STANDARD SUMMARY PROJECT FICHE

1. Basic Information

1.1. Desiree Number: 2002/000-282.07.02

1.2. Title: Schengen Action Plan and Information System (SIS) - Phase II

1.3. Sector: Justice and Home Affairs

1.4. Location: Czech Republic

2. Objectives

2.1 Overall objective

- Ability to take on the obligations of membership, including adherence to the aims of political, economic and monetary union

2.2 Project purpose

- Further development of the National Schengen Information System (NSIS) Centre and the communication centre for co-operation with police forces of other EU Member States

2.3 Accession Partnership and the NPAA Priorities

- AP 2001 Priorities
  - Ensure the due implementation of the Schengen Action Plan
  - Continue preparation for future participation in the Schengen Information System by developing national databases and registers.

- NPAA
  - Complete the process of harmonising the control of persons and the protection of state borders, and commence the implementation of the systematic protection of state borders in accordance with Schengen standards
  - Adopt measures to develop functional - NSIS + SIRENE and AIS + VISION.

3. Description

3.1 Background and justification

The Schengen Action Plan was submitted by the Czech authorities to the Commission in late 2001 and well received. It outlines the steps to be implemented in order to prepare for the Czech Republic's inclusion in the Schengen area. An important part of this preparation is the building of the National Schengen Information System (NSIS). In December 2001 Chapter 24 on Justice and Home Affairs was provisionally closed for the Czech Republic, depending on screening, mainly to be conducted in the framework of monitoring missions and detailed reporting by the Commission and the Member States.

Building the NSIS: In its Resolutions No. 748/98, No. 54/99, No. 1165/99, No. 304/2000 and others the Czech Government has agreed upon the main tasks for meeting the Schengen requirements. One of these tasks is to complete the organisational and technical preparation for building up the National Schengen Information System Centre (NSIS) as well as an analytical and communication office for co-operation with the police corps of the Schengen countries. In order to build the NSIS of the Czech Republic it is necessary to ensure effective personal data protection in information systems. The NSIS of the Czech Republic is supposed to bring centralised information flows and common approach of the Czech Police to their partners in other countries of the Schengen area.
As the Ministry of the Interior and the Police of the Czech Republic will be, together with the Ministry of Finance (customs), the Ministry of Foreign Affairs, the Ministry of Justice and the Intelligence Service, the main national users of the NSIS in the sense of the Schengen Implementing Convention (Article 92, 93 and the following), the EU Expert Mission in the Fields of Justice & Home Affairs in the Czech Republic recommended to continue in building up the NSIS from Phare funds even after completion of the CZ00-07-02 project. On the base of this recommendation this project has been prepared.

According to the decision of the Minister of Interior the NSIS of the Czech Republic is to be built up within the structure of the Police Presidium. Its building up is planned in the following steps:

- **Phase 1** - Model and testing centre, Intranet of the MoI. During this phase, new sub-systems will be added to the existing information systems of the Czech Police that will comprise the categories of information in compliance especially with Article 100 of the Schengen Implementing Convention (where such information has not been included in the police systems yet). The information will afterwards be made broadly accessible for the police staff both at the borders and inland in order to train them in using the information systems in practice.

- **Phase 2** : this phase will be financed from the state budget (2002-2005) and from this Phare project. Technical equipment for N-SIS will be purchased and development of software for N-SIS will be ensured. The future N-SIS unit will replace the existing model and testing centre and these modifications will not substantially affect the work of the police inland or at the border crossing points. The police staff will continue working with the national system and get the N-SIS services through this national system.
**Tab. 1. Steps of building up of the NSIS in the Czech Republic**

This useful table must be revised as follows:

<table>
<thead>
<tr>
<th>Steps of building the NSIS</th>
<th>Timing</th>
<th>Czech Financing</th>
<th>PHARE Financing</th>
<th>Status of projects</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Building of model and testing centre for the future NSIS at the Police Presidium</strong></td>
<td>1999-2000</td>
<td>Partly SB</td>
<td><strong>CZ99.04.01.02:</strong></td>
<td>Twinning is ongoing/finished</td>
</tr>
<tr>
<td>Establishing of sufficient data connection from all police units to the police IT centre (and therefore to NSIS)</td>
<td>2000-2002</td>
<td>See Table 2</td>
<td>none</td>
<td></td>
</tr>
<tr>
<td>Supply and Installation of proper workstations at all police units which have to have access to NSIS</td>
<td>2000-2005</td>
<td>2000 : 186 2001 : 390</td>
<td><strong>CZ99.04.01.02</strong> <strong>CZ00.07.02</strong> 3800 work stations – see table in Annex 5 for details (same model than table3) <strong>CZ02.07.02</strong> 1500 workstations – see table 3 for details</td>
<td>TOTAL PHARE : 5.300 workstations Total Czech budget : 576</td>
</tr>
<tr>
<td>Establishment of SIRENE office for co-operation with other police corps</td>
<td>2001-2005</td>
<td>Partly from SB</td>
<td>partly from PF <strong>CZ99.04.01.02</strong></td>
<td>The police president have already appointed a special committee to prepare establishment of this office</td>
</tr>
<tr>
<td>Establishment of VISION office for co-operation with EU in the field of visa issues</td>
<td>2001-2005</td>
<td>Partly from SB</td>
<td>partly from PF <strong>CZ02.07.02</strong></td>
<td></td>
</tr>
<tr>
<td>Defining authorities which will have direct or indirect access into the NSIS</td>
<td>2001-2005</td>
<td>N/A</td>
<td></td>
<td>Under discussion of Schengen working groups</td>
</tr>
<tr>
<td>Special language training of the staff of Police IT Centre and SIRENE Office for the Schengen cooperation</td>
<td>2002-2005</td>
<td>(training)</td>
<td>(equipment for language laboratory) <strong>CZ02.07.02</strong></td>
<td>People from Police IT Centre have taken part in language courses nowadays. New equipment for language laboratory is contained in this project</td>
</tr>
<tr>
<td>Training of all police officers in Schengen acquis and using NSIS</td>
<td>2002-2005</td>
<td>(training)</td>
<td>equipment for training centres and police schools <strong>CZ02.07.02</strong></td>
<td>New courses are prepared; teachers and workers of training centres are trained. New courses should start at the beginning of 2002.</td>
</tr>
<tr>
<td>Completion the National Schengen Information (NSIS) Centre and the communication centre for co-operation with police forces of other EU Member States</td>
<td>2003-2005</td>
<td>SB</td>
<td></td>
<td>Steps not dependant on classified information have already been undertaken (including this project)</td>
</tr>
</tbody>
</table>

(SB – State budget, PF-Phare funds)
Tab. 2. Data connection of police stations in Intranet MoI of the Czech republic  
(as was reported at the end of November 2000*)

<table>
<thead>
<tr>
<th>Region</th>
<th>LAN</th>
<th>LL</th>
<th>NO</th>
<th>Sw MoI</th>
<th>Sw Pub</th>
<th>???</th>
<th>No of PS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Prague</td>
<td>0</td>
<td>46</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>46</td>
</tr>
<tr>
<td>Middle Bohemia</td>
<td>0</td>
<td>88</td>
<td>1</td>
<td>0</td>
<td>13</td>
<td>0</td>
<td>102</td>
</tr>
<tr>
<td>South Bohemia</td>
<td>0</td>
<td>43</td>
<td>0</td>
<td>44</td>
<td>0</td>
<td>0</td>
<td>87</td>
</tr>
<tr>
<td>West Bohemia</td>
<td>9</td>
<td>71</td>
<td>5</td>
<td>44</td>
<td>14</td>
<td>1</td>
<td>144</td>
</tr>
<tr>
<td>North Bohemia</td>
<td>1</td>
<td>80</td>
<td>0</td>
<td>4</td>
<td>34</td>
<td>0</td>
<td>119</td>
</tr>
<tr>
<td>East Bohemia</td>
<td>16</td>
<td>65</td>
<td>0</td>
<td>36</td>
<td>1</td>
<td>0</td>
<td>118</td>
</tr>
<tr>
<td>South Moravia</td>
<td>6</td>
<td>55</td>
<td>2</td>
<td>41</td>
<td>40</td>
<td>3</td>
<td>147</td>
</tr>
<tr>
<td>North Moravia</td>
<td>4</td>
<td>120</td>
<td>7</td>
<td>4</td>
<td>31</td>
<td>1</td>
<td>167</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>36</td>
<td>568</td>
<td>15</td>
<td>173</td>
<td>133</td>
<td>5</td>
<td><strong>930</strong></td>
</tr>
</tbody>
</table>

Notes:
LAN = connected in Local Area Network  
LL = connected by a Leased Lin  
NO = no connection  
Sw MoI = connected by a switched line in net owned by Ministry of Interior  
Sw PUB = connected by a switched line in public net  
??? = situation is not known (reconstruction)  
No of PS = number of Police stations in the region  
* plan of actions for 2001: connect 70 more units by LL

3.2 Linked activities (see above table 1)

The Twinning project **CZ 9904-01** aims at building up of the National Schengen Unit and at training of the staff of the National SIRENE. The project will reinforce the N-SIS and SIRENE testing and model centre, the basis of which was set up and financed from the 1999 state budget and NPPI1999. Data communication will be improved, thereby achieving a speed and reliability complying with the parameters common in the Member States.

It represents only a part of a more comprehensive solution, the objective of which is to provide a unified access for the police officers at border points and inland to the model N-SIS workplace and later to the fully operational N-SIS. Provided that this project is approved the Czech Republic would be prepared, as far as the technical point of view is concerned, to assume the Schengen acquis.

All the preparation of this project was co-ordinated and consulted with the Phare project **CZ99/1B/JH02 PAA Mr Mager**.

**CZ00-07-02** "Schengen Information System and Strengthening the Border Management". The aim of the project is to access to an exchange of the up-to-date information concerning persons and objectives contained in the central police databases according to the needs of authorised officers during the law enforcement work.

3.3 Results
- Implementation of the Schengen Action Plan
- Further steps in setting up National section of the SIS  
- Police staff trained in Schengen acquis and relevant IT systems  
- Police IT Centre staff trained and prepared to complete and maintain the NSIS Centre  
- Language laboratories established and functioning  
- Principles for completing alignment of national databases with analogical sub-systems of the NSIS set out  
- Access of the policemen and other authorised persons to the data in the NSIS and other databases enabled  
- Pilot project of the establishment of national structures enabling participation in the visa consultation (VISION) and electronically supported visa issuing system in the Czech territory worked out
• Further steps in building up the transmitting network of the MoI and Police of the CR taken
• Concept for completing the system of direct phone- and radio-connection for bilateral co-operation in the field of the Police and Ministry of Interior worked out
• Preconditions for compatibility of IT systems to be connected to the SIS set up
• Principles for national structures needed for co-operation in the framework of FADO system set up. This will be based on output of the study visit as envisaged in the project CZ02.0701.
• Controlling project to check readiness as regards accession to the Schengen agreements at national level worked out and realized in co-operation with a Schengen state

3.4 Activities

Twinning – 1.00 MEUR

Advice on the implementation of the Schengen Action Plan including:
• advice of the PAA, Short Term Experts (STEs) and study visits assistance in the different fields of the Schengen Action Plan such as police and judicial co-operation, border control, visa etc.
• Advice to the Schengen working group (Steering Committee meeting should be held once a month with all partners)
• Evaluation of the implementation of the Schengen system and provide a detailed gap analysis of the implementation of Schengen according to the requirements of Category I upon EU accession and Category II after EU accession (Council decision 12148/01), which should serve the Czechs side as road map to the join Schengen agreement.

Assistance on the realisation of NSIS
• Training of the police staff in informatics and Schengen acquis in newly equipped training centres.
• Special training of the staff of Police Information Centre and newly prepared offices SIRENE (i.e. Article 108 of the Convention implementing the Schengen Agreement), VISION (i.e. Article 9 of the Convention implementing the Schengen Agreement), including necessary language courses of special terminology (right co-operation assumes real understanding) provided by STEs.
• Police Presidium and other agencies involved in the establishment of Schengen will receive further training in the field of procurement of equipment in line with further Schengen investments provided by STEs

Pre-accession advisor for 18 months, the PAA will be responsible for implementation of the project and he/she has to meet the following conditions: working language English, ability to organise all project activities,
• he/she should have thorough knowledge of the requirements of Schengen overall
• he/she should have particular knowledge of SIS,
• good knowledge of police structures of the EU MSs,
• good knowledge of European standards and acquis communautaire,
• ability to manage and deliver consultations, analytical studies and lectures on the included topics.

PAA ensures short-term experts for providing training in informatics and Schengen acquis and for the SIS, VISION and SIRENE section, especially in the field of information security. He/she ensures elaboration of analysis and recommendations on information security, functioning of border control, issuing visa, Schengen airport functioning.

Study visits according the actual need and in compliance with PAA and STEs recommendations. Study visits will mainly help to understand the practical applications of Schengen acquis in different Member States

Estimated budget breakdown:
1. approx. 0.25 MEUR - PAA
2. approx. 0.45 MEUR - STEs
3. approx. 0.30 MEUR - Study visits of Czech experts in Member States and workshops in the CR

Investment

Supply of equipment - 4.35 MEUR
1. Delivery and installation of new workstations in basic units of traffic, railway and offices of the Service of Criminal Police and Investigation. These workstations should be similar to those ordered under the Phare project CZ00-07-02 for basic units of the order police.
2. Delivery and installation of equipment for police schools and regional training centres
3. Delivery and installation of language laboratory equipment for the Language Institute of Mol. It will help in language training of NSIS staff.
4. Delivery and installation of equipment to strengthen the Police IT Centre and to increase data safety.
5. Delivery of equipment for FADO
6. Delivery of equipment for VISION

Workstations for police stations of railway and traffic and police of criminal and investigation service, which was established as of 1st January 2002 from current offices of the Service of Criminal Police and Investigation.

<table>
<thead>
<tr>
<th>Service</th>
<th>No. of units</th>
<th>No. of PCs per unit</th>
<th>Total No. of PCs</th>
</tr>
</thead>
<tbody>
<tr>
<td>Railway service</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Headquarters</td>
<td>1</td>
<td>2</td>
<td>2</td>
</tr>
<tr>
<td>Railway department</td>
<td>18</td>
<td>2</td>
<td>36</td>
</tr>
<tr>
<td>Train department</td>
<td>8</td>
<td>1</td>
<td>8</td>
</tr>
<tr>
<td><strong>Total railway service</strong></td>
<td><strong>27</strong></td>
<td></td>
<td><strong>46</strong></td>
</tr>
<tr>
<td>Traffic service</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Headquarters</td>
<td>1</td>
<td>2</td>
<td>2</td>
</tr>
<tr>
<td>Regional unit</td>
<td>8</td>
<td>2</td>
<td>16</td>
</tr>
<tr>
<td>District unit</td>
<td>86</td>
<td>2</td>
<td>172</td>
</tr>
<tr>
<td>Highway unit</td>
<td>14</td>
<td>2</td>
<td>28</td>
</tr>
<tr>
<td><strong>Total traffic service</strong></td>
<td><strong>109</strong></td>
<td></td>
<td><strong>218</strong></td>
</tr>
<tr>
<td>Criminal and investigation service</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Headquarters</td>
<td>1</td>
<td>144</td>
<td>144</td>
</tr>
<tr>
<td>Regional unit</td>
<td>8</td>
<td>38</td>
<td>304</td>
</tr>
<tr>
<td>District unit</td>
<td>86</td>
<td>8</td>
<td>688</td>
</tr>
<tr>
<td>Field office</td>
<td>20</td>
<td>5</td>
<td>100</td>
</tr>
<tr>
<td><strong>Total Criminal &amp;invest.</strong></td>
<td><strong>115</strong></td>
<td></td>
<td><strong>1236</strong></td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td></td>
<td></td>
<td><strong>1500</strong></td>
</tr>
</tbody>
</table>

2. IT equipment for 15 training centres for teaching and training the police officers in using NSIS.

In this part workstations for classrooms, a local server for each training centre and servers for school centre, which will operate at Police IT Centre and run school versions of central databases, are planned. 20 students' and one teacher's workstation (PC) and one local server are intended for each of 6 police schools, whereas each of 9 regional training centres (8 + central) should be equipped by 15 students' PC, one teacher's PC and one local server. Besides, each of these 15 centres will be equipped by a presentation set, consisting of one projector and a projection screen.

The school centre at the Police IT Centre should represent a model workplace of IT Centre. It will run the school versions of central databases and will provide the same secure access to data. This equipment will consist of UNIX based database server, NT application servers, log server and one DNS and Global catalogue server.

3. Equipment for language laboratory (2x5 students).
This should consist indicatively of:
- 4 multimedia PCs (including headphones and microphone)
- 4 tape recorders
- 2 video cassette recorders
- 2 presentation sets (data projector and presentation screen)
- 2 TV sets
- 2 whiteboards
• 1 set of 10 wireless headphones

The laboratory will help in language education of the staff of NSIS offices and will be situated and operated at the Language Institute of MoI.

