000 in Prague is also foreseen to be a part of the project.
2. **Support to Develop the Commercial and Civil Courts Systems**

This 0.4 MECU Sub-Project aims to prepare the Czech judicial system for impacts arising from accession to the European Union, by mapping the organisation and functioning of the commercial and civil courts systems, leading to concrete recommendations for improvements in their functioning, thereby alleviating the present overburdening work-load.

Activities of this Sub-Project will comprise a comprehensive management study of the commercial and civil court system (describing the current state of resources, staffing and employment issues, procedures and administrative systems, effectiveness capacity and the communication structure between the MJ and the courts etc.), with clear recommendations for follow-up and improvement of their functioning. The results of the study will be published.

On the basis of recommendations of this study, a ‘model’ commercial court and a ‘model’ civil court will be selected for the practical implementation of the concrete recommendations for procedural change, including the possibility of staff training and limited equipment supply, where this is firmly based on the recommendations of the management study report.

Phare support will be provided via a service contract covering approximately 6 person-months of EU expertise, and will be carried out in close liaison with MJ staff, judicial practitioners and representatives of the professional associations. Additional service/supply contracts will be based on the management study’s recommendations.

A management committee to supervise this Sub-Project will comprise, at minimum, representatives of the MJ, the AJ and the ASA.

3. **Comparative Study of the Legislative Relationship and Practice between Ministries of Justice and Court Administration Bodies with Courts and the Judiciary in EU Member States**

This 0.1 MECU Sub-Project will assess the appropriateness and suitability of present legal framework governing the operation and employment conditions in courts, the judiciary and the state administration of courts in the Czech Republic, in comparison with similar legislation in EU Member States. This will lead to concrete recommendations to the Ministry of Justice for suitable reform of these regulations, to ensure compliance with the underlying principles and expected standards of European judiciary, thereby strengthening the functioning of the judiciary.

Phare support will be provided through a single service contract.

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### Budget

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[Project Fiche CZ 9810-03](#)
### Support to Develop the Commercial and Civil Courts Systems

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### Implementation Arrangements

Responsibility for the administration related to the procedural aspects of procurement, contracting and accountancy will rest upon the CFCU. Responsibility for the administration related to the preparation, technical control and implementation will rest, for Sub-Project 1, with the Association of Judges/Association of State Attorneys, and for Sub-Projects 2 and 3, with the Ministry for Justice.

### Implementation Schedule

- Start of tendering: 4Q/98
- Start of project activity: 4Q/98
- Completion: 4Q/00

### Equal Opportunity

Equal opportunity principles and practices in ensuring equitable gender participation in the Project will be guaranteed.

### Conditionality and Sequencing

If recommended by the management study, equipment enhancement and training needs for the two selected commercial and civil 'model' courts will be implemented.

### Annexes to Project Fiche

1. Logframe Matrix
2. Detailed Cost Breakdown for Sub-Projects
3. Detailed Implementation Chart
4. Contracting and Disbursement Schedule for the Project

5. Relation of Project with Previous Phare Activities and On-Going Projects Financed from Other Sources
## Strengthening the Independence and Functioning of the Judiciary

**Date of drafting:** 04/98  
**Planning Period:** 1998-2000  
**Total Budget:** 1.0 MECU  
**Project Number:** CZ 9810-03

### Wider Objective
- Support of/strengthening the independence of the judiciary  
- Strengthening the functioning of the judiciary  
- Basis laid for further improvement within court system in general

### Indicators of Achievement
- European integration policy for the judicial sector  
- Ministerial strategy for on-going improvement of judiciary system

### How, When and By Whom Indicators Will Be Measured
- Elaboration of the National Programme in the judicial sector  
- Working Committee and Groups

### Assumptions and Risks
- Inadequate funding to follow through on broader recommendations  
- Consensus on roles of MJ, judiciary, judges etc.

### Immediate Objectives
- Strengthening professional judiciary associations  
- Debate on status/independence of the judiciary  
- More efficient court functioning, particularly the commercial and civil courts systems  
- Management study and establishment of model systems of court operation in 2 instances, indicating optimal solutions for wider systems  
- Recommendations for reform of the legislative framework governing the operation of the judiciary

### Indicators of Achievement
- Co-ordinated ministerial and professional associations’ discussion on needs for the judiciary  
- Consensus on status of judiciary  
- Improved organisation of commercial and civil courts  
- Success of operation of ‘model’ courts

### How, When and By Whom Indicators Will Be Measured
- Working Committee and Group  
- Judiciary/ministerial evaluation

### Assumptions and Risks
- Working Committee and Groups  
- Ministerial policy on training

### Outputs
- Stronger professional associations  
- Better informed and professionally trained judiciary  
- Difficulties in operation of commercial and civil courts identified/recommendations for improved functioning made and applied

### Indicators of Achievement
- Establishment of ‘model’ courts  
- If recommended by the management study, provision of equipment enhancement, and associated training

### How, When and By Whom Indicators Will Be Measured
- Ministerial and professional association evaluation  
- Working Committee and Groups

### Assumptions and Risks
- Workload of judges may preclude training attendance  
- Ministerial policy on training

### Inputs
- TA needs analysis  
- Establishment of Information Centre  
- Training planning and provision  
- Management study to map current status of commercial and civil courts systems

### Indicators of Achievement
- TA identification of needs of professional associations, leading to establishment of Information Centre and elaboration of training programme

### How, When and By Whom Indicators Will Be Measured
- Working Committee and Groups

### Assumptions and Risks
- Availability of courts/release of judiciary for training
### Annex 2

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### Annex 4

**Cumulative Quarterly Contracting Schedule (MECU)**

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**Cumulative Quarterly Disbursement Schedule (MECU)**

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Annex 5

Sub-Project ‘Support to the Association of Judges and to the Association of State Attorneys’ relates to:

- pilot projects in language training and EC law as proposed by the MJ Institute for the Further Education of Judges and State Attorneys;
- the project ‘Strengthening of the Judiciary in the Czech Republic’, aimed at ‘organisational strengthening’, financed by the Phare Democracy Programme and by the MATRA Programme of the Dutch Ministry of Foreign Affairs for the years 1996-1997.

Sub-Project ‘Support to Develop the Commercial and Civil Court Systems’.

With the partial assistance of the Phare Programme, the Ministry of Justice has established the above-mentioned pilot projects in the training of judges in languages of the Member States and EC law.