

Human rights and transition promotion policy concept of the Czech Republic

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A. Background and principles

Democracy, the rule of law and human rights are interdependent and mutually reinforcing pillars of human dignity. Promoting them and putting them into reality is an important priority goal of Czech foreign policy. As part of this goal, the Czech Republic promotes transition to democracy worldwide and shares its specific experience of social transformation and democracy building. Czech human rights and transition promotion policy reflects the conviction that there can be no human dignity without human rights. Human rights are the core value of open, inclusive and free societies worldwide. Human rights are universal and indivisible both in terms of content and in terms of territorial application. Defence of human dignity worldwide must be one of the Czech Republic's objectives.

The pro-active Czech human rights and transition promotion policy is committed to coherence, credibility and openness. Respect for international law and support of international criminal justice are also essential parts of the policy framework. The Czech Republic is a party to most of the major human rights treaties of the United Nations and regional organizations (mainly of the Council of Europe, Organisation for Security and Cooperation in Europe and the European Union) and builds on their principles and commitments. Combined with development cooperation and humanitarian aid, the human rights and transition promotion policy forms the human dimension of Czech foreign policy. By pursuing the cause of human rights in bilateral relations as well as in the context of EU policies and in other international organizations, the Czech Republic contributes to security, stability and sustainable development worldwide.

The human rights and transition promotion policy reflects the humanistic principles of Czech political thought represented, for example, by John Amos Comenius and Tomáš Garrigue Masaryk, as well as more recent historical experience, especially the 1968 Prague Spring, the dissident movement represented by Charter 77, the non-violent opposition to an undemocratic regime, and the experience of transition to democracy and market economy and integration in EU structures. After 1989, this tradition was embodied mainly by President Václav Havel and Foreign Minister Jiří Dienstbier. The human rights and transition promotion policy is based on the conviction that, although unique in some respects, the Czech experience is on the whole universal and can be shared with other members of the international community to help them achieve a life of dignity and justice. This is why the Czech Republic wants to offer its experience to others. However, the only way to share this experience is through an open dialogue. The Czech Republic is ready to enter into such dialogue, bilateral and multilateral, with those who advocate the principles of liberal democracy and with those who choose a different path, with governments and with civil society.

Primarily, the Czech Republic has much to offer to democratizing societies that can benefit from its experience (positive as well as negative) of efforts to foster civic participation and balance out the symbiotic relationship between the market and democracy. The Czech Republic is, however, ready to cooperate with any society on issues of human rights and democracy, and especially on the issues identified in this Policy Concept.

Consistent work in this area raises the Czech Republic's profile and contributes to its positive international image as a developed, responsible and solidarity-minded democratic country capable of learning from its own past.

The human rights and transition promotion policy is not mutually exclusive with any of the other priorities of Czech foreign policy, including the security and export promotion policies. The Czech Republic takes care to maintain maximum coherence across the whole range of its foreign policy priorities.

B. General aims

The human rights dimension of Czech foreign policy aims to promote a life of dignity for all, to uphold the rule of law, to encourage full participation in public affairs, and to maintain a global dialogue leading to better enjoyment of human rights. Human dignity is a factor contributing to international security, preventing or reducing the emergence of international threats (regional conflicts, terrorism, non-regular migration). Human dignity is also an essential factor in driving prosperity and growth.

The human rights and transition promotion policy aims to bring more efficiency to the way the international human rights mechanisms work, and to the way the Czech Republic participates in them. It aims to more closely coordinate Czech bilateral and multilateral diplomacy, transition and development cooperation, including in the implementation of the Sustainable Development Goals (Agenda 2030). The Czech Republic is committed to playing an effective role in the human rights activities of the European Union.

The human rights and transition promotion policy aims to draw attention to human rights violations wherever they occur, to propose solutions improving the quality of life, and to actively contribute to the global dialogue on the pursuit of a life of dignity for all. The Czech Republic is aware of the complexity of the present changing world and recognizes that there are no simple solutions to complicated problems. Czech human rights and transition promotion policy is firmly grounded in the above principles; however, at the same time it allows enough flexibility to analyze the practical effects of its implementation and choose the tools appropriate to the situation.