4. Additional technology for strengthening the Police IT Centre and increasing data security. Consist of 1 new, more powerful archiving device, 3 separate NT application servers, 1 log and 1 DNS servers, 1 intelligent disk array and 2 UNIX servers’ upgrades

5. Technology for FADO project. 20 pieces of graphic working stations - high standard, 20 pieces of scanner, 20 pieces SW, operational system, graphic application, 20 pieces UPS+SW

6. Communication equipment in the framework of pilot project VISION-hardware, software, communication (the equipment will be subject to alteration in later phases of project preparation according to principles worked out by/with help of the PAA and according to situation in newly restructured Aliens and Border Police, one tender

Supposed budget breakdown - indicatively:
1 1,600,000 Euro
2 1,200,000 Euro
3 50,000 Euro
4 1,260,000 Euro
5 60,000 Euro
6 180,000 Euro

3.5 Lessons learned
The conclusion and recommendations of recent projects have been considered within the preparation of this project

4. Institutional framework

The project will be implemented by the Ministry of Interior (MoI) and the Police Presidium. Responsibility for the N-SIS, VISION, SIRENE rests with the Department of System Management and Informatics of the Police Presidium which will co-operate with the regional information technology units during the distribution and putting into operation of the equipment (PCs) and for activities resulting from. For the Schengen Action Plan is responsible the Department for Asylum and Migration Policies.

In order to fulfill the informatics tasks, the Police has been using for a number of years now a hierarchical structure of specialised departments: the central office (the Department of System Management and Informatics of the Police Presidium of the Czech Republic), regional units and district units. These units are responsible for installations of new equipment, servicing and personnel training. This same structure will be used in implementing the proposed hardware and software at the basic-level police units.

For the co-ordination of tasks related to the establishment of the SIS, the Schengen Working Group (WG) has been set up within the framework of the Working Committee for EU Integration. The Group bears inter-ministerial character, with representatives of the Ministries of Interior, Foreign Affairs, Finance, Justice, Industry and Trade and Defence, the Office for Personal Data Protection, the Military Intelligence Service, the Security and Information Service and other state bodies. The WG has the competency of the Steering Committee and is responsible for analysing and implementing the Schengen acquis in practice within the above executive authorities of the state administration.

The WG addresses issues of modernisation of the visa process and checks of persons at the state border, the establishment of the N-SIS, ensuring the compatibility of the national police information systems with the SIS - taking also into account protection of data, setting of temporary residence and movement conditions for foreigners on the territory of the Czech Republic (including extradition), police co-operation, legal assistance in criminal matters and fight against drug-related crime. The competency for the inter-ministerial tasks of the Schengen Working Group has been transferred to the ministerial Department for Asylum and Migration Policies.
5. Detailed Budget (M €)

<table>
<thead>
<tr>
<th>Project Components</th>
<th>Phare Support</th>
<th>***National Co-financing</th>
<th>TOTAL</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Investment</td>
<td>Institution Building</td>
<td></td>
</tr>
<tr>
<td>Contract 1 - Twinning package</td>
<td>1.00</td>
<td>1.00</td>
<td>1.00</td>
</tr>
<tr>
<td>Contract 2 - Supply of equipment</td>
<td>4.35</td>
<td>4.35</td>
<td>4.35</td>
</tr>
<tr>
<td>Co-financing to contract 2</td>
<td>1.45</td>
<td></td>
<td>1.45</td>
</tr>
<tr>
<td>Total</td>
<td>4.35</td>
<td>1.00</td>
<td>5.35</td>
</tr>
</tbody>
</table>

*The contribution from the national budget for the twinning will be in the form of provision of offices, financing the journeys of Czech staff within the Czech Republic etc.

** There will be parallel co-financing.

6. Implementation Arrangements

6.1 Implementing Agency
The CFU is responsible for tendering, contracting and accounting. Responsibility for technical aspects related to preparation, implementation and control rests with the beneficiary institution (MoI). The beneficiary will become owner of the equipment after the project completion.

6.2 Twinning
The contact person is: Mr Jiří Čeříkovský, Head of the Unit for Schengen Co-operation, Ministry of the Interior of the Czech Republic, 130 11 Praha 3, tel. 00420/2-6144 1140

6.3 Non-standard aspects
n.a.

6.4 Contracts
1 – Twinning Covenant 1,00 M€
2 – Supply of equipment (1 tender, 1 or more resulting contracts) 4,35 M€

7. Implementation Schedule

<table>
<thead>
<tr>
<th>Start of Tendering</th>
<th>Twinning: 2Q/2002</th>
<th>Supply: 1Q/2003</th>
</tr>
</thead>
<tbody>
<tr>
<td>Start of Project Activity</td>
<td>Twinning: 1Q/2003</td>
<td>Supply: 3Q/2003</td>
</tr>
<tr>
<td>Project Completion:</td>
<td>3Q/2004</td>
<td></td>
</tr>
</tbody>
</table>

8. Equal Opportunity

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

9. Environment
N/A

10. Rates of Return
N/A

11. Investment Criteria
N/A
12 Conditionality and Sequencing

- Respect of the commitments taken during the negotiations (Ref)
- Equipment supply in this project will be based on a needs analysis prepared by the Czech professionals.
- This project is tied up to the projects CZ 9904-01 and CZ00-07-02. Approval of this project will enable to equip all remaining police units with technology required for practical implementation of the Schengen system.
- The verification of technical expertise from PAA in the framework of Phare project CZ 9904-01 will be used.
- The Phare funds will be used to improve the information network of the Ministry of the Interior, which is the essential precondition for the future connection to the SIS.

Annexes to Project Fiche

1. Logframe Matrix
2. Detailed Implementation Chart
3. Cumulative Contracting and Disbursement Schedule for the Project
4. Schengen Action Plan
## Annex 1

### LOGF LOGFRAME PLANNING MATRIX FOR PROJECT

#### Schengen Action Plan and Information System (SIS) – Phase II

<table>
<thead>
<tr>
<th>Overall objective</th>
<th>Objectively Verifiable Indicators</th>
<th>Sources of Verification</th>
</tr>
</thead>
</table>
| • Ability to take on the obligations of membership, including adherence to the aims of political, economic and monetary union | • Acknowledgement by the European Commission | • EC Regular Report  
• Accession to the Schengen Agreements |

<table>
<thead>
<tr>
<th>Project purpose</th>
<th>Objectively Verifiable Indicators</th>
<th>Sources of Verification</th>
<th>Assumptions</th>
</tr>
</thead>
</table>
| • Further development of the National Schengen Information System (NSIS) Centre and the communication centre for cooperation with police forces of other EU Member States | • National Schengen Information (NSIS) Centre and of other relevant systems SIRENE, VISION completed for cooperation with police forces and administrative structures of other EU Member States at the date of accession to Schengen | • Reports of the district police headquarters  
• Report of the Police Presidium | • Other parts of the 3rd Copenhagen Criteria fulfilled |

<table>
<thead>
<tr>
<th>Results</th>
<th>Objectively Verifiable Indicators</th>
<th>Sources of Verification</th>
<th>Assumptions</th>
</tr>
</thead>
</table>
| • Implementation of the Schengen Action Plan  
• Further steps in setting up National section of the SIS taken  
• Police staff trained in Schengen acquis and relevant IT systems  
• Police IT Centre staff trained and prepared to complete and maintain the NSIS Centre  
• Language laboratories established and functioning  
• Principles for completing alignment of national databases with analogical subsystems of the NSIS set out  
• Access of the policemen and other authorised persons to the data in the NSIS and other databases enabled  
• Pilot project of the establishment of national structures enabling participation in the visa consultation (VISION) and electronically supported visa issuing system in the Czech territory worked out | • elaborated principles used in practice at the end of the project  
• trained staff for VISION system and SIRENE office and relevant EU expert committees (approx. 100 people) at the date of access to the EU and to the Schengen agreements  
• 30 policemen of the Police IT Centre staff trained and having practical experience in operation of the NSIS in member states by the end of 2003  
• At least 3 000 of police staff pass the basic courses of Schengen acquis in 15 training centres of the Czech Police by the end of 2003  
• Response times of NSIS are comparable with those of the existing systems (e.g. Evidence of wanted persons and vehicles) by the end of 2005  
• Each of policemen has the access to the NSIS at the moment of actual need by the end of 2005 | • Regular reports of Police IT Centre unit on training results of its staff, training certificates and reports of STEs  
• Regular reports of the district police headquarters on the number of police officers trained in the past quarter and on the number of delivered and installed workstations  
• Measurement of response time in various police units by users  
• Regular reports of regional police headquarters | • Office for Personnel Data Protection approves personnel data protection in the NSIS |

<table>
<thead>
<tr>
<th>Programme number</th>
<th>Contracting period expires: 31/10/2004</th>
<th>Total budget: 6,80 MEUR</th>
<th>Phare budget: 5,35 MEUR</th>
<th>Disbursement period expires: 31/10/2005</th>
</tr>
</thead>
<tbody>
<tr>
<td>2002/000-282.07.01</td>
<td>31/10/2004</td>
<td>6,80 MEUR</td>
<td>5,35 MEUR</td>
<td>31/10/2005</td>
</tr>
</tbody>
</table>
- Further steps in building-up the transmitting network of the MoI and Police of the CR taken
- Concept for completing the system of direct phone- and radio-connection for bilateral co-operation in the field of the Police and Ministry of Interior worked out
- Principles for structures needed for co-operation in the framework of FADO system set up
- Controlling project to check readiness as regards accession to the Schengen agreements at national level worked out and realized in co-operation with a Schengen state

<table>
<thead>
<tr>
<th>Activities</th>
<th>Means</th>
<th>Assumptions</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Training of the police staff in informatics and related Schengen acquis in newly equipped police training centres</td>
<td><strong>Contract 1 – 1,000 MEUR</strong></td>
<td>• Data connection of sufficient quality and speed to police units. Data transmission lines are gradually improved; financing is covered by the state budget</td>
</tr>
<tr>
<td>• Special training of the staff of the Police Information Centre and newly prepared offices (SIRENE i.e. Article 108 of the Convention implementing the Schengen Agreement), VISION (i.e. Article 9 of the Convention implementing the Schengen Agreement), including and visits of STEs</td>
<td>Twinning package: 1. <strong>Pre-accession advisor</strong> for 18 months, the PAA will be responsible for the implementation of the project and he/she has to fulfil following conditions: • working language English • ability to organise all project activities • he/she should have general knowledge of SIS (both legal and technical point of view) and other parts of the Schengen acquis 2. <strong>PAA ensures short-term experts</strong> for providing training in informatics and Schengen acquis and for the SIS, VISION and SIRENE section, especially in the field of information security. 11 (2-14)-days workshops for 10-20 participants in Czech Republic • Up to 20 visits of STEs in Czech Republic • Study visits according the actual need</td>
<td>• Basic police units of order police should be equipped by the tender of the project CZ00-07-02, Schengen Information System Phase I • Co-financing from the state budget, Ministry programme lines 314071, 314072, 314 073, in the amount of 1,45 MEUR in the year 2002 and 2003 will be used for activities necessary to build up NSIS The allocation from the state budget should be used for necessary construction works (e.g. cabling, reconstruction of air-conditioning, floors), setting up VISION office, purchase of HW and SW for safer access to NSIS</td>
</tr>
</tbody>
</table>
### Annex I

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
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</thead>
<tbody>
<tr>
<td>schools and regional training centres</td>
<td>and in compliance with PAA and STEs recommendations. Study visits will mainly help to understand the practical applications of Schengen acquis in different Member States</td>
</tr>
<tr>
<td>• Purchase of FADO technology (20 high standard graphic working stations, 20 scanners, SW-operational system, graphic application, 20 UPS+SW</td>
<td>• 2 fortnight study visit for 10 participants in one of Member States</td>
</tr>
<tr>
<td>• Purchase of equipment for pilot project VISION</td>
<td>Supposed budget breakdown:</td>
</tr>
<tr>
<td></td>
<td>1. approx. 0.25 MEUR - PAA</td>
</tr>
<tr>
<td></td>
<td>2. approx. 0.45 MEUR - STEs</td>
</tr>
<tr>
<td></td>
<td>3. approx. 0.30 MEUR - Study visits of Czech experts in Member States and workshops in the CR</td>
</tr>
<tr>
<td></td>
<td><strong>Contract 2 – 4.35MEUR</strong></td>
</tr>
<tr>
<td></td>
<td>Supply of equipment - indicatively:</td>
</tr>
<tr>
<td></td>
<td>1. 1500 PCs to equip the basic units of traffic, railway and criminal and investigation police. Railway police has 1 headquarter, 18 departments and 8 units for train attendance. It makes 27 units together. Traffic police has one headquarters, 8 regional and 86 district departments and 14 highway units, which makes 109 units together. Only a smaller part of the whole delivery is intended for those services. The main part of the delivery is intended for the investigation service, which has one headquarters, 8 regional and 86 district departments and 20 field offices with more then 3500 investigators</td>
</tr>
</tbody>
</table>
|  | 2. Equipment for 15 training centres, including dedicated training servers. (There are 6 police schools in the country, 8 district level training centres and 1 training centre at the Police IT centre.) Equipment of a model workplace of the Police IT Centre, serving for training purposes and running separately from operational centre is also required. (Consist of one UNIX server running school
databases, and separate NT servers running as application, log and DNS servers). Training centres will be equipped with students and teacher's PCs and data projectors (270 PCs, 15 local servers and 15 presentation sets)

3. Equipment for 2 language laboratories (2x5 students) which will increase the training capacity for the professional education of the police staff (4 multimedia PCs, 4 tape recorders, 2 presentation sets consisting of projector and screen, 2 TV sets, 2 whiteboards, 10 wireless headphones)

4. Additional technology for strengthening the Police IT Centre and increasing data security. (Consist of 1 new, more powerful archiving device, 3 separate NT application servers, 1 log and 1 DNS servers, 1 intelligent disk array and 2 UNIX servers upgrades)

5. Technology for FADO project. Approx. 20 pieces of graphic working stations - high standard, 20 pieces of scanner, 20 pieces SW- operational system, graphic application, 20 pieces UPS-SW

6. Communication equipment in the framework of pilot project VISION hardware, software, communication (the equipment will be subject to alteration in later phases of project preparation according to principles worked out by/with help of the PAA and according to situation in newly restructured Aliens and Border Police

Supposed budget breakdown – approx.:

1. 1,600,000 Euro
2. 1,200,000 Euro
3. 50,000 Euro
4. 1,260,000 Euro
5. 60,000 Euro
Preconditions

In the year 1996 the Czech Police started building up Police IT Centre in Prague and data connection throughout the whole territory. In the November of 2000 were more then 60 % of police stations (including the basic police stations at the lowest level) connected by leased lines. The Police IT Centre is equipped with several UNIX and NT servers and operates national information systems, which correspond to chapters 95-100 of Convention implementing the Schengen Agreement (CISA). Its exploitation can be demonstrated by following facts: In July 2001 the Police IT Centre recorded about 60 000 transactions per day and enquiries were made from more than 4 000 different workstations and about 13 000 individual accounts. In the October 2001 an special inquiring tool was put into operation. This tool allows user to make query into all databases in a integrated way.

In the year 1998 the Schengen Working Group (WG) has been set up within the framework of the Working Committee for EU Integration for co-ordination of tasks related to the establishment of the SIS. This WG, responsible for the implementation of Schengen acquis, formed Programme No. 314 070 "The Czech Republic’s Preparation for the Accession to the EU", which specifies financial requirements for the period until 2005. Every year the programme is incorporated into the budget for the respective fiscal year and approved within the state budget adoption procedure.

At the MoI there is Schengen Co-operation Unit in the Asylum and Migration Department as a methodological body for the implementing Schengen acquis.

The Department for the International Police Co-operation at the Police Presidium is responsible for the SIRENE. The Sirene group has currently 7 employees responsible for the development of the office. The selection of further employees is already in progress. The foundations of a functional solution and a scenario for the establishment of the Sirene office were developed in April 2000 within the Phare 1999 twinning project called "Preparation for Practical Implementation of Schengen Agreements". The project included training of multipliers from relevant departments of the Czech Police, as well as from the Ministry of Justice, the Office of Supreme Public Prosecutor and General Customs Directorate, i.e. institutions that will be involved in the Schengen co-operation through the Sirene office. During 2001 Schengen Action Plan for the Czech Republic was elaborated. This Plan was appreciate in Regular evaluation report of EC. Due to the necessity to fulfil the tasks mentioned in Plan dissemination of the Project was made.

The responsibility for the technical part of the Czech NSIS rests with the Department for System Management and Informatics at the Police Presidium. The preparation is focused on the completion of high-capacity reliable and compatible transmission networks ensuring communication among the respective ministries, equipment of police units with LANs and appropriate information technology, harmonisation of databases administered on the national level that will comply with the Czech security standards and CISA provisions relating to the protection of data and updating SW for the utilisation of SIS data. The whole staffs of this department are nowadays about 90 people.

When N.SIS is put into operation, inquiries sent to national databases will allow automatic inquiries regarding subjects of the same character sent to N.SIS. The stage of equipping police units with IT to a degree necessary for effective utilisation of information systems partly continues under the Phare 2000 project "Schengen Information System and Protection of Borders" (phase I) within which 3.800 PCs will be provided for local departments of criminal and order police and partly by purchasing approximately 2.000 PCs for other police services.

To complete the NSIS is only one of essential conditions for its operation. Police staff in the whole territory must be informed about the possibilities they have in using NSIS data and of course must be prepared to do it in sufficient quality. New technology at almost all basic police units requires people, which are able to use it efficiently. Police schools and regional training centres will have to train more then 16 000 police officers and they thus need equipment for informatics classroom.

For the time being we have tried to built up a functional and efficient system in a short time. Thus we have reached the level the west european countries reached years ago. In years 2000 and 2001 very important legal acts on protection of personal data were adopted to match with the EU standards. The Police IT Centre has to fulfill the new requirements for data protection and therefore know-how and additional investment are required.
### Detailed Implementation Chart for the Project

**Schengen Action Plan and Information System – Phase II**

<table>
<thead>
<tr>
<th>Action</th>
<th>Year</th>
<th>2001</th>
<th>2002</th>
<th>2003</th>
<th>2004</th>
</tr>
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<tr>
<td></td>
<td></td>
<td>S</td>
<td>O</td>
<td>N</td>
<td>D</td>
</tr>
<tr>
<td>Institution Building</td>
<td></td>
<td>F</td>
<td>M</td>
<td>A</td>
<td></td>
</tr>
<tr>
<td>Twinning and Training Package</td>
<td></td>
<td>M</td>
<td>J</td>
<td>A</td>
<td></td>
</tr>
<tr>
<td>Design of Project Fiche and Matrix</td>
<td></td>
<td>S</td>
<td>O</td>
<td>N</td>
<td></td>
</tr>
<tr>
<td>Launch Twinning request to Member States</td>
<td></td>
<td>D</td>
<td>J</td>
<td>A</td>
<td></td>
</tr>
<tr>
<td>Offers of MS(s) for twinning</td>
<td></td>
<td>M</td>
<td>J</td>
<td>A</td>
<td></td>
</tr>
<tr>
<td>Selection of MS(s) for twinning</td>
<td></td>
<td>N</td>
<td>D</td>
<td>J</td>
<td></td>
</tr>
<tr>
<td>Elaboration of twinning covenant</td>
<td></td>
<td>D</td>
<td>J</td>
<td>A</td>
<td></td>
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<tr>
<td>Submit Twinning covenant to Commission &amp;</td>
<td></td>
<td>N</td>
<td>D</td>
<td>J</td>
<td></td>
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<tr>
<td>Steering Committee for approval</td>
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<td>D</td>
<td>J</td>
<td>A</td>
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<tr>
<td>Twinning Package commences</td>
<td></td>
<td>N</td>
<td>D</td>
<td>J</td>
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<td>Twinning activities - PAA, training</td>
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<td>J</td>
<td>A</td>
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<td>Finishing of activities, final evaluation</td>
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<td>D</td>
<td>J</td>
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<tr>
<td>Investment Component</td>
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<td>D</td>
<td>J</td>
<td>A</td>
<td></td>
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<tr>
<td>Design of Technical Specifications</td>
<td></td>
<td>D</td>
<td>J</td>
<td>A</td>
<td></td>
</tr>
<tr>
<td>Tender Launch</td>
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<td>J</td>
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<td></td>
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<tr>
<td>Contract(s) Signature</td>
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<td>D</td>
<td>J</td>
<td>A</td>
<td></td>
</tr>
<tr>
<td>Delivery of equipment</td>
<td></td>
<td>D</td>
<td>J</td>
<td>A</td>
<td></td>
</tr>
<tr>
<td>Installation of equipment</td>
<td></td>
<td>D</td>
<td>J</td>
<td>A</td>
<td></td>
</tr>
<tr>
<td>Training on the equipment</td>
<td></td>
<td>D</td>
<td>J</td>
<td>A</td>
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</tbody>
</table>
Contracting and Disbursement Schedule by Quarter for full Duration of the Project
Schengen Action Plan and Information System – Phase II

### Cumulative Quarterly Contracting Schedule (M€)

<table>
<thead>
<tr>
<th>Quarter / Year</th>
<th>3Q/02</th>
<th>4Q/02</th>
<th>1Q/03</th>
<th>2Q/03</th>
<th>3Q/03</th>
<th>4Q/03</th>
<th>1Q/04</th>
<th>2Q/04</th>
<th>3Q/04</th>
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<td>4.3</td>
<td>4.5</td>
<td>-</td>
<td>5.7</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>5.7</td>
</tr>
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</table>

### Cumulative Quarterly Disbursement Schedule (M€)

<table>
<thead>
<tr>
<th>Quarter / Year</th>
<th>3Q/02</th>
<th>4Q/02</th>
<th>1Q/03</th>
<th>2Q/03</th>
<th>3Q/03</th>
<th>4Q/03</th>
<th>1Q/04</th>
<th>2Q/04</th>
<th>3Q/04</th>
<th>4Q/04</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Schengen Action Plan and Information System – Phase II</td>
<td>0.3</td>
<td>4.3</td>
<td>4.5</td>
<td>-</td>
<td>5.7</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>5.7</td>
</tr>
</tbody>
</table>
1. Introduction

2. Abolition of checks at internal borders and protection of external border (articles 2-8)
   - Crossing internal borders (article 2)
   - Crossing external borders (articles 3-8)

3. Visa policy (articles 9-27)
   - Visas for short-term stay (articles 9-17)
   - Visas for long-term stay (article 18)
   - Terms and conditions governing the movement of aliens (articles 19-24)
   - Residence permit, alerts for the purposes of refusing entry and other measures (articles 25-27)

4. Police co-operation (articles 39-47)

5. Judicial co-operation (articles 48-69)
   - Mutual assistance in criminal matters (articles 48-53)
   - Application of the ne bis in idem principle (articles 54-58)
   - Extradition of persons (articles 59-66)
   - Transfer of the enforcement of criminal judgements (articles 67-69)

6. Narcotic drugs and psychotropic substances (articles 70-76)

7. Firearms and ammunition (articles 82, 91)

8. Schengen Information System (articles 92-125)
   - Establishment, operation and use of SIS (articles 92-101)
   - Protection of personal data and security of data in SIS (articles 102-118)
   - Apportionment of the costs of SIS (article 119)

9. Protection of personal data (articles 126-130)

10. Conclusion
I. Introduction

In 1998, in connection with the prepared incorporation of the Schengen system into the EU framework, the Czech Republic started a systematic preparation for the adoption and application of the Schengen acquis. An Inter-Ministerial committee for the Schengen co-operation was therefore established. Its task was and still is to co-ordinate the preparation of all ministries and central authorities involved in fulfilling the tasks in accordance with relevant provisions of the Convention Implementing the Schengen Agreement (hereinafter referred to as “CISA”).

Based on the first bilateral screening in 1999, where the Czech Republic was provided with a significant number of resolutions and declarations issued by the Executive Committee and the Central Group within, it stated in the Position Document on Chapter 24 "Co-operation in Justice and Home Affairs; Schengen", presented to the European Commission on 11 November 1999, that:

- The Czech Republic accepts and is ready to implement the acquis concerning "Co-operation in the Fields of Justice and Home Affairs; Schengen", 1 January 2003 being taken as the reference date of its accession to the European Union.

- The Czech Republic does not envisage any problems neither with the entry into force of the relevant legislation nor with its implementation by the date of the accession. The only exception concerns the Executive Committee Decision SCH/Com-ex (94)17 rev 4 - 22. 12. 94, Introducing and Applying the Schengen System in Airports and Aerodromes, where the Czech Republic requests a transitional period until 2005.

- All necessary institutional infrastructure for implementation and enforcement of the acquis will have been in place and operational by the date of the accession of the Czech Republic to the European Union.

In order to intensify the process of implementation of the Schengen requirements and to set up effective management and supervisory mechanisms facilitating the fulfilment of the respective tasks, the Government of the Czech Republic by its Resolution No. 304 of March 28, 2001, took note of a document entitled "Proposal for Organisational Measures to Assume the Schengen acquis in the Period Preceding the Reference Date of the Czech Republic's Accession to the EU, i.e. by 31 December 2002, and in the Period Preceding the Commencement of Full Application of the Schengen acquis".

The above mentioned document is based on the Czech Government’s commitment formulated in the Position Document, i.e. to adopt the Schengen acquis as of the date of the accession of the CR to the EU, and is in line with the Protocol to the Amsterdam Treaty integrating the Schengen acquis into the EU. However, the document also takes into consideration the fact that the Schengen Information System II, which will enable its extension to new Member States, will not be operational until the end of 2005 (therefore the implementation of some parts of the Schengen acquis will not be possible upon the date of accession to the EU, but only after SIS II is introduced).

With regard to the date of completion of SIS II, the European Commission has split the Schengen acquis into two categories, where:

1. Category I covers the part of the Schengen acquis that is independent of the connection to the Schengen Information System, while
2. Category II covers the part of the Schengen acquis that is dependent upon the connection to the Schengen Information System.

The said Government’s Resolution No. 304/2001 also sets the obligation, regardless of the categories and in accordance with the Position Document, to harmonise the Czech legislation with the Schengen acquis by the date of the accession to the EU. A detailed analysis of the text of the Convention Implementing the Schengen Agreement with regard to the Czech Republic’s specific constitutional conditions has been made. The analysis resulted in identifying those parts of the Schengen acquis, which have to be transposed to the Czech legislation, and parts, which will be overtaken by means of the Accession Treaty.

As far as non-legislative measures are concerned, the Czech Republic – in line with the principle formulated in Article 8 of the Protocol to the Amsterdam Treaty integrating the Schengen acquis into the EU – aims at completing the preparation for the implementation of the Schengen Convention by the reference date of accession to the EU in a maximum possible extent. It means to be prepared for the application of all parts of the acquis available, including those parts of Category II acquis, which will not require inadequate investments or will not have any prospective to be utilised in practice. This approach has been chosen to harmonise the actual procedures to the maximum possible degree and thus facilitate the transition to a "sharp" Schengen co-operation. The Czech Republic wishes to commence the full-fledged implementation of the acquis, including the abolition of checks at internal borders as soon as possible, preferably as of 1 January 2006, regardless the progress of the EU/Schengen enlargement.
The scheme of the preparation in the area of human resources follows:

- identification of the authorities responsible for the adoption and subsequent implementation of the relevant provisions of the Schengen acquis;
- training of employees responsible for the application of the acquis within the relevant authorities or their units (which will serve as multipliers);
- professional, language and personality-oriented training of all staff involved in the implementation of the provisions of the Schengen acquis in all respective authorities;
- assessment of the effectiveness of the preparation of the human resources on the nation-wide level;
- assessment of the preparedness for the implementation of the Schengen acquis by the EU experts pursuant to the Executive Committee’s Resolution SCH/Com-ex (98)26 def) and further training according to the results stated by the evaluation committee.

1. The following institutions are involved in the education and training system within the structures of the Ministry of the Interior and the Czech Police:

Czech Police Academy – trains policemen for management posts; its training programmes include issues relating to EC/EU law, including the Schengen co-operation. The Academy utilises the experiences and documentation gained within the Phare programmes.

Secondary Police Schools provide basic professional training for future policemen and further training in specialised follow-up courses. The EU and Schengen issues are part of the specialised programme, the form being dependent upon the specifics of the respective type of police service. These institutions have adequate technical equipment for specialised training, such as computers and devices for the identification of forged personal documents. The representatives of these Schools also attend training programme for the education of multipliers, such as the Phare 99 twinning project called "Preparation for the Practical Implementation of the Convention Implementing the Schengen Agreement", organised in the year 2001.

The education system also includes specialised training programmes organised by the respective police departments and management bodies. Their purpose is to make the staff acquainted with the relevant acquis as well as Czech legislation in order to enable them to effectively manage their present and future tasks. Generally, the education programme is designed to gradually complete the basic training approximately 6 months prior the practical implementation of the Schengen co-operation in the respective areas.

The human resources training programmes make use of information acquired in Phare twinning projects and activities organised on the international level (MEPA, Sherlock, etc.).

The said principles are reflected in the organisation of the Czech Republic’s preparation for the Schengen co-operation. When necessary, they were elaborated in more details within the framework of the analysis of individual CISA articles.

2. The sectors of justice and customs administration have an extensive and comprehensive education system preparing the staff for the implementation of the Schengen acquis as well.

Preparation funding

Ministries and central administration agencies finance the preparation for the implementation of the acquis from their budgets. In accordance with regulations issued by the Ministry of Finance, the funding of long-term or important investment projects takes the form of programme financing. Programmes relating to the preparation for the accession to the EU are considered as the highest priority. Programme No. 314 070 “The Czech Republic's Preparation for the Accession to the EU”, specifying financial requirements for the period until 2005, is the most important programme of those administered by the Ministry of the Interior. Every year the programme is incorporated into the budget for the respective fiscal year and approved within the state budget adoption procedure. The financial requirements for 2002 – 2005 are specified for the respective tasks, altogether totalling 1 329 835 820 CZK (38 895 462 EUR). The amount will be exclusively drawn from the state budget.

<table>
<thead>
<tr>
<th>Year 2002</th>
<th>Year 2003</th>
<th>Year 2004</th>
<th>Year 2005</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>367 777 820 CZK</td>
<td>313 855 000 CZK</td>
<td>270 825 000 CZK</td>
<td>377 378 000 CZK</td>
<td>1 329 835 820 CZK</td>
</tr>
<tr>
<td>10 756 883 EUR</td>
<td>9 179 731 EUR</td>
<td>7 921 176 EUR</td>
<td>11 037 672 EUR</td>
<td>38 895 462 EUR</td>
</tr>
</tbody>
</table>

The costs of the establishment of the Schengen standards will also include 7 100 mil. CZK (207 663 059 EUR) for the adaptation of the Prague – Ruzyne international airport; this amount will be provided to the Czech Airport Administration by means of bank credit. The funding of the Schengen Action Plan will also be supported from Phare programme.
In 2001, the Ministry of the Interior will spend 454 310 000 CZK (13 287 803 EUR) on the part of the programme 314 070 "The Czech Republic's Preparation for the Accession to the EU", which concerns the Schengen acquis.

The preparation for the implementation of the Schengen acquis affects numerous areas of the state administration and is currently in advanced progress. The Schengen Action Plan monitors whether the relation between the set tasks and the pertinent financial resources is appropriate. It also helps to continuously evaluate the status of public resources and to propose appropriate actions to be taken by the Government. If the Schengen area enlargement process brings about the need to set up an external Schengen border with today's candidate countries, the Czech Republic is able to ensure the Schengen standards in these areas. Such a development would mean that the volume of necessary funds for staffing and technical equipment would grow by almost CZK 500 million (EUR 14 624 159).

2. Abolition of checks at internal borders and guarding external borders (articles 2-8)

Crossing internal borders (article 2)

Related regulations:
SCH/Com-ex (94) 1 rev 2 - 26.4.94 - Adjustment measures aiming to remove the obstacles and restrictions on traffic flows at road border crossing points at internal borders - INTERNAL BORDERS
SCH/Com-ex (94) 29 rev 2 - 22.12.94 - Bringing into force the Convention implementing the Schengen Agreement of 19.6.90 - ENTRY INTO FORCE
SCH/Com-ex (95) 20 rev 2 - 20.12.95 - Approval of doc. SCH/I (95) 40 rev 6 on the procedure for applying Article 2 (2) of the implementing Convention - INTERNAL BORDERS
SCH/Com-ex (97) decl 5 rev - 24.06.97 - Conclusions of the seminar held in Lisbon on 14 and 15 April 1997 on joint alternative measures taken by individual Schengen States

Performance status:
Abolition of checks at internal borders and crossing the internal borders will only be possible in the framework of the Czech Republic's participation in the Schengen Information System. In this regard, it will be necessary to adjust the infrastructure and to adopt organisational and technical and personnel-related measures in order to abolish the checks and re-install them temporarily, if necessary, at internal borders, at the airports and river border crossing points. The possibility of re-installation of checks at internal borders is legislatively governed by the amendment to the Act on the Residence of Aliens in the Territory of the Czech Republic, being currently under preparation. Internal and external border is defined by Act on the Protection of the State Borders that is currently under preparation as well.