C. Priorities

Thematic priorities

Indivisibility of civil, political, economic, social and cultural rights is the core principle of the Czech Republic's approach to human rights and democracy promotion. All these rights are essential to a life of dignity and the denial of any of them impairs human dignity. The human rights and transition promotion policy is committed to removing historical, social, cultural, religious and ideological obstacles to equality (such as those affecting the situation of women and various vulnerable groups). Equality and non-discrimination are among the most important cross-cutting principles and priorities of Czech foreign policy.

While advocating all universal internationally recognized human rights, the Czech Republic focuses mainly (but not exclusively) on:

1. supporting international human rights mechanisms and human rights mainstreaming;
2. supporting civil society, including human rights defenders;
3. promoting the freedom of expression and information, including the freedom of the media;
4. promoting an equal and full political and public participation;
5. supporting institution-building in the area of the rule of law;
6. promoting equality and non-discrimination;
7. promoting human rights in employment and in the environmental context.

Priority No. 1: Supporting international human rights mechanisms and human rights mainstreaming

The Czech human rights and democracy promotion policy is built around the existing international commitments that form the universal framework for the protection of all internationally recognized human rights. Putting an emphasis on the fulfilment of voluntary commitments of States is the way to really improve human rights protection worldwide. In other words, a State's readiness to protect human rights and respect the principles of democracy and the rule of law should be measured not only by the number of international human rights conventions the State has ratified or acceded to, but also by the consistency with which the State fulfils its commitments, openly and effectively cooperates with international monitoring mechanisms and complies with their recommendations.

The active Czech human rights policy aims to effectively promote national priority topics in international organizations and human rights bodies. It aims to maintain the position of the Czech Republic as a respected country actively engaged in the human rights policies of relevant international organizations and consulted in debates on their important decisions.

In the United Nations, the Czech Republic is committed to playing a consistent and active role in the Human Rights Council and the General Assembly, especially in its Third Committee. To this end, the Czech Republic is committed to periodically seeking a seat on the Human Rights Council. In these UN fora, the Czech Republic supports namely:

- (a) prompt and adequate response by the Human Rights Council, within its mandate, to human rights situations as they arise;

- (b) the broadest possible implementation of international human rights commitments;
- (c) the work of the Office of the High Commissioner for Human Rights (OHCHR), Special Procedures and treaty bodies; the Czech Republic is committed to defending their independence, impartiality and efficiency, including their sustainable funding;
- (d) the Universal Periodic Review (UPR) mechanism, implementation of voluntary commitments, and active participation of civil society in the UPR process;
- (e) an increase in the number of States Parties to the core UN human rights treaties and to the Rome Statute of the International Criminal Court.

In regional human rights organizations, the Czech Republic aims to take an active stance against any attempt to undermine the mandates and independence of human rights monitoring bodies and autonomous institutions (OSCE autonomous institutions, namely the ODIHR and the Representative on Freedom of the Media, OSCE/ODIHR election observation missions, etc.). It aims to encourage an open dialogue and cooperation between the Member States and these mechanisms and institutions (i.a. the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment and the Venice Commission). The Czech Republic pays special attention to the reform of the European Court of Human Rights which should make the Court more efficient, ease the administrative burden and, in the long run, reduce the Court's backlog. The Czech Republic supports the European Union's accession to the European Convention on Human Rights which will enable external control over the Union's legal acts affecting human rights.

In the European Union, the Czech Republic calls upon and encourages the High Representative for Foreign Affairs and Security Policy, the European External Action Service and the Special Representative for Human Rights to raise issues concerning human rights and democracy in international negotiations conducted on behalf of the Union and its Member States.