Tasks:

Legislative:

- Amend Act No.326/1999 Coll., on Residence of Aliens in the Territory of the Czech Republic.
  Facilitator: Ministry of the Interior
  Performance deadline: 1 January 2003, effective date as of the date of abolition of checks at internal borders according to the Schengen agreements

- Approve Act on the Protection of the State Borders
  Facilitator: Ministry of the Interior
  Performance deadline: not later than 1 January 2003

Non-legislative:

- Adjust the infrastructure and adopt organisational-technical and personnel measures in order to abolish checks and re-install them temporarily, if necessary, at internal borders, at the airports, and at the river border crossing point.
  Facilitator: Ministry of the Interior, Ministry of Finance, Ministry of Transport and Communications
  Performance deadline: not later than 6 months prior the expected date of abolition of checks at internal borders according to the Schengen agreements

Crossing external borders (articles 3-8)

Related regulations:
SCH/Com-ex (94) 2 - 26.4.94 - Issuing uniform visas at the borders - VISAS
SCH/Com-ex (94) 16 rev - 21.11.94 - Acquisition of common entry and exit stamps - EXTERNAL BORDERS
(related SCH/Gem-Handb (93) 15, SCH/I-Front (94) 43)
SCH/Com-ex (94) 17 rev 4 - 22.12.94 - Introducing and applying the Schengen system in airports and aerodromes - AIRPORTS
SCH/Com-ex (94) 25 - 22.12.94 - Exchanges of statistical information on the issue of visas - VISAS
SCH/Com-ex (95) 21 - 20.12.95 - Swift exchange between the Schengen States of statistical and tangible data on possible malfunctions at the external borders - EXTERNAL BORDERS

SCH/Com-ex (98) 1 rev 2 - 21.04.98 - Report on the activities of the task force
SCH/Com-ex (98) 26 def. - 16.9.1998 - Setting up of the implementing Convention Standing Committee
SCH/Com-ex (98) 35 Rev 2 - 16.9.1998 - Forwarding the Common Manual to EU applicant States
SCH/Com-ex (98) 37 def. 2 - Action plan to combat illegal immigration
SCH/Com-ex (98) 58 Rev - 16.12.1998 - Report by the Standing Committee on the implementation of the implementing Convention by the Federal Republic of Germany
SCH/Com-ex (99) 7 Rev 2 - 28.4.1999 - Liaison officers
SCH/Com-ex (93) decl 6 - 14.12.93 - Cooperation measures between authorities responsible for border controls
SCH/Com-ex (94) decl 8 - 27.06.94 - External borders
SCH/Com-ex (97) decl 4 - 24.06.97 - Annual report on the situation at the external borders of the States already implementing the implementing Convention between 1 January and 31 December 1996
SCH/Com-ex (98) Decl 10 - 16.12.1998 - Schengen external border security viewed as a system of integrated security filters

Performance status:
Czech Republic shares state borders with Germany, Austria, Poland and Slovakia of the total length of 2,311,2 km. At the state borders with Poland, (782,6 km) there are 24 road border crossing points and 8 railroad border crossing points (out of which 3 for the cargo transport only). At the state border with Slovakia (251,8 km) there are 16 road border crossing points and 7 railroad border crossing points. At the state border with Austria (466,1 km) there are 22 road border crossing points and 4 railroad border crossing points. At the state border with Germany (810,7 km) there are 31 road border crossing points, 11 railroad border crossing points (out of which 1 for the cargo transport only) and 1 river border crossing point. All these border-crossing points are included in the programme aimed at equipping the external border control authorities to the level required by Schengen standards.

All persons crossing the external border via border crossing points are systematically checked. Random checks are carried out at tourist paths passing through the state border between the Czech Republic and Federal Republic of Germany (61paths) and Poland (25 paths). As far as the Federal Republic of Germany is concerned, the state borders may be crossed on tourist paths by the citizens of the Czech Republic, the citizens of the Federal Republic of Germany and the citizens of those third countries who are subject to visa requirement neither in the Czech Republic nor in any EU Member State under the conditions stipulated by the Agreement between the Government of the Czech Republic and the Government of the Federal Republic of Germany on Small Border Traffic on Tourist Paths and in Tourist Zones and on Crossing the State Borders in Special Cases of 3 November 1994. Under this Agreement the border zone is, in the sovereign territory of the Czech Republic, an area defined by a line in the distance of 25 km from the common state borders in the inland direction; if such a line cuts the territory of a municipality, the border zone includes the whole territory of the municipality. On the sovereign territory of the Federal Republic of Germany the border zone includes those land districts which abut on the common state borders as well as the cities with a local government of its own situated therein.

As far as Poland is concerned, the authorisation to cross the state borders through the tourist paths applies to the nationals of the Czech Republic, Poland, Austria, Belgium, Canada, Denmark, Estonia, Finland, France, Germany, the Great Britain, Greece, Hungary, Ireland, Island, Italy, Israel, Japan, Latvia, Lithuania, Luxembourg, the Netherlands, Norway, Portugal, Slovakia, Slovenia, Spain, Switzerland, USA. The conditions for such a crossing are set in the Agreement between the Government of the Czech Republic and the Government of the Republic of Poland on border crossing points, on Tourist Paths Cutting the State Borders and on the Principles of Crossing the State Borders Outside Border Crossing Points of 22 November 1996.

There is a small cross-border traffic with Poland (34 border crossing points). At small border traffic crossing points the state borders may be crossed by the citizens of the Czech Republic and the citizens of the Republic of Poland
under the conditions stipulated by the Agreement between the Czech Republic and the Republic of Poland on Small Border Traffic of 17 January 1995. The small border traffic zones under this Agreement are considered as the territories on both sides of the common state borders, each in the width of 15 km. If such a small border traffic zone cuts the territory of a municipality, the small border traffic zone includes also the remaining part of the municipality. The non-standard regime at the common border between the Czech Republic and Slovakia (based on bilateral agreements) allowing the free movement of citizens of both countries over the state borders poses certain difficulties. However, this question is being resolved by negotiations with the Slovak Republic in order to change the contents of the Agreement between the Governments of the Czech and Slovak Republics on abolition of visa requirement, and the Agreement between the Governments of the Czech and Slovak Republics on the change of the regime and cooperation at the common borders. These negotiations were initiated in May 2001 and they continue at various levels with the objective to standardise international legal relations. The Slovak side seems to share this objective. Penalties for unauthorised crossing of state borders by aliens are provided for by Section 119 subsection 1, letter b), item 7 (administrative expulsion from the temporary residence in the territory for up to 5 years) and Section 157 of Act No. 326/1999 Coll., on Residence of Aliens in the Territory of the Czech Republic as amended (crossing the state border outside a border crossing point is a transgression for which the police will impose a fine up to CZK 10,000 (EUR 292). Act on the Protection of the State Borders that is currently under preparation should provide for the definition and, with deferred effect, also the geographical location of the external border of the Czech Republic. The Act will also deal with unauthorised crossing of state borders; it will also apply to the Czech Republic nationals, including relevant penalties.

At Prague - Ruzyně international airport, with the current layout of the terminal, there are no conditions for the performance of checks according to the Schengen standards. In order to implement the requirements of the Executive Committee Decision SCI/Com-ex (94)17 rev 4 - 22. 12. 94, Introducing and Applying the Schengen System in Airports and Aerodromes, the Czech Republic asked in the Position Document for a transition period until 2005 for the international airport Prague – Ruzyně; during this period the airport will be accommodated to the requirements of the Decision. Based on Government’s Resolution No. 304 from 28 March 2001 and taking into consideration the opinions of the European Commission as well as the EU Member States regarding the timing of full application of this Decision, the Czech Republic has withdrawn the request for the above mentioned transitional period (see the basic part of the 5th Additional Information).

It will be essential to deal with the necessary operational-technological safety and constructional-technical requirements in order to separate persons upon arrival and departure and also to separate dispatching of Schengen and non-Schengen passengers. The related legislative measures shall be included in the amendment to Act No. 49/1997 Coll., on Civil Aviation, pursuant to Act on the Protection of the State Borders that is currently under preparation. The status of international airport will only be granted to airports adhering to the Schengen standards with regard to separated checks of persons travelling by internal flights and persons travelling by flights from other than Schengen Agreement Contracting Parties. At present, there are 14 public international airports in the Czech Republic: (Prague – Ruzyně, Ostrava – Mošnov, Brno – Tuřany, Karlovy Vary – Oslová vrata, Pardubice, Olomouc, Liberec, Klatovy, Hošín, České Budějovice, Kunovice, Uherské Hradiště, Holešov a Mnichovo Hradiště). Four of them are managed by the state enterprise Czech Airports Authority (Praha – Ruzyně, Ostrava – Mošnov, Brno – Tuřany, Karlovy Vary – Oslová vrata). The other airports are the property of aeroclubs and relevant licences are granted by the Ministry of Transport and Communications. Preparedness of the private international airports will be checked by the Ministry of Transport and Communications. In case any of the private airports does not fulfil its obligations, the Ministry of Transport and Communications will revise its international status. The Schengen standards will be introduced at all these airports by the date of the abolition of controls at international borders.

With the aim to fight the illegal migration at the international airport Prague – Ruzyně as far as the so-called "flights with the risk potential" are concerned, controls of the flight passengers are undertaken at the moment the passengers leave the aircraft. Such a control is aimed especially at finding out whether passengers are holders of required documents, including air transport visa.

The conditions for the entry of aliens to the territory of the Czech Republic and their stay that will not exceed 3 months are set by Act No. 326/1999 Coll., on the Residence of Aliens in the Territory of the Czech Republic and comply with the Schengen standards.

The possibility to refuse the entry of an alien to the territory of the Czech Republic for reasons of threatening the public order, safety or international relationships of the Contracting Parties shall be provided for by the amendment to Act on the Residence of Aliens in the Territory of the Czech Republic. Within the modernisation of the visa process it will be necessary to ensure access of the authorities carrying out the checks at border crossing points to the registration of visas issued. The plan is to make the electronic catalogue of travel documents of the relevant check-in points accessible as a precondition for co-operation within the FADO system.

At border crossing points, checks of persons upon arrival and departure are carried out at the required level and the methods comply with the uniform principles set in CISA. Checks of vehicles and goods at road border crossing points are carried out by the customs authorities, which also determine the scope and intensity of the checks. Staffing is still insufficient in the checks of international trains at railway border crossing points. Protection of the "green" border, frequency and density of the checks, staffing of the border police and the availability of technical equipment do not comply with the Schengen standards. The situation is expected to be improved after the line-
managed Alien and Border Police Service is established, i.e. as of 1 January 2002. In order to reinforce the performance of tasks related to the protection of state border, mobile search units of the Alien and Border Police were established within the Police of the Czech Republic – at the Administration of South-Moravian, North-Moravian, North-Bohemian and East-Bohemian regions. These units will also be established at the remaining regional administrations by the end of 2001. Basic tasks of the investigation departments include investigating criminal activities related to illegal crossing of the state borders, searching in border areas for persons who have crossed the state border illegally, operational reinforcement of the state border protection, and escorting expelled persons and aliens returned according to the re-admission agreements. Mobile search units will be incorporated to the structure of Regional Alien and Border Police Service Headquarters. These headquarters will be governed by the principle of line management as of 1 January 2002.

The co-operation in the area of border controls and state border protection with neighbouring countries is well functioning. This applies foremost for the co-operation with Germany’s border protection authorities, both at central level and the level of executive departments of the Alien and Border Police Service of the Czech Republic. After the ratification of the Agreement between the Czech Republic and the Federal Republic of Germany on co-operation of police authorities and the authorities operating along the frontline in the state border protection, signed on 19 September 2000 it will be possible to establish common service stations and perform extensive exchange of information. It is also expected that international agreements of similar scope will be concluded with Austria, Slovakia and Poland as well. Co-operation with border protection authorities of the Slovak Republic and Poland is facilitated mainly on the basis of border-commissioner activities at all levels of the organisational structure of the Alien and Border Police Service. The co-operation with both states can be evaluated as good. As far as the co-operation with border authorities of Austria is concerned, it is still insufficiently effective and in practice it is carried out only on regional level.

The officers of the Alien and Border Police are provided with basic police training at secondary police schools managed by the Ministry of the Interior. Departments of Alien and Border Police Service have an assigned time (once a month) for service professional preparation, shooting of police firearms and physical training. Selected officers study at the Czech Police Academy. Officers carrying out the border checking are sufficiently trained for the operation of search databases and, if necessary, they are allowed to receive further education, particularly in the form of short-term courses or internships both in the Czech Republic and abroad, and also under the PHARE programme.

**Tasks:**

**Legislative:**

- **Adopt Act on the Protection of the State Borders**  
  Facilitator: Ministry of the Interior  
  Performance deadline: not later than 1 January 2003

- **Amend Act No. 49/1997 Coll., on Civil Aviation.**  
  Facilitator: Ministry of Transport and Communications  
  Performance deadline: 1 January 2003

- **Amend Act No. 326/1999 Coll., on the Residence of Aliens in the Territory of the Czech Republic.**  
  Facilitator: Ministry of the Interior  
  Performance deadline: 1 January 2003, in force not later than as of the date of entry of the Accession Treaty into force

- **Conclude or, if applicable, amend bilateral agreements on cooperation of police authorities and agencies operating in the area of state border protection in the border areas with Poland, Slovakia and Austria.**  
  Facilitator: Ministry of the Interior  
  Performance deadline: continuously, also depending on the degree of preparedness of the other parties

- **Negotiate with the Slovak Republic the change of the non-standard regime at the border between the Czech Republic and Slovak Republic.**  
  Facilitator: Ministry of Foreign Affairs  
  Performance deadline: continuously, appropriate agreements in force not later than as of the date of entry of the Accession Treaty into force

**Non-legislative:**
• Develop infrastructure and adopt technical-organisational measures at specific airports.
Facilitator: Ministry of Transport and Communication
Performance deadline: not later than 30 June 2005
Financial requirements:

<table>
<thead>
<tr>
<th>Source of financing</th>
<th>2002</th>
<th>2003</th>
<th>2004</th>
<th>2005</th>
</tr>
</thead>
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<tr>
<td>Out of state budget</td>
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<td>1,000,000,000 CZK 29,248,318 EUR</td>
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</tr>
</tbody>
</table>

• Provide access of the authorities carrying out checks to the registry of visas granted.
Facilitator: Ministry of the Interior
Performance deadline: 1 January 2003
Financial requirements:

<table>
<thead>
<tr>
<th>Source of financing</th>
<th>2002</th>
<th>2003</th>
<th>2004</th>
<th>2005</th>
</tr>
</thead>
<tbody>
<tr>
<td>State budget</td>
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<td></td>
<td></td>
<td>500,000 CZK 14,624 EUR</td>
</tr>
</tbody>
</table>

• Make the electronic catalogue of documents accessible for specific offices of the Czech Police.
Facilitator: Ministry of the Interior
Performance deadline: 1 January 2003
Financial requirements:

<table>
<thead>
<tr>
<th>Source of financing</th>
<th>2002</th>
<th>2003</th>
<th>2004</th>
<th>2005</th>
</tr>
</thead>
<tbody>
<tr>
<td>State budget</td>
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<td>3,500,000 CZK 102,369 EUR</td>
<td>2,000,000 CZK 58,497 EUR</td>
<td>4,000,000 CZK 116,993 EUR</td>
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</tbody>
</table>

• Ensure sufficient staffing for carrying out checks of international trains at railway border crossing points.
Facilitator: Ministry of the Interior
Performance deadline: 1 January 2003

• Ensure protection of the "green" border, frequency and density of the checks, staffing of the border police and availability of their technical equipment according to the Schengen standards.
Facilitator: Ministry of the Interior
Performance deadline in order to secure the state borders of the Czech Republic: 1 January 2003, not later than as of the date of entry of the Accession Treaty into force respectively
Performance deadline in order to secure the external borders of the Schengen area: 30 June 2005,
Financial requirements:

<table>
<thead>
<tr>
<th>Source of financing</th>
<th>2002</th>
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<th>2004</th>
<th>2005</th>
</tr>
</thead>
<tbody>
<tr>
<td>State budget</td>
<td>70,000,000 CZK 2,047,382 EUR</td>
<td>70,000,000 CZK 2,047,382 EUR</td>
<td>78,000,000 CZK 2,281,369 EUR</td>
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</tr>
</tbody>
</table>

3. Visa policy (articles 9-27)
Short-stay visas (articles 9 - 17)

Related regulations:
SCH/Com-ex (93) 21 - 14.12.93 - Extending the uniform visa – VISAS
SCH/Com-ex (93) 24 - 14.12.93 - Common procedure for cancelling, rescinding or shortening the length of validity of the uniform visa - VISAS
SCH/Com-ex (94) 2 - 26.4.94 - Issuing uniform visas at the borders - VISAS
SCH/Com-ex (94) 15 rev - 21.11.94 - Introducing a computerised procedure for consulting the central authorities provided for in Article 17 (2) of the implementing Convention - VISAS
SCH/Com-ex (94) 25 - 22.12.94 - Exchanges of statistical information on the issue of visas - VISAS
SCH/Com-ex (95) PV 1 rev (Point No. 8) - Common visa policy - VISAS
SCH/Com-ex (96) 13 rev - 27.6.96 - Principles for issuing Schengen visas in accordance with Article 30 (1) (a) of the implementing Convention - VISAS
Regardless the fact that the implementation of certain Schengen provisions in the area of visa policy will only be possible after integration in the Schengen Information System, the goal of the Czech Republic is to harmonise the visa policy and procedures, wherever possible, as soon as of the date of accession to the European Union.

General requirements for visa issuing are governed by Act No. 326/1999 Coll., on the Residence of Aliens in the Territory of the Czech Republic, as amended, and Act No. 325/1999 Coll., on Asylum.

As for the Council Regulation (EC) No.539/2001 stipulating the list of the states whose nationals are required to be in possession of a visa when crossing the external borders, visa policy of the Czech Republic is fully harmonised with this list. Although the Czech Republic has visa-free agreements with some of these states, the agreements are limited, i.e., visa-free regime applies only to holders of diplomatic, business, official, or special passports. This approach is in accordance with the said Regulation, which allows the Member States to set exceptions from the visa requirements for the holders of such passports. In case of the states whose citizens are not subject to visa requirement, the visa policy of the Czech Republic is not fully compatible with the relevant Council Regulation.

It will be necessary to harmonise the visa policy of the Czech Republic with Annex II. of the Council Regulation (EC) No. 539/2001 stipulating the list of the states whose citizens are not subject to visa requirement.

In view of a considerable increase of asylum applicants from Romania and the situation in the field of illegal migration, the Government of the Czech Republic decided by its Resolution No. 845 of 29 August 2001, to suspend with effect from 1 October 2001, the implementation of the Agreement on visa-free travels for Romanian citizens with the exception of holders of diplomatic and service passports. Due to problems of technical nature, the Government of the Czech Republic decided by its Resolution No. 885 of 5 September 2001, to postpone the effect to 1 November 2001.

In accordance with the Schengen standards, the Czech Republic set down the list of third countries, whose nationals can stay in the transit area of the international airport in the Czech Republic only on the basis of the airport visa: Afghanistan, Bangladesh, Congo, Eritrea, Ethiopia, Ghana, Iran, Iraq, Nigeria, Pakistan, Somalia, Sri-Lanka, Syria.

In its efforts to approximate the Schengen visa, the Czech Republic has been issuing since 1995 a visa self-adhesive sticker that is based on a uniform specimen of a visa stipulated by the Council Regulation (EC) No. 1683/1995 on May 29, 1995. In order to improve the security of the Czech visa sticker at the level comparable with European standards and in order to secure a smooth transition to the EU specimen, innovation of the specimen of the Schengen-type visa and residence permit have been commenced. In the effort to achieve the maximum possible
compatibility and quality corresponding with the European security parameters, the specimen and the technical specifications have been consulted with the EU experts and approved by the Minister of the Interior. The innovated sticker will gradually be put into use, starting in 2002, including a new personification technology and software adaptations. Six months prior to the accession to the EU, the Czech Republic will be provided with confidential additional technological elements allowing full harmonisation with the EU visa sticker.

The uniform visa valid for the territory of the Schengen states will be issued after integration in the Schengen Information System and abolition of checks at internal borders. An innovated visa sticker will be used before entry of the Czech Republic to the EU. Full harmonisation of the visa sticker will be provided as of the date of accession to the EU.

Provisions related to the tourist and transit visas are governed by Act No. 326/1999 Coll., on the Residence of Aliens in the Territory of the Czech Republic. Visa issuing authorities are defined in the related provisions to the individual types of visa in Act No. 326/1999 Coll., on the Residence of Aliens in the Territory of the Czech Republic. There is an electronically supported system of visa issue (system of MVP-modernisation of the visa process) that is currently installed at 104 embassies of the Czech Republic abroad (out of 106). With the aim to unveil forged documents, all the embassies are equipped with personal documents reader machines, UV-lamps and magnifying glasses and there are intentions to introduce "Edison" system at selected embassies abroad. The "Edison" system is to contain databases of travel documents together with their forgery patterns. A project plan for presentation and introduction of the electronic form called "Application for Czech visa" on the Internet is under preparation. It will be necessary to complete the linkage between the authorities issuing the visas and the authorities carrying out the checks at border crossing points in the MVP system, and to ensure further development of MVP at the embassies, including gradual introduction of personification technology in connection with the transition to the visa sticker according to the EU specimen. In order to further improve communication infrastructure of MVP the installation of satellites and ISDN lines is being planed.

The validity period of a travel document, in which a visa is placed, is stipulated by Act No. 326/1999 Coll., on the Residence of Aliens in the Territory of the Czech Republic (Section 56 para 2 letter b), stipulating that the visa shall not be granted if the validity period of the travel document does not exceed the period of the stay by at least 90 days. There is no provision so far for requirements and methods of granting a visa to a travel document that is not valid for all Contracting Parties, or that is not recognised by one or more Contracting Parties. The missing legislation will be included in the amendment to the Act on the Residence of Aliens in the Territory of the Czech Republic that is currently under preparation. The requirements for visa issue are set forth in Section 56 para 1 based upon Section 9 para 1 letter k), l) of Act No. 326/1999 Coll., on the Residence of Aliens in the Territory of the Czech Republic, and are defined negatively – visa shall not be granted. There is no provision so far for issuing a uniform visa to an alien who does not comply with all requirements for entry, and for limitation of validity of such visa only for the territory of the respective contracting party. These provisions will also be incorporated into the amendment to the Act on the Residence of Aliens in the Territory of the Czech Republic that is currently under preparation.

The Czech Republic has a functioning system of examination of all visa applications. Within the modernisation of the visa process, the embassies perform electronic consultations of all visa applications with a central authority, which is the Ministry of the Interior, or, specifically, the Alien and Border Police Service Headquarters. There is still a need for a system of consultations of visa applications with central authorities of other Contracting Parties to be created. A project plan for a model VISION office is in preparation. The system of the VISION office will include the offices issuing visa in the Czech Republic via the Alien Information System. The Czech Republic will prepare a system of consultations of visa applications with central authorities of the Contracting Parties prior to the accession to the EU and will test it not later than from the date of the accession of the Czech Republic to the EU.

Tasks:

Legislative:

- Conclude visa-free agreements with the states listed in Annex II. to the Council Regulation (EC) No. 539/2001 stipulating the list of the states whose citizens are not subject to a visa requirement and that are still subject to a visa requirement by the Czech Republic.
Facilitator: Ministry of Foreign Affairs
Performance deadline: continuously, not later than as of date the Accession Treaty enters into force

Facilitator: Ministry of the Interior
Performance deadline: 1 January 2003, entry into force as of the date of abolition of checks at internal borders according to the Schengen agreements

Non-legislative:
- Ensure production and use of the innovated visa sticker for short-term stay according to the EU specimen and subsequent full harmonisation of the visa sticker for short-term stay with the EU visa sticker.
  Facilitator: Ministry of the Interior
  Performance deadline: 31 December 2001, or as of the date the Accession Treaty enters into force
  Financial requirements:

<table>
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<th>Source of financing</th>
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<td>175,490 EUR</td>
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- Complete building of electronically supported system of visa issue (MVP) in the territory of the Czech Republic and ensure its further development.
  Facilitator: Ministry of the Interior
  Performance deadline: 31 December 2001
  Financial requirements:

<table>
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<td>80,000,000 CZK</td>
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<td></td>
<td>292,483 EUR</td>
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<td>2,339,865 EUR</td>
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</table>

- Ensure further development of MVP at the embassies, including gradual introduction of personification technology in connection with the transition to the visa sticker according to the EU specimen.
  Facilitator: Ministry of Foreign Affairs
  Performance deadline: continuously
  Financial requirements:

<table>
<thead>
<tr>
<th>Source of financing</th>
<th>2002</th>
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<td>1,535,537 EUR</td>
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</table>

- Develop a system of consultations of visa applications with central authorities of the Contracting Parties (office of VISION ČR).
  Facilitator: Ministry of the Interior
  Performance deadline: not later than as of the date the Accession Treaty enters into force
  Financial requirements:

<table>
<thead>
<tr>
<th>Source of financing</th>
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<td>219,362 EUR</td>
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</tbody>
</table>

Long-stay visas (article 18)

Related regulations:
2000/751/EC Declassification of some parts of the Common Manual
Council Decree (EC) 539/2001 List of third countries whose nationals are subject to visa requirement for crossing external borders and countries whose nationals are exempted from the visa requirement
2001/1091/EU Free movement with long-term stay visa
2001/420/EU Modification of parts of the Common Consular Instructions and the Common Manual

Performance status:
The issue of visas for a long-term stay is governed by Act No. 326/1999 Coll., on the Residence of Aliens in the Territory of the Czech Republic. The preparation of the innovation of a long-term stay visa has started. The specimen and the technical specifications have been reviewed and approved by the Minister of the Interior. The objective is to introduce an innovated visa for a long-term stay as of 2002. Prior the accession to the EU, the Czech Republic will use the innovated visa for a long-term stay developed according to the EU specimen. As of the day of accession to the EU, the Czech Republic shall ensure full harmonisation of a long-term stay visa. A short-term stay in the territory based on a national visa of a Contracting Party for a long-term stay shall be governed by the amendment to Act on the Residence of Aliens in the Territory of the Czech Republic.
Tasks:

Legislative:

  Facilitator: Ministry of the Interior
  Performance deadline: 1 January 2003, in force as of the date of abolition of checks at internal borders according to the Schengen agreements

Non-legislative:

- Ensure production and use of the harmonised visa sticker for long-term residence.
  Facilitator: Ministry of the Interior
  Performance deadline: 31 December 2001
  Financial requirements: Financed together with the short-term stay visa sticker

- Ensure full harmonisation of the visa sticker for long-term residence.
  Facilitator: Ministry of the Interior
  Performance deadline: as of the date the Accession Treaty enters into force
  Financial requirements: Financed together with the short-term stay visa sticker

Terms and conditions governing the movement of aliens (articles 19 - 24)

Related regulations:
Council Regulation (EC) No 559/2001 of 15 march 2001 listing the third countries whose nationals must be in possession of visas when crossing the external borders and those whose nationals are exempt from that requirement
SCH/Com-ex (97) 34 rev. - 15.12.97 - Implementation of the Joint Action on a uniform format for residence permits - VISAS
SCH/Com-ex (97) 39 rev. - 15.12.97 - Guiding Principles for means of proof and indicative evidence within the framework of readmission agreements between Schengen States - READMISSION
SCH/Com-ex (98) 10 - 21.04.98 - Cooperation between the Contracting Parties in returning aliens by air - READMISSION
SCH/Com-ex (98) 18 Rev - 23.6.1998 - Measures to be taken in respect of countries posing problems with regard to the issue of documents required to remove their nationals from Schengen territory - READMISSION — VISAS
SCH/Com-ex (98) 24 - 23.6.1998 - Agreement on waiver of the visa requirement (Article 20 of the implementing Convention) - VISAS
SCH/Com-ex (96) decl 7 rev - 27.06.96 - Transfer and readmission policy between the Schengen States
SCH/Com-ex (97) decl 6 - 25.04.97 - Problems encountered in determining identity and obtaining travel documents to replace passports
SCH/Com-ex (97) decl. 14 Rev. – 15.12.97 – Measures towards Third States giving rise to readmission problems
SCH/Com-ex (98) Decl 8 - 16.12.1998 - Treatment of third-country nationals who do not satisfy the conditions for entry into or stay in the territory of a Schengen State
SCH/Com-ex (98) Decl 10 - 16.12.1998 - Schengen external border security viewed as a system of integrated security filters
2001/40/EC On mutual recognition of decisions on extradition of third countries’ nationals

Performance status:
Terms and conditions governing the movement of aliens are set in Act No. 326/1999 Coll., on the Residence of Aliens in the Territory of the Czech Republic. There is still no legislation related to the right of free movement in the territory of the Czech Republic for holders of the uniform visa and free movement of aliens who are not subject to a visa requirement in the territory of the Contracting Parties. This will be provided for by the amendment to Act on the Residence of Aliens in the Territory of the Czech Republic as of the date of abolition of checks at internal borders. It will be necessary to harmonise particularly bilateral treaties with Slovakia in order to change the contents of the Agreement between the Governments of the Czech and Slovak Republics on the abolition of visa requirements. These negotiations were initiated in May 2001 and continue on various levels. It will also be necessary to harmonise the visa-free agreements, including unilateral agreements, allowing stay for more than 90 days.
Free movement of aliens who are holders of a residence permit issued by a Contracting Party or who are holders of a temporary residence permit issued by a Contracting Party and of a travel document issued by the same Contracting Party is not governed by legislation yet. This will also include in the amendment to Act on the Residence of Aliens in the Territory of the Czech Republic as of the date the Czech Republic accedes to the EU.

The obligation to report the location of residence in the territory to the reporting authority (Police of the Czech Republic) is governed by Section 93 - 94 of Act No. 326/1999 Coll., on the Residence of Aliens in the Territory of the Czech Republic. In this connection, it will be necessary to develop an information subsystem for the registration of aliens who are subject to the obligation to report. This subsystem is included in the prepared Alien Information System.

The issue of expulsion of aliens who do not comply with the residence requirements is governed by Sections 119 and 121 of Act No. 326/1999 Coll., on the Residence of Aliens in the Territory of the Czech Republic. Aliens who were found to reside in the territory of the Czech Republic illegally and with whom expulsion procedure have been commenced or who are to be expelled (after having been returned particularly from Germany or Austria according to re-admission agreements) to the country of origin, are placed in detention centres. There are currently two detention centres in operation: Bělková with the capacity of 324 beds and Postorná (Břeclav region) with the capacity of 166 beds. There is a new detention centre in Frydek-Místek (capacity of 40 beds), which can be put into operation after having been properly staffed. It is expected that a similar facility will be put into operation in September 2001 in the municipality of Velké Pršlepy (Prague-West region) with the capacity of approximately 150 beds. A new detention centre in the municipality of Javorník nad Veličkou (Hodonín region) is currently under construction. According to Act No. 326/1999 Coll., on the Residence of Aliens in the Territory of the Czech Republic, it is possible to keep aliens in a detention centre up to 180 days.

The Czech Republic has concluded re-admission agreements with 11 countries (Austria, Poland, Romania, Hungary, Germany, Slovakia, Bulgaria, Canada, France, Slovenia, Croatia – however, the last three agreements have not entered into force yet). In principle, performance of these agreements is satisfactory. The objective of the Czech Republic is to continue with conclusion of similar agreements with other countries, in particular with those that represents the most risks of illegal migration. The Czech Republic has proposed these agreements to a number of countries, e.g., the Ukraine, Russian Federation, Yugoslavia, Macedonia, Moldavia, Iraq, Iran, China, Vietnam, Pakistan, Sri Lanka, India, Algeria, etc. Most of the aforesaid countries, however, do not respond to the proposals made, or they directly refuse to conclude such an agreement (e.g. Russian Federation). Regardless this fact, the Czech Republic shall continue in its efforts to conclude re-admission agreements with all these countries. To solve the problems with the transport to the distant or non-cooperating countries, the Czech Republic effectively co- operates with the International Organisation for Migration. Measures are taken vis-à-vis the foreign nationals who repeatedly cross the state borders illegally, especially those with the Federal Republic of Germany or Austria. These are detained and administratively expelled from the territory of the Czech Republic to the country of their origin. A new re-admission agreement with Slovakia is currently being prepared; this new re-admission agreement will better comply with European standards and existing requirements of re-admission procedures. Italy and the Benelux countries are interested in concluding the re-admission agreements as well.

The amendment to Act on the Residence of Aliens in the Territory of the Czech Republic will extend the scope of expelled aliens by persons who could potentially threaten public order and safety of the Contracting Parties. So far, there is no legislation governing mutual settlement of financial claims among the Contracting Parties in respect of expulsion, provided that the expulsion cannot be realised at the expense of the alien expelled. According to Section 123 of Act No. 326/1999 Coll., on the Residence of Aliens in the Territory of the Czech Republic, the Czech Republic primarily prefers payment of the costs related to expulsion from the deposit paid by the alien when applying for visa or from the money that the alien possesses.

Tasks:

Legislative:

  Facilitator: Ministry of the Interior
  Performance deadline: 1 January 2003, entry into force as of the date of abolition of checks at internal borders according to the Schengen agreements; entry into force of some measures being not later than as of the date the Accession Treaty enters into force

- Harmonise visa-free agreements in respect of stipulating a maximum period of 3 months during which aliens may freely move in the territory.
  Facilitator: Ministry of Foreign Affairs
  Performance deadline: 1 January 2003

- Re-negotiate the Agreement between the Governments of the Czech and Slovak Republics on abolition of the visa requirements.
• **Conclude a new re-admission agreement with Slovakia**
  Facilitator: Ministry of the Interior
  Performance deadline: continuously, also depending on the degree of preparedness of the other party.