In the European Union, the Czech Republic supports namely:

- (a) the mainstreaming of human rights and transition aspects in the Union's external relations, especially in security and trade policies and in some regional policies such as the Eastern Partnership, and the incorporation of human rights and suspensive clauses in international treaties concluded between the EU and third countries;
- (b) more effective coordination of the human rights and democracy promotion policy with the relevant financial instruments, especially the European Instrument for Democracy and Human Rights (EIDHR) as well as the European Neighbourhood Instrument (ENI), Development Cooperation Instrument (DCI) and the Instrument for Pre-accession Assistance (IPA);

- (c) the development and consistent implementation of the EU Action Plan on Human Rights and Democracy, human rights guidelines and third-country human rights strategies.

Priority No. 2: Supporting civil society, including human rights defenders

The Czech Republic regards civil society as the main driver of pro-democratic change and the main guarantee that the change will be sustained. Freely operating civil society and interaction between independent non-governmental organizations, combined with respect for the freedom of assembly and other human rights and freedoms are important building blocks of a functioning democratic system.

The human rights and transition promotion policy aims to foster civil society, encourage its emancipation and develop its ability to be an effective and informed actor in political processes. Civil society contributes to democratic culture; it enables different social groups to further their interests and watches over respect for human rights and the rule of law in society at large. The Czech Republic aims to educate young people for active citizenship and develop their ability to evaluate information critically and to form and express views.

The Czech Republic defines civil society in broad terms as encompassing non-governmental organizations as well as employee unions, grassroots activities and diverse civic initiatives and movements. Civil society is formed by activists, journalists, bloggers, “citizen journalists”, lawyers, artists and writers, as well as by ordinary people from local communities. Naturally, this definition does not include individuals and organizations committing or propagating violence or spreading hatred towards certain groups of people.

The human rights promotion policy includes support of human rights defenders – organizations and individuals who defend human rights for themselves and for others. Special attention is paid to women human rights defenders and the specific forms of persecution they may face. The Czech Republic helps and supports these activists who often become the targets of persecution and intimidation. The Czech Republic’s action in this area is fully in line with the EU Guidelines on Human Rights Defenders. Support of civil society and human rights defenders is also a way to try to shape the direction of the present or future social change towards respect for human rights and a life more consistent with human dignity.

The Czech Republic namely:

- (a) actively participates in mechanisms supporting civil society and human rights defenders, especially in the work of the respective UN Special Rapporteur; contributes to the drafting and adoption of broadly supported UN thematic resolutions; and promotes the full participation of civil society representatives in the work of international organizations;
- (b) supports the building of links between the political and programme levels of the support for civil society, both through the agencies

and bodies of the United Nations (OHCHR, UNDP, UNDEF, etc.) and through the regional instruments of the European Union (especially the EIDHR, and also the DCI, ENI, IPA, and the non-budgetary EDF);

- (c) supports the development of contacts with civil society in third countries as part of the European Union's Common Foreign and Defence Policy; takes an active part in the implementation of the EU Guidelines on Human Rights Defenders, including further elaboration of the Shelter Cities initiative;
- (d) maintains bilateral contacts with civil society and human rights defenders in third countries, provides them with assistance and support including active monitoring of trials of human rights defenders; raises the cases of persecuted human rights defenders in bilateral contacts; identifies projects with a potential to strengthen civil society, and actively uses the Transition Promotion Programme to facilitate the implementation of these projects.

Priority No. 3: Promoting the freedom of expression and information, including the freedom of the media

The freedoms of thought and expression are essential to human dignity. They are part of the foundation on which democracy, rule of law and public participation are built. The Czech Republic promotes the freedom of expression and information as a gateway to the enjoyment of a wider range of human rights and freedoms, including the freedom of assembly and association, freedom of thought, conscience and religion, right to education and related rights.