• **Continue in negotiating re-admission agreements with countries – producers of illegal migration**
  Facilitator: Ministry of the Interior
  Performance deadline: continuously

**Non-legislative:**

• **Provide the EU Council with the lists of documents that are issued as residence permits, temporary residence permits, and travel documents.**
  Facilitator: Ministry of the Interior
  Performance deadline: 1 January 2003, not later than as of the date the Accession Treaty enters into force

• **Implement the project of the Alien Information System (AIS) and its information subsystem for registration of aliens who are subject to the obligation to report.**
  Facilitator: Ministry of the Interior
  Performance deadline: 1 January 2003
  Financial requirements:

<table>
<thead>
<tr>
<th>Source of financing</th>
<th>2002</th>
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</tbody>
</table>

**Residence permits and records on non-desired persons, other measures**

(Articles 25-27)

**Related regulations:**
- SCH/Com-ex (94) decl 8 – 27.06.94 – External borders
- SCH/Com-ex (98) Decl 10 - 16.12.1998 - Schengen external border security viewed as a system of integrated security filters
- 2000/C 269/06 Initiative of the French Republic in order to adopt the Council Directive concerning harmonization of monetary penalties imposed on carriers transporting to the territory of the member states third countries' nationals without documents necessary for admission
- Council Decree (EC) 539/2001 List of third countries whose nationals are subject to visa requirement for crossing external borders and countries whose nationals are exempted from the visa requirement
- 2001/420/EU Modification of parts of the Common Consular Instructions and the Common Manual
- 2001/51/EC Council Decree complementing the provisions of article 26 of the Convention implementing the Schengen agreement

**Performance status:**

The Police of the Czech Republic is the body currently issuing residence permits. It also operates an information system on aliens registered in the list of "personae non gratae". Because of the prepared transfer of the residence permit administration and related administrative activities from the Police to Ministry of the Interior and regional authorities, it has not been definitively decided about the body responsible for consultations with the SIS. It is expected that the above-mentioned consultations will be carried out via the SIRENE office. There is no legislation governing the possibility to cancel the residence permit of an alien registered in the SIS. It will be necessary to identify a body responsible for carrying out consultations with SIS as well as to introduce the legal possibility to cancel the residence permit of an alien registered in the SIS.
The obligation of a carrier to transport an alien back in case of refusal of entry to the territory is governed by Section 104 of Act No. 326/1999 Coll., on the Residence of Aliens in the Territory of the Czech Republic, and applies only to carriers providing passenger transport by air and water. Operators of transport service by international regular bus lines are prohibited to transport across a border an alien who does not have a travel document or a visa. Penalties imposed upon carriers in the event of breach are provided for by Section 156 of Act No. 326/1999 Coll., on the Residence of Aliens in the Territory of the Czech Republic. The penalties are imposed and collected by the Police and enforced by revenue authorities. There is no legislation in respect of the obligation of a carrier to bear the costs related to the stay of an alien until his/her transport back abroad. Penalties against persons who help aliens with illegal entries or stays are governed by Section 171a of Act No. 140/1960 Coll., Criminal Code.

Tasks:

Legislative:

  Facilitator: Ministry of the Interior
  Performance deadline: 1 January 2003, in force as of the date of abolition of checks at internal borders according to the Schengen agreements

4. Police cooperation (articles 39-47)

Related regulations:
SCH/Com-ex (98) 51 Rev 3 - 16.12.1998 - Cross-border police cooperation in the area of crime prevention and detection when requested
SCH/Com-ex (99) 6 - 28.4.1999 - Telecomms situation
SCH/Com-ex (99) 7 Rev 2 - 28.4.1999 - Liaison officers
SCH/Com-ex (99) 18 - 28.4.1999 - Improvement of police cooperation in preventing and detecting offences
SCH/Com-ex (95) decl 2 - 29.06.95 - Police cooperation
SCH/Com-ex (95) decl 3 - 20.12.95 - Cross-border police cooperation
SCH/Com-ex (97) decl 8 - 24.06.97 - Pilot project "routes used for the trafficking of stolen vehicles"
SCH/Com-ex (97) decl 9 - 24.06.97 - Pilot projects - "drug trafficking” and "illegal immigration"
SCH/Com-ex (98) Decl 10 - 16.12.1998 - Schengen external border security viewed as a system of integrated security filters
2000/S86/JA1 Council Decree on establishment of procedures for complementation of articles 40(4) a (5), 41(7) and 65(2) of the Convention implementing the Schengen agreement

Performance status:

The function of a central body authorised with international police co-operation is carried out by the Department of International Police Co-operation of the Czech Police Presidium (OMPS PP ČR).

The obligation of mutual assistance of the police authorities, if the request or its execution is not reserved to judicial bodies and no enforcement measures are required, is already carried out by the National Interpol Bureau of OMPS PP PČR in accordance with the directive of the Supreme Public Prosecutor’s Office of the Czech Republic No. 234/1994 as amended. Legislative grounds for this activity is provided by Act No. 283/1991, on the Police of the Czech Republic, as amended, and Act No. 141/1961 Coll., Criminal Proceedings Code, as amended. In the event of an emergency case, there is a functional direct contact between the relevant authorities.

The purpose of use of written information acquired via police during criminal proceedings in another country as an evidence must be decided and declared individually by judicial bodies of the Czech Republic. According to the practice, OMPS PP PČR includes in all its reports a closing formulation whether the information provided can be used for police purposes only or also for the purposes of court proceedings.

An agreement between the Czech Republic and the Federal Republic of Germany on the co-operation of police authorities and authorities operating along the frontline in the state border protection was signed on 19 September 2000; the Agreement has not entered into force yet. It is expected that international agreements of similar nature will be concluded with Austria, Slovakia and Poland. These agreements are to govern the cross-border co-operation including co-operation at joint offices, joint forms of deployment and pursuit and support from the other contracting party's officials. These agreements, meeting the Schengen requirements in the area of police co-operation, are - according to Czech legislation - considered as president-type agreements (necessity of an approval by the Parliament and ratification by the President).
Agreements on co-operation in combating criminal activities and on protection of public order with Austria and a similar agreement with Slovakia are being prepared.

Conditions for the performance of cross-border surveillance, i.e., possibility of a member of a foreign security force to perform in the territory of the Czech Republic the tasks and obligations of a police officer in the extent stipulated by an international agreement and authorisation of a Czech Police officer to operate outside the territory of the Czech Republic, are already set in Act No. 283/1991 Coll. on the Police of the Czech Republic, as amended (Sections 48b, 48c) and Act No. 186/1992 Coll., on the Service Status of Members of Security Forces, as amended. The approval to perform cross-border surveillance in the territory of the Czech Republic can also be granted, according to the law, by the Police President or a person authorised by him (Section 48b of Act on the Police of the Czech Republic).

An internal instruction to govern in detail the issue of cross-border surveillance by the Czech Police and the related organisational-technical and personnel measures, is being prepared within the Police of the Czech Republic. Cross-border surveillance under standard conditions and with special justification in the event of surveillance for urgent reasons, i.e. without prior consent of the other country, requires proper and thorough training of the personnel. One of the secondary police schools has already been contacted in this matter; this school, after consulting the Department of Special Activities of the Criminal Office, shall prepare and submit a proposal of a training programme for operative documentation personnel training in respect of cross-border surveillance for comments.

The performance of hot pursuit, i.e., the possibility that a member of a foreign security force may exercise the authority and fulfil obligations of a police officer to the extent stipulated by an international agreement in the territory of the Czech Republic and a Czech police officer may operate outside the territory of the Czech Republic, as well as cross-border surveillance are already possible according to Act No. 283/1991 Coll., on the Police of the Czech Republic, as amended (Sections 48b, 48c) and Act No. 186/1992 Coll., on the Service Status of Members of Security Forces, as amended.

It is necessary to consider the possibility of an exceptional detention of a person by relevant local authorities and also the requirement for adherence to the six-hour period for release of a detained person.

The newly prepared agreements on the co-operation combating criminal activities and on public order protection with neighbouring states (Austria, Slovakia) as well as the Agreement between the Czech Republic and Germany on the Additional Protocol to the European Convention on Mutual Assistance in Criminal Matters dated April 20, 1959 and on simplification of the use thereof include the concept of hot pursuit and set out the conditions for implementation thereof. Provision defining the procedures of hot pursuit are intended to be negotiated and included – vis-à-vis the individual neighbouring states and on principle of reciprocity – to bilateral agreements.

An internal instruction, having a status of a binding instruction of the Police President, is being prepared within the Police; it will govern in detail the issue of hot pursuit by the Czech Police and related organisational-technical and personnel measures. The relevant authority, like in the case of cross-border surveillance, is supposed to be OMPS PP CR (information channel). According to Section 1 para 2 and Section 48c of the Act on the Police of the Czech Republic, any Czech policeman may be involved in this activity. The binding instruction that is currently under preparation shall define the specific responsibilities of policemen. It also seems useful to consider the relation to Section 12 of the Criminal Proceedings Code and possibility of involvement of custom officers into the activities related with hot pursuit and cross border surveillance. In the area of organisational-technical measures for the establishment of the procedure of making a contact with the relevant body of a contracting party it is useful to designate OMPS PP CR as the relevant authority.

In relation to the possibility of detention of the pursued person it may be stated that specification of the conditions of extradition detention, the possibility of an urgent decision on detention and on extradition custody is included in the Criminal Proceedings Code. Nevertheless, amendment to the Criminal Procedure Code is needed for the implementation of the six-hour period (see Section 379 par. 4 of the Criminal Procedure Code as amended).

It is necessary to solve the question of time and space limits for the cross-border surveillance and hot pursuit in relation to countries, bilateral agreement will not be concluded with. The Czech Republic prefers, similarly as stated in the Agreement between the Czech Republic and Germany dated 2 February 2000, not to set any limits in this respect.

The status of a foreign policeman operating in the territory of the Czech Republic is nationally covered by the Act on the Police of the Czech Republic. The compensation for damages caused by the performance of the cross-border surveillance and hot pursuit by foreign policemen is governed by the Act on the Police of the Czech Republic and the Act on the Service Status of Members of Security Forces.

Czech Republic shall introduce, particularly in border areas, telephone, radio, telex, and other direct connections in order to make easier the police and customs co-operation; for this purpose analysis of the current situation at the individual border crossing points is being carried out.

The Ministry of the Interior’s telecommunication network will consist only of the equipment approved by the Czech Telecommunication Office, such approach will enable to link the network with other equipment compatible with international standards via interfaces. In the case of the introducing the PEGAS radio telecommunication system
based on the TETRAPOL technology, the supply includes interface enabling co-operation with units (e.g., at the border) equipped with a system based on the TETRA technology.

The compliance with the aliens’ obligation to report on the stay is as regards the territory of the Czech Republic governed by Chapter VII of Act No. 326/1999 Coll., on the Residence of Aliens in the Territory of the Czech Republic. An alien is required, when reporting the residence in the territory, to provide the Police – by filling in a report form – with first name, family name, day/month/year of birth, citizenship, permanent residence abroad, travel document number and visa number, if a visa is issued, expected length of stay, purpose of stay, and the motor vehicle license plate. The obligation to report is fulfilled by the operator of the accommodation facility where the respective aliens stay. The operator of the accommodation facility is required to inform the Police of the alien’s accommodation the working day following the alien’s arrival, either by submission of a report card, which is a copy of the record in the registration book, or by means of technical data and telecommunication transmission thereof. Registration book is a document in which the operator of an accommodation facility records data in the extent of the report form, it must be kept in a hardcopy, not digital form, and must be kept for six years after the last record. The law also stipulates the obligation of an alien to submit upon request of the operator of an accommodation facility his/her travel document or a residence permit.

It is still necessary to add to the existing legislation the obligation of an alien to sign the report form in the accommodation facility and change the existing option of the operator of an accommodation facility to require a valid identification travel document to an obligation of the operator of an accommodation facility to require this document. There should be an exception from these obligations applicable for co-travelling spouses, underage persons and members of touristic groups.

The so-called spontaneous exchange of information in the area of police co-operation is already carried out through NUI Prague, and in future it will be possible to use the SIRENE ČR office for these purposes. The main purpose lies in the exchange of information during expected extremism actions, visits of important politicians, etc. This area is legally covered by Act No. 283/1991 Coll., on the Police of the Czech Republic, as amended (Section 42k para 1 letter c) which allows for provision of personal data for elimination of immediate serious threats to safety of people or the public order). OMPS PP ČR (NUI Prague) is the central body responsible for the exchange of information according to the current practice.

The legislation does not prevent, while keeping the same conditions, exchange of information directly among police bodies, provided that the central body (OMPS PP ČR) is always informed of this exchange of information.

The concept of liaison officers sent out in order to support the exchange of information within the preventive and repressive combat against crime, to support the police and judicial legal assistance in criminal matters, to support the authorities at the external border, and other activities shall be taken into account in the preparation of future bilateral agreements, e.g. with Slovakia or Belgium. In general, the concept of the liaison officer shall be provided for in the international agreements depending on the needs and capabilities of the Czech Police and the interest of the other contracting party. Currently there is an agreement between the Ministry of Foreign Affairs and the Ministry of the Interior of the Czech Republic on posting liaison officers to the embassies abroad. Additionally, the conclusion bilateral agreements on police co-operation include, where appropriate, provisions on the possibility to send out liaison officers, e.g., the draft agreement on police co-operation with Austria.

The concept of a liaison officer representing the interests of several Contracting Parties in third countries can be incorporated, if relevant, in the international agreements concluded.

The choice, preparation and posting liaison officers lies with the authority of the Department of International Police Co-operation of the Police Presidium of the Czech Republic according to the Instruction of the Minister of the Interior No. 83/1999. OMPS PP ČR provides organisation of the pre-mission preparation of the policemen nominated, methodological management, co-ordination and control of the activities of the policemen during their service abroad in accordance with the binding Instruction of the Police President No. 106/2000 dated 4 July 2000. The first liaison officer was sent to Bratislava in September 2000, another liaison officer will be sent to Moscow in September 2001, negotiations are being held in respect of sending a liaison officer to The Hague (at the half 2002).

With regard to the need to adopt organisational-technical and personnel measures for the preparation and posting liaison officers, an office was established within OMPS; its task includes the pre-mission training of liaison officers including provision of materials, and provision of funds for their operation abroad and subsequent co-ordination of their activities. The costs of the dispatch and the first year of work of one liaison officer are approximately 3.130.000 CZK (91.547 EUR).

Tasks:

Legislative:
Perform consultations on conclusion of new bilateral agreements on police co-operation with the neighbouring states
Facilitator: Ministry of the Interior
Performance deadline: continuously, also depending on the degree of preparedness of the other party

Amend the Criminal Proceedings Code for implementation of six-hour period according to article 41 paragraph 6 of the Convention implementing the Schengen Agreement.
Facilitator: Ministry of Justice
Performance deadline: 1 January 2003

Amend Act No. 326/1999 Coll., on the Residence of Aliens in the Territory of the Czech Republic, in connection with article 45 CISA.
Facilitator: Ministry of the Interior
Performance deadline: 1 January 2003

Non-legislative:

In co-operation with the neighbouring countries ensure direct telephone, radio and telex connection necessary for the bilateral co-operation.
Facilitator: Ministry of the Interior, Ministry of Finance (MF)
Performance deadline: 1 January 2003
Financial requirements:

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Provide training and pre-mission training of the policemen and liaison officers
Facilitator: Ministry of the Interior
Performance deadline: prior 31 December 2001
Financial requirements:

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</table>
5. **Judicial co-operation (Articles 48 - 69)**

**Mutual assistance in criminal matters (Articles 48-53)**

**Related regulations:**
SCH/Com-ex (93) 14 – 14.12.93 - Improving practical co-operation between the judicial authorities to combating drug trafficking – DRUGS – JUDICIAL COOPERATION
SCH/Com-ex (94) dec. 13 rev 2 – 22.12.94 – Legal documents that can be transmitted directly by post

**Performance status:**

The Czech Republic has joined and applies the European Convention on Mutual Assistance in Criminal Matters of April 20, 1959. The Convention was published in the Collection of Laws under No. 550/1992. A supplementary agreement to the European Convention on Mutual Assistance in Criminal Matters has been concluded with Austria; a supplementary agreement is right before ratification with Germany and is at the stage of negotiations with Poland and Slovakia. The above agreements are in concord with the Schengen agreements.

**Chapter XXV of the Criminal Proceedings Code** (Section 384 – letters rogatory) shall be applied in proceedings relating to the deferral of delivery or suspension of enforcement of a sentence or a preventive measure, to conditional release or to a stay or interruption of enforcement of a sentence or a preventive measure and to the service of the judicial documents relating to the enforcement of a sentence or a preventive measure, the imposition of a fine or the payment of costs for proceedings. The extension of mutual assistance to clemency proceedings is governed by **Chapter XXIII of the Czech Criminal Proceedings Code**.

The procedure relating to compensation for unlawful criminal charges or sentences is governed by **Act No. 82/1998 Coll.**, on the Liability for Damage Caused within the Performance of Public Power by Making a Wrong Decision or Choosing a Wrong Procedure.

Cases of proceedings brought by administrative authorities in respect of acts which are punishable under the national law of one of the two countries, or of both, by virtue of being infringements of the rules of law, and when the decision may give rise to proceedings before a court having jurisdiction in particular in criminal matters will need to be reflected in the new Administration Rules the preparation of which is in progress. Such cases may be considered as an administrative delict in both countries; in some cases the **Act on International Private and Procedural Law (Act No. 97/1963 Coll.)** shall apply.

The Czech Republic meets the obligation of mutual legal assistance in specified cases of breach of the customs and taxation law as a party to the 2nd **Additional Protocol to the European Convention on Mutual Assistance in Criminal Matters**. In cases of customs criminal offences Chapter XXV (section 384 – letters rogatory) of the Criminal Proceedings Code shall apply; new Act on Administration Rules will apply for cases of administrative delicts in both countries.

The Czech Republic accepts the requirement regarding the prohibition of providing information received from the requested party and the use thereof for other purposes without the party’s prior consent. (The consent shall be considered by the body that provided the information).

The prohibition to make the letters rogatory for search or seizure dependant on conditions, except for cases set out by CISA, is governed by Article 5 of the European Convention on Mutual Assistance in Criminal Matters. The Convention is binding for the Czech Republic and the requirement is therefore routinely met.

The Czech Republic allows for official documents to be routinely delivered directly by post pursuant to the European Convention on Mutual Assistance in Criminal Matters (Article 7, par. 1). The same applies for legal measures relating to summons for experts and witnesses (Article 8 of the European Convention on Mutual Assistance in Criminal Matters) and the possibility to continue delivering official documents through judicial institutions in cases where the recipient’s address is unknown or where the respective party requires official delivery (Article 15, par. 2 of the European Convention on Mutual Assistance in Criminal Matters). The obligation to translate an official document to the language of the contracting party in whose territory the recipient is based is governed by the **Instruction of the Ministry of Justice on judicial procedures in communication with foreign entities**.

Requests for mutual assistance pursuant to Article 52, par. 4 will be processed either by administrative authorities according to the new Act on Administrative Rules or, during the trial stage, by judicial institutions pursuant to the Act No. 97/1963 Coll., On International Private and Procedural Law, as amended.

The Ministry of Justice shall put together a list of official documents that may be sent by post in accordance with Article 52 of CISA.
The Czech Republic allows for requests for assistance to be handed over directly among the respective judicial bodies pursuant to Article 15, par. 2 of the European Convention on Mutual Assistance in Criminal Matters; it is also possible to deliver requests for legal assistance through the respective Ministries of Justice and national Interpol head offices (Article 15, par. 2 of the European Convention on Mutual Assistance in Criminal Matters).

The Czech Republic has accepted the obligation to deliver requests for assistance exclusively through the Ministry of Justice in specified cases based on Article 11, par. 2 of the European Convention on Mutual Assistance in Criminal Matters.

Tasks:

Non-legislative:

- Put together a list of official documents that may be delivered by post in accordance with Article 52 of CISA.
  Facilitator: Ministry of Justice
  Performance deadline: not later than 1 January 2003

Application of the ne bis in idem principle (Articles 54-58)

Performance status:

The ne bis in idem principle, pursuant to which a person lawfully convicted by one party must not be prosecuted by the other party for the same criminal offence, under the conditions of Article 54 of CISA, is stipulated by the Czech Republic’s Criminal Proceedings Code (Section 11, letter ch), the European Convention on Extradition (Art. 9) and the Additional Protocol to the Convention on Extradition (Art. 2).

The Czech Republic (Ministry of Justice) shall decide whether it will restrict the application of the ne bis in idem principle in cases of criminal offences specified by Article 55 of CISA. If the country decides to apply an exception for criminal offences against the state security or other comparably important interests that are subject to judgements delivered abroad, the Czech Ministry of Justice will formulate a declaration on such exception and will identify the (category of) criminal offences to which the exception can apply.

The Czech Republic meets the obligation of subtracting the entire period of imprisonment served in the territory of another contracting party from the punishment imposed upon the person on which the other contracting party delivered a judgement for the same criminal offences by applying Section 22 of the Criminal Code.

Requests for information on accused persons to be provided by relevant bodies of the contracting party in whose territory a judgement has probably been delivered already are routinely applied pursuant to Article 13 of the European Convention on Extradition and Article 6 of the Convention on the Transfer of Sentenced Persons.

The procedure is governed by the Instruction of the Ministry of Justice on the court procedures in communication with foreign entities. The current practice meets the obligation to hand over the information in the shortest possible time. The bodies entitled to request and receive the above information shall be selected by the Ministry of Justice.

Tasks:

Non-legislative:

- Decide whether the ne bis in idem principle will be restricted pursuant to Article 55 of CISA or kept unchanged in full extent.
  Facilitator: Ministry of Justice
  Performance deadline: not later than 1 January 2003

- Should the Czech Republic make use of the exceptions, it is necessary to make a declaration and, for Article 55, par. 1 b), identify the (category of the) criminal offences.
  Facilitator: Ministry of Justice
  Performance deadline: not later than 1 January 2003
Extradition (Articles 59-66)

Related regulations:

SCH/Com-ex (96) decl 1 - 21.02.96 - Terrorism
SCH/Com-ex (96) decl 6 rev 2 - 26.06.96 - Declaration on extradition
2000/386/JHA Council Decision establishing a procedure for amending Articles 40(4) and (5), 41(7) and 65(2) of the Convention implementing the Schengen Agreement.
2001/C 195/13 proposal for the Council decision concerning extradition

Performance status:

The Czech Republic is a party to the European Convention on Extradition (No. 549/1992 Coll.).

Issues associated with the interruption of limitation of actions are governed by the Criminal Code (Sections 67,67a,68,68a). Chapter XXIII of the Criminal Proceedings Code (Sections 366 – 370) specifies conditions for the granting of amnesty. By applying the European Convention on Extradition, the Czech Republic complies with the obligation of extraditing a person even in the absence of a charge or an official notice authorising the proceedings if such notice is not necessary under the law of the requesting party.

The Czech Republic meets the commitment of mutual extradition of persons prosecuted by courts of the requesting party in connection with criminal offences specified by Article 50, par. 1 (criminal offences regarding excise duties, value added tax, customs duties) as a party to the Second Additional Protocol to the European Convention on Extradition (No. 30/1997 Coll.).

The Czech Republic agrees that an alert entered into the Schengen information system in accordance with Article 95 (request for arrest for the purpose of extradition) shall have the same force as a request for provisional arrest under Article 16 of the European Convention on Extradition and is aware of the consequences associated with the provision.

The exchange of requests for the extradition of persons among the respective ministries (ministries of justice) of the Czech Republic and Schengen countries is performed routinely pursuant to Article 12 of the European Convention on Extradition.

An extradition of a person to the other contracting party in a special manner replacing the formal extradition procedure under the provisions provided for by the Convention Implementing the Schengen Agreement, including the impossibility of the extradited person’s withdrawal of earlier consent with such a special procedure, is fully stipulated by Act No. 141/1961 Coll., Criminal Proceedings Code, in Section 382a, par. 1 and 2 (shortened extradition procedure).

There are no legislative or non-legislative tasks the Czech Republic should fulfil with regard to this part.

Transfer of the Enforcement of Criminal Judgements (Articles 67-69)

Performance status:

The provisions of the Convention Implementing the Schengen Agreement regarding the transfer of the enforcement of criminal judgements are to supplement stipulations of the Council of Europe Convention on the Transfer of Sentenced Persons. The Czech Republic is a party to that Convention which became valid for the Czech Republic on August 1, 1992 (No. 553/1992 Coll.).

Pursuant to the amendment to the Criminal Proceedings Code (Act No. 265/2001 Coll. – Section 284 g) that will enter into force on 1 January 2002, the Czech judicial institutions may satisfy a contracting party’s request for the transfer of the enforcement of a sentence or protective measure imposed upon a citizen of the contracting country who fled the country and thus avoided the enforcement thereof. Pursuant to the amended Criminal Proceedings Code (Section 384c), the requested party may detain the convicted person or take other actions to secure his/her presence in the country until it receives official documents justifying the request for the transfer of the enforcement.

In accordance with CISA, the amended Criminal Proceedings Code (Section 384g) does not require the convicted person’s consent with the transfer of the enforcement of a sentence or protective measure.

There are no legislative and/or non-legislative tasks the Czech Republic should fulfil with regard to this part.

6. Narcotic drugs and psychotropic substances (Articles 70 - 76)
Related regulations:
SCH/Com-ex (93) 9 – 14.12.93 – Confirmation of the declarations by the Ministers and Secretaries of State on drugs and psychotropic substances – DRUGS – JUDICIAL COOPERATION
SCH/Com-ex (93) 14 – 14.12.93 - Improving practical cooperation between the judicial authorities to combat drug trafficking – DRUGS – JUDICIAL COOPERATION
SCH/Com-ex (94) 28 rev - 22.12.94 - Certificate provided for in Article 75 for the transportation of drugs and/or psychotropic substances - DRUGS
SCH/Com-ex (99) 1 Rev 2 - 28.4.1999 - Drugs situation
SCH/Com-ex (99) 8 Rev 2 - 28.4.1999 - Payments to informers
SCH/Com-ex (93) decl 13 – 14.12.93 – Guide aimed at facilitating international mutual assistance in combating drug trafficking
SCH/Com-ex (96) decl 2 rev - 18.04.96 - The approach to the problem of drug tourism and illicit drug flows
SCH/Com-ex (99) Decl 3 - 28.4.1999 - Report on Schengen external border control in the drugs sector

Performance status:

The Czech Republic is prepared to become a member of a standing team (police – customs) dealing with criminal activity relating to narcotic drugs. The co-operation of ministries involved in the area of narcotic drugs and psychotropic substances is co-ordinated by the National Drug Commission.

The sanctions for direct and indirect trafficking in narcotic drugs and psychotropic substances are regulated by Act No. 140/1961 Coll., Criminal Proceedings Code, as amended, and by Act on Addictive Substances (Act No. 167/1998). The National Drug Headquarters were established by the Minister of the Interior’s Decree No. 3/2001 and the Police President’s Instruction No. 69/2001, the purpose being to combat illegal trafficking in narcotic drugs and psychotropic substances. The Czech Republic will make every effort to adopt measures necessary to prevent and combat illegal trafficking in narcotic drugs and psychotropic substances.

Czech law allows for confiscation of proceeds from illegal trafficking in narcotic drugs and psychotropic substances. This particular area is covered, on the national level, by Criminal Code provisions relating to forfeiture and confiscation of assets. Section 384, para 2 of the Criminal Proceedings Code, allowing for confiscation of assets or a part thereof under conditions set by an international agreement in the event of an application therefor submitted by a foreign country, shall apply to international co-operation in this sphere.

The Czech Republic has adopted the concept of controlled delivery into its legislation by amending the Criminal Proceedings Code – Act No. 265/2001 Coll. that will enter into force as of 1 January 2002 (Section 87b – controlled delivery). The new measure is already in practical use. Pursuant to the amendment to the Criminal Proceedings Code, monitoring of a delivery is approved by a public prosecutor; if the issue is urgent, police can commence monitoring themselves but have to inform the public prosecutor without undue delay. The authority responsible for the management of operations and the performance of actions taken in the country is the National Drug Headquarters; organisational and technical actions are taken pursuant to the binding Instruction No. 69/2001 issued by the Police President.

The transfer of checks of legally sold narcotic and psychotropic substances from the border to the whole territory of the CR is already in progress.

The conditions for the transport of narcotic and psychotropic substances for travellers using them for therapeutic purposes are generally stipulated by Act on Addictive Substances (Act No. 167/1998 Coll.) and, in detail, by the Ministry of Health’s Instruction for travellers from and to foreign countries (No. 8, operational and in force since July 2001).

Mutual exchange of information among countries regarding measures adopted to control legal sales of narcotic and psychotropic substances is governed by the Act on Addictive Substances (Act No. 167/1998 Coll.) and Decree No. 304/1998 Coll.

Tasks:

Non-legislative:

- Put together a plan to combat illegal trafficking in narcotic and psychotropic substances in accordance with the Government’s anti-drug policy.
Facilitator: Ministry of the Interior
Performance deadline: 31 December 2001
Financial requirements:

<table>
<thead>
<tr>
<th>Source of financing</th>
<th>2002</th>
<th>2003</th>
<th>2004</th>
<th>2005</th>
</tr>
</thead>
<tbody>
<tr>
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<td>13,500,000 CZK</td>
<td>13,500,000 CZK</td>
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<tr>
<td></td>
<td>277,420 EUR</td>
<td>336,356 EUR</td>
<td>394,852 EUR</td>
<td>394,852 EUR</td>
</tr>
</tbody>
</table>

7. Firearms and ammunition (Articles 82 and 91)

Articles 77, 78, 79, 80, 81, 83, 84, 85, 86, 87, 88, 89, 90 have been removed from the Convention Implementing the Schengen Agreement and replaced by the EC Directive No 91/477/EEC of June 18, 1991 on controlled acquisition and possession.

Performance status:

The list of weapons that are not in the category of prohibited firearms, firearms that can only be bought based on a licence, and weapons that are subject to the registration obligation is a part of the draft Act on Arms and Ammunition that harmonises the terminology and categories of weapons with the EU. Having been passed by the Government, the draft was submitted to the Chamber of Deputies of the Parliament of the Czech Republic as fully compatible with the acquis. On 27 June 2001 the Chamber of Deputies refused the Government’s draft. A new draft was submitted to the Government by 31 August 2001.

The draft Act on Arms and Ammunition provides for the integration in the information system monitoring the traffic of weapons both within and outside the Schengen area. A special department of the Czech Police Presidium is the national-level institution responsible for the exchange of information on weapons and ammunition pursuant to the European Convention on the Control of the Acquisition and Possession of Firearms by Individuals.

An information system registering weapons and their holders including data relating to firearm licences and authorisations, firearm certificates, firearms and firearm holders is under development.

Tasks:

Legislative:

- Adopt the Act on Arms and Ammunition
  Facilitator: Ministry of the Interior
  Performance deadline: 1 January 2003

Non-legislative:

- Put the information system registering firearms and their holders into full operation
  Facilitator: Ministry of the Interior
  Performance deadline: not later than 1 January 2003
  Financial requirements:

<table>
<thead>
<tr>
<th>Source of financing</th>
<th>2002</th>
<th>2003</th>
<th>2004</th>
<th>2005</th>
</tr>
</thead>
<tbody>
<tr>
<td>State budget</td>
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<td>150,000 CZK</td>
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<td>32,173 EUR</td>
<td>14,624 EUR</td>
<td>4,387 EUR</td>
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</tr>
</tbody>
</table>
8. Schengen Information System (Articles 92 - 125)

Establishment, operation and utilisation of SIS (Articles 92-101)

Related regulations:
SCH/Com-ex (97) 2 rev 2 - 25.04.97 - Awarding the tender for the SIS II preliminary study - SIS
SCH/Com-ex (97) 19 - 7.10.97 - C.SIS operating budget for 1998 - BUDGET - SIS
SCH/Com-ex (97) 24 - 7.10.97 - Future of the SIS - SIS
SCH/Com-ex (97) 35 - 15.12.97 - Amendment to the C.SIS Financial Regulations - SIS
SCH/Com-ex (97) 38 Rev. - 15.12.97 - Financial Regulations for the Management Unit - SIS
SCH/Com-ex (98) 2 - 21.04.98 - SIS I+ project - BUDGET - SIS
SCH/Com-ex (98) 11 - 21.04.98 - C.SIS with 15/18 connections - SIS
SCH/Com-ex (98) 17 - 23.6.1998 - Confidential nature of certain documents
SCH/Com-ex (98) 29 Rev - 23.6.1998 - Catch-all clause to cover the whole technical Schengen acquis
SCH/Com-ex (98) 50 - 16.12.1998 - Budget (installation and operations) for the C.SIS for 1997
SCH/Com-ex (99) 4 - 28.4.1999 - C.SIS installation costs
SCH/Com-ex (96) decl 5 - 18.04.96 - Definition of the concept of an alien
SCH/Com-ex (97) decl. 11 – 7.10.97 - List of authorities entitled to access the SIS in Italy, Austria and Greece
SCH/Com-ex (97) decl. 13 Rev. 2 - 21.04.98 – Abduction of minors
SCH/Com-ex (98) Decl 7 – 16.12.1998 – List of the authorities pursuant to Article 101 of the implementing Convention
SCH/C (95) 122 Rev 5 - 23.2.1998 - Amendment to the financial rules for phase II of the SIRENE network
2000/265/EC SISNET funding
2000/664/EC Supplements 2000/265/EC Institution of financial directive relating to the installation and operation of SISNET
List of institutions having authorised direct access to documents SIS 6600/00 SIS 26 COMIX 232
5002/00 SIS 2 COMIX 2
2001/C 183/07 Draft Council Decree on the development of SIS II
2001/C 183/08 Draft Council Decree on the development of SIS II

Performance status:
The Czech Republic gradually develops technical and administrative structures necessary for the connection to SIS. The responsibility for the development of N.SIS and for the information systems of the Police of the Czech Republic lies with the Department of System Management and IT of the Czech Police Presidium, which, through an Inter-Ministerial expert team, co-ordinates the preparation of other ministries. It is expected to hire ten new employees in 2002 for the preparation and development of N.SIS and 5 employees in 2003 for system support and administration of N.SIS and support of the Sirene office.