The human rights and transition cooperation policy supports the freedom, pluralism and independence of the media, including the Internet, which provide access to information and views and facilitate public debate and informed decision-making on matters of public interest. The media have a central role to play in promoting openness and accountability in public administration and public life. The media must be protected by law against unwarranted interference with their content. Their activities can be subject only to such restrictions as are prescribed by law and are consistent with international standards; the restrictions must be subject to independent review. Complete or partial control over the media by the state or by political or economic interest groups has serious adverse impacts on the overall state of freedom of expression and the quality of public decision-making.

The Czech Republic namely:

- (a) supports the work of Special Procedures of the United Nations (namely the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression); contributes to the drafting and adoption of thematic resolutions of international organizations; speaks up against attempts to restrict the right to the freedom of expression or opinion e.g. in the context of religious intolerance

(defamation of religion); and supports initiatives aimed at suppressing hate speech;

- (b) raises the cases of persecuted journalists in international organizations as well as in bilateral contacts; uses the network of Czech embassies to monitor cases of persecuted journalists and, if necessary, assists such journalists using appropriate tools such as the special Council of Europe platform;
- (c) in the regional context, supports the mandate and work of the OSCE Representative on Freedom of the Media;
- (d) in the European Union, takes an active part in the implementation of the EU Human Rights Guidelines on Freedom of Expression Online and Offline;
- e) in bilateral activities, uses the national Transition Promotion Programme to support projects focused on media freedom, pluralism and independence, on the training of journalists and on the inclusion of human rights issues in media content.

Priority No. 4: Promoting an equal and full political and public participation

The human rights and transition promotion policy encourages civic participation in public decision-making at many levels (local, regional, national). Active participation of an informed public contributes to good governance. The Czech Republic supports the removal of all obstacles, direct and indirect, to free participation in public and political life.

Tools promoting political participation must be attuned to local conditions. One of the important tools for participation in public life are periodic, free, general and equal elections held by secret ballot. The Czech Republic supports the abolition of all restrictions on the right to vote and to be elected. Supporting democratic election processes is an effective way to promote human rights and facilitate transition. The right to participate in public affairs must be protected throughout the election cycle, not only during the elections.

The Czech Republic namely:

- (a) remains the main sponsor of the United Nations resolution on equal political and public participation; actively cooperates on this issue with the Office of the UN High Commissioner for Human Rights; and organizes UN side events on equal political and public participation;
- (b) supports the election assistance and observation missions of the European Union, OSCE and other relevant international organizations; sends its nationals to these missions; and develops its multilateral and bilateral policies towards the countries concerned

in the light of the recommendations presented in the final reports of the missions;

- (c) uses the projects implemented under the national Transition Promotion Programme to encourage the interaction of central, regional and local governments with civil society actors, representatives of vulnerable groups and other stakeholders; this includes activating young people, engaging them in community and social activities and educating them for active citizenship, as well as encouraging the participation of women and excluded and disadvantaged groups in decision-making processes;
- (d) promotes the right of citizens to comment on draft legislation, as well as the freedom of information and the right to associate in representative associations, including non-governmental, employee and other organizations and political parties.

Priority No. 5: Supporting institution-building in the area of the rule of law

The existence of institutions of the rule of law is one of the prerequisites for full political and public participation. The rule of law provides the framework in which citizens can enjoy rights and freedoms and seek effective remedies for violations. It ensures the equality of all persons before the law and serves as a bulwark against arbitrary State interference with the lives of citizens. The rule of law is safeguarded by an independent and impartial judiciary and by human rights institutions such as the Ombudsperson. The rule of law protects the right to property and permits its restriction only in cases justified by public interest, subject to compensation.

The rule of law and good governance require the separation and mutual control of the legislative, executive and judicial powers. The rule of law needs to be supported by mechanisms serving to prevent the abuse of power, exclude political or economic influences, and detect, punish and remedy such violations. Delegation of power to elected bodies enables citizens to exercise more efficient oversight over the executive power. The health of the rule of law and governance is an important indicator of the legitimacy of the State. The Czech Republic sees human rights, the rule of law, good governance and democracy as inextricably linked. However, at the same time it recognizes that there is no universal and fully transferable model of democracy.