The responsibility for the development of the Sirene office in accordance with Article 108 of CISA lies with the Department of International Police Co-operation of the Czech Police Presidium in whose structure the office is placed together with Interpol and Europol. The foundations of a functional solution and a scenario for the establishment of the Sirene office were developed in April 2000 within the Phare 1999 twinning project called "Preparation for Practical Implementation of Schengen Agreements". The project included training of multipliers from relevant departments of the Czech Police, as well as from the Ministry of Justice, the Office of Supreme Public Prosecutor and General Customs Directorate, i. e. institutions that will be involved in the Schengen co-operation through the Sirene office.

The concept for the Sirene office is under development. It is based on the principle that the office will be staffed exclusively with full-time Police Presidium employees. The schemes of logical procedures and links for communication with the co-operating agencies that will serve as a base for Inter-Ministerial agreements are under development as well. In order to ensure effective co-ordination, technical and personnel preconditions will be set up. The Sirene group has currently 7 employees responsible for the development of the office. The selection of further employees is already in progress and it is based on criteria put together in co-operation with the pre-accession adviser within the Phare 1999 project. Current calculations indicate that the office will have 25 employees in total.
Legislative preconditions for the establishment and operation of N.SIS are based on the amendment to the Act on the Police of the Czech Republic, which entered into force on 19 February 2001 as Act No. 60/2001 Coll.

Among the institutions involved in the preparations of SIS (according to specifying provisions of Articles 93, 101, 102 and 114 of CISA) there are Czech Police services having executive police powers, the Sirene group (Department of International Police Co-operation of the Police Presidium of the Czech Police), the Alien and Border Police Service, the Vision office (under development), relevant Customs Administration bodies and the Personal Data Protection Office. Investigators are going to be transferred under the Criminal Police and Investigation Service (as of 1 January 2002) and following that they are supposed to have authorised access to N.SIS data.

The technical part of the preparation for the implementation of Chapter IV of CISA is focused on the development of N.SIS, completion of high-capacity reliable and compatible transmission networks ensuring communication among the respective ministries, equipment of offices with LANs and appropriate information technology, harmonisation of databases administered on the national level that will comply with the Czech security standards and CISA provisions relating to the protection of data and updating SW for the utilisation of SIS data.

An integrated telecommunication network of the Ministry of the Interior was developed in the late nineties in connection with the need of developing a private computer network. The ministry Intranet operates in a TCP/IP protocol. The network is fully operational on the national, regional and district levels and a vast majority of offices are connected to it. The programme of gradual completion of the so-far insufficient infrastructure for the connection of the Alien and Border Police Service shall be completed in 2002.

All departments that are going to use N.SIS data are, to a limited degree, already equipped with information technology allowing them to send inquiries to central police information systems. Authorised policemen thus have access to national databases, which they need in order to fulfill their duties. When N.SIS is put into operation, inquiries sent to national databases will allow automatic inquiries regarding subjects of the same character sent to N.SIS. The stage of equipping offices with IT to a degree necessary for effective utilisation of information systems will partly continue under the Phare 2000 project “Schengen Information System and Protection of Borders” within which 3,800 PCs will be provided for local departments of criminal and order police and partly by purchasing approximately 2,000 PCs for other police services. After the transfer of investigators under the Criminal Police and Investigation Service it will be necessary to provide further 2,500 PCs.

The Department of System Management and IT of the Czech Police Presidium operates a model-and-test server, located together with the police IT centre in a police building whose security and technical standard in terms of the operation of information systems is extremely high. The server provides an environment for updating and development of national databases analogue with N.SIS.

With regard to Article 94, national databases are updated to correspond with the SIS structure. In general, the national databases are larger in most systems. An information system called Document has been developed and put into operation, registering lost and stolen ID documents, weapon certificates and blank registered printed matter. The databases fully harmonised so far include Searching for Persons (Articles 95, 97, 98 of CISA), Register of "personae non gratae" (Article 96 of CISA), Blocking (Article 99 of CISA), Searching for Vehicles (Article 100 par. 3 a), b) of CISA, Weapons (Article 100 par. 3 c) of CISA), Document ((Article 100 par. 3 d), e) of CIS), Registration of bank-notes (Article 100 par. 3 f) of CIS), will be part of the information system of the Criminal Office of the Police Presidium of the Czech Police that is under development and will be put into operation by the end of 2001. After that, the harmonisation of national databases with SIS will be completed.

For the central databases, Informix is adopted as a standard. For electronic mail, Microsoft Exchange is utilised. The process of the integration of police information systems is split into several stages. The objective is to ensure maximum effective utilisation of data within the intra-Governmental co-operation and co-operation within police and ensure effective protection of personal data at the same time. In this respect, development of the Alien Information System whose implementation is supposed to take place in 2001 and 2002 is of important project. The goal of the project is, in accordance with the IT policy of the Czech Police, to integrate all existing databases and provide all respective offices of the Alien and Border Police Service with effective information support including the Schengen co-operation. The basic concept for further adaptation and development of Czech Police information systems is going to be developed within the Phare 1999 twinning project in October 2001. The development of systems of the Schengen type is going to be completed by the end of 2002.

Data in the police information systems are currently being verified pursuant to the amendment to Act on the Police of the Czech Republic No. 60/2001 Coll. These human resources capacities will subsequently be used for purging of databases to comply with relevant CISA provisions dealing with data protection. The primary acquisition of data for N.SIS will be performed by converting selected verified data from national databases.

The training of policemen using the information systems is organised by secondary police schools in both basic and follow-up training programmes whose curricula include IT lessons. The police schools also organise short-term
courses for further education of policemen. Policemen and other employees are continuously trained in the use of data in N.SIS, since the inquiries to N.SIS will be sent through national information systems. An independent training server for simulated work with Schengen-type databases and model databases of the Czech Police is under development; the server will be accessible by secondary police schools and the Czech Police Academy.

The co-operation between police and customs administration is based, besides relevant legislation, on agreement between the Minister of the Interior and the Minister of Finance and between the Customs Administration General Manager and the Police President. The agreements will be amended to meet the needs of the Schengen co-operation.

The customs administration’s private transmission network is already prepared in order to ensure connectivity for all units getting ready for the Schengen co-operation. Local computer networks are in place in almost all offices; the customs administration has more than 7,000 PCs.

Co-operation with the Ministry of Foreign Affairs as far as proceedings relating to applications for Czech visas are concerned has been in place for several years. An electronic system of consultations has been developed within the project of visa process modernisation; the system conducts automatic checks in relevant databases and is prepared for the performance of inquiries pursuant to Article 96 of CISA.

Tasks:

Non-legislative:

- Develop detailed procedures for implementation of relevant provisions of CISA in relation to the Sirene office and integrate them in intra-Governmental agreements; create technical conditions for effective all-way communication
  Facilitator: Ministry of the Interior, Ministry of Justice (MJ), Ministry of Finance
  Performance deadline: 31 December 2004
  Financial requirements:

<table>
<thead>
<tr>
<th>Source of financing – MJ</th>
<th>2002</th>
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<td>5,966,657 EUR</td>
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- Finish development of the Sirene office
  Facilitator: Ministry of the Interior
  Performance deadline: 31 December 2004 (depending on the date of hand-over of relevant documents)
  Financial requirements:

<table>
<thead>
<tr>
<th>Source of financing</th>
<th>2002</th>
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<th>2004</th>
<th>2005</th>
</tr>
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<tbody>
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<td>State budget (HW,SW)</td>
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<td>99,444 EUR</td>
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- Set up permanent register of forged bank-notes
  Facilitator: Ministry of the Interior
  Performance deadline: 31 December 2001
  Financial requirements:

- Finish development of transmission network of the Ministry of the Interior and the Czech Police
  Facilitator: Ministry of the Interior
  Performance deadline: 1 January 2003
  Financial requirements:

1 Proposal for Phare Project 2002
<table>
<thead>
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- **Finish harmonisation of national databases with analogical N.SIS subsystems**
  Facilitator: Ministry of the Interior
  Performance deadline: 1 January 2003
  Financial requirements:

<table>
<thead>
<tr>
<th>Source of financing</th>
<th>2002</th>
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- **Establish national section of Schengen Information System**
  Facilitator: Ministry of the Interior
  Performance deadline: basically by 31 December 2004 (dependent upon the date of hand-over of relevant documentation)
  Financial requirements:

<table>
<thead>
<tr>
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<th>2002</th>
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<td>315,882 EUR</td>
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<td>187,189 EUR</td>
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</tbody>
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- **Equip Customs Administration and Czech Police offices with IT and relevant SW where necessary to allow for effective utilisation of N.SIS information systems**
  Facilitator: Ministry of the Interior, Ministry of Finance
  Performance deadline: 31 December 2004
  Financial requirements:

<table>
<thead>
<tr>
<th>Source of financing</th>
<th>2002</th>
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</thead>
<tbody>
<tr>
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<td>669,786 EUR</td>
<td>1,374,671 EUR</td>
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<td>365,604 EUR</td>
</tr>
</tbody>
</table>

- **Set up contractual base for co-operation between the Interior and Finance ministries for the implementation of Schengen acquis including technical interconnection of transmission networks.**
  Facilitator: Ministry of the Interior, Ministry of Finance
  Performance deadline: 1 January 2003
Protection of personal data and security of data in SIS (Articles 102-118)

Related regulations:
SCH/Com-ex (95) 7 - 29.06.95 - The Executive Committee endorses the decision to use the Benelux General Secretariat to award the SIRENE phase II contract - SIS - SIRENE - II
SCH/Com-ex (98) 9 - 21.04.98 - JSA budget – BUDGET - SECRETARIAT
SCH/Com-ex (93) decl 5 - 14.12.93 - Sirene Manual
SCH/Com-ex (94) decl 14 rev - 22.12.94 - SIS
SCH/Com-ex (97) decl. 12 - 7.10.97 – List of the central authorities competent for the national component of the SIS
SCH/Com-ex (99) Decl 2 Rev - 28.4.1999 - SIS structure

1999/439/EC Common supervisory body pursuant to Article 115 of the Convention Implementing the Schengen Agreement

Performance status:
Legislative conditions for the protection of personal data, data safeguarding and adherence to commitments arising in connection with the respective CISA provisions are already in place. The appropriateness of the protection of personal data in the Czech Republic was confirmed by the Europol Joint Supervisory Body in connection with the negotiations regarding the Agreement on the co-operation between the Czech Republic and Europol. The Czech Republic has joined the European Council Convention No. 108 of 1981 on the Protection of Individuals With Regard to Automated Processing of Personal Data.

The protection of personal data is governed by Act on the Protection of Personal Data (Act No. 101/2000 Coll.) and, in the sphere of police activity, by the amendment to Act on the Police of the Czech Republic (Act No. 60/2001 Coll.). The Personal Data Protection Office that is a legislative authority for all entities involved (except for intelligence services) will be the institution responsible for the supervision of the N.SIS data. The Office will appoint representatives for the common supervisory body.

The institutions with the access to the N.SIS data are, besides other factors, selected with regard to the restrictions stipulated by Article 102, para 4.

Apportionment of the costs of SIS (Article 119)

Related regulations:
SCH/Com-ex (97) 2 rev 2 - 25.04.97 - Awarding the tender for the SIS II preliminary study - SIS
SCH/Com-ex (97) 14 - 7.10.97 - 1995 Management Report on the implementation of the C.SIS installation and operating budget - BUDGET - SIS
SCH/Com-ex (97) 18 - 7.10.97 - Contributions from Norway and Iceland to the C.SIS operating costs - SIS
SCH/Com-ex (97) 19 - 7.10.97 - C.SIS operating budget for 1998 - BUDGET - SIS
SCH/Com-ex (97) 35 - 15.12.97 - Amendment to the C.SIS Financial Regulations - SIS
SCH/Com-ex (97) 38 Rev. - 15.12.97 - Financial Regulations for the Management Unit - SIS
SCH/Com-ex (98) 6 - 21.04.98 - 1998 budget estimate for the SIRENE Phase II network - BUDGET - SIS
SCH/Com-ex (98) 7 - 21.04.98 - 1998 budget estimate for Management Unit expenditure - BUDGET - SIS
SCH/Com-ex (98) 30 - 16.9.1998 - 1999 budget estimate for the SIRENE Phase II network
SCH/Com-ex (98) 31 - 16.9.1998 - 1999 budget estimate for the Management unit
SCH/Com-ex (98) 32 - 16.9.1998 - Approval of the report on the 1997 expenditure for the SIRENE Phase II network
SCH/Com-ex (98) 33 - 16.9.1998 - Approval of the report on the 1997 expenditure for the Management Unit
SCH/Com-ex (98) 50 - 16.12.1998 - Budget (installation and operations) for the C.SIS for 1997
SCH/Com-ex (99) 3 - 28.4.1999 - Help Desk budget for 1999
SCH/Com-ex (99) 4 - 28.4.1999 - C.SIS installation costs
SCH/C (95) 122 Rev 5 Change in financial regulations for Stage II of the SIRENE network
2000/265/EC SISNET
Performance status:

In accordance with the obligations constituted by the Schengen acquis, the Czech Republic is prepared to meet its financial obligations according to the set payment schedule.

Tasks:

Non-legislative:

- Pay adequate part of the costs.
  Facilitator: Ministry of the Interior
  Performance deadline: according to the set payment schedule.

9. Protection of personal data (Articles 126-130)

Performance status:

Legislation concerning personal data protection, i.e. Act on the Police of the Czech Republic (Act No. 283/1991 Coll.), as amended and Act on the Protection of Personal Data (Act No. 101/2000 Coll.), governs the protection of personal data on individuals, as well as the rights and obligations relating to the processing of such data. It sets out conditions under which the data can be provided to other countries. The personal data related parts of legislation correspond with relevant stipulations of the Convention Implementing the Schengen Agreement and apply to all forms of personal data processing, be it done automatically or by other means.

The Personal Data Protection Office was established in order to be charged with the authority of the national administrative office for the protection of personal data to the extent defined by the Act on the Protection of Personal Data (Act No. 101/2000 Coll.).

The conditions related to the provision of personal data to another Contracting Party are also governed by Act on the Protection of Personal Data. The Personal Data Protection Office’s obligation to perform a check upon each hand-over of personal data arises directly from this Act.

By the adoption of Act No. 60/2001 Coll., amending the Act on the Police of the Czech Republic, the method of protection of personal data became compliant with the principles of the Recommendation of the Committee of Ministers of the Council of Europe R (87) of September 17, 1987 providing for the use of personal data in the police sector. Act No. 60/2001 Coll. entered into force on 19 February 2001.

The European Council Convention No. 108 of 1981 on the Protection of Individuals with Regard to Automated Processing of Personal Data, approved by the Czech Parliament on 28 March 2001, was signed by the President and Prime Minister on 29 May 2001. It enters into force for the Czech Republic on 1 November 2001.
10. **Conclusion**

By the date of accession to the EU, the Czech Republic will be prepared to implement that part of the Schengen acquis which was, at the time of the Schengen Action Plan preparation, identified as Category I in the EU Draft Information Note. Issuing visas, the Czech Republic has already carried out consultations with the national central authority. The Czech Republic will be ready to and interested in launching such consultations with central authorities of the Contracting Parties in compliance with Art. 17, para 2 of the Schengen Implementation Convention on the day of its accession to the EU. The Czech Republic is willing to commence implementation of the remaining part of the Schengen acquis identified as Category II in the EU Draft Information Note as of the nearest possible date of opening the SIS for the Candidate Countries. The Schengen Action Plan presupposes that the Czech Republic will be prepared to fully implement the Schengen acquis as of 1 January 2006.

The tasks contained in the Schengen Action Plan are further developed in a detailed Implementation Plan approved by the Government of the Czech Republic by its Resolution No 304 of 28 March 2001.

The Schengen Action Plan will be continuously updated with regard to conclusions and results of expert missions, results of twinning projects organised within the Phare programme and, in particular, with regard to the development of the Schengen acquis.