The Czech Republic namely:

- (a) in the relevant international organizations and bodies, promotes the equality of all persons before the law, the principle of legal certainty, judicial independence and impartiality, the availability of judicial review and the right of all persons to a fair trial;
- (b) promotes full accountability for human rights violations at the national, regional and international levels as an integral part of the human rights protection system;

- (c) supports activities aimed at combating torture and other cruel, inhuman and degrading treatment perpetrated by repressive structures within as well as outside the judicial system; this includes support for the ratification of, accession to and compliance with the appropriate international instruments;
- (d) uses EU statements and declarations as well as bilateral contacts to speak up on cases of gross abuse of power, interference with judicial independence and impartiality, violation of the right to a fair trial and on cases of torture and other cruel, inhuman and degrading treatment, and to demand remedial action;
- (e) uses the projects implemented under the national Transition Promotion Programme to support the building of human rights institutions, independent judiciary, security services and other bodies, including their oversight mechanisms as well as the human rights and rule of law training for their personnel.

Priority No. 6: Promoting equality and non-discrimination

The principle of equality and non-discrimination requires that nobody should be denied his or her rights on the grounds of gender, race, colour, ethnic or social origin, genetic features, language, religion or conviction, political or any other opinion, affiliation with a national minority, property, birth, disability, age or sexual orientation. Persons belonging to minorities must have the right to participate in public life on an equal basis with others. Democracy is a majority rule which, however, guarantees equal rights and freedoms for everybody, including persons belonging to minorities and vulnerable groups. The human rights and transition promotion policy aims to remove the historical, social, cultural, religious and ideological obstacles to equality and to help ensure a life of dignity for all people without any distinctions.

The Czech Republic concentrates primarily on the protection of religious minorities. In the area of equality of men and women, it will promote women's economic empowerment and participation in public life as a matter of priority concern. The Czech Republic considers it especially important to combat violence against women and girls, including in situations of armed conflict.

The Czech Republic namely:

- (a) in international organizations, promotes equal opportunities for men and women, women's economic empowerment and participation in public life; in debates within the United Nations, takes an active stance against violence inflicted on women and girls, including the use of sexual violence in armed conflicts. In this context, the Czech Republic supports the work of the UN Entity for Gender Equality and the Empowerment of Women (UN WOMEN) and contributes to the implementation of the EU Guidelines on violence against women and girls and combating all forms of discrimination against them;

- (b) speaks up against discrimination and supports the mainstreaming of equality issues in other policies; this includes the development of the EU guidelines on non-discrimination in external relations and the implementation of Union's existing guidelines (EU Guidelines on the promotion and protection of freedom of religion and belief; Guidelines to promote and protect the enjoyment of all human rights by lesbian, gay, bisexual, transgender and intersex (LGBTI) persons);
- (c) in bilateral contacts, speaks up on serious cases of discrimination; promotes the protection of human rights associated with equality and non-discrimination (including the protection of religious minorities) using projects implemented under the national Transition Promotion Programme.

Priority No. 7: Promoting human rights in employment and in the environmental context

While recognizing the indivisibility of human rights, the Czech Republic focuses on the protection of human rights in employment and in the environmental context. Important human rights challenges in the context of employment include the practices of business enterprises and transnational corporations, corporate social responsibility, protection of workers through labour law, and the social rights of workers. The Czech Republic will implement the UN Guiding Principles on Business and Human Rights. In the context of environmental rights, the Czech Republic promotes the right of all people to live in a safe, clean, healthy and sustainable environment. The Czech Republic focuses on standards for the use and exploitation of natural resources, on waste disposal standards, and on the impacts of climate change. The Czech Republic aims to introduce new topics and look for points where they intersect with existing human rights standards.

The Czech Republic namely:

- (a) in the International Labour Organization (ILO) and other international organizations, draws attention to gross violations of labour standards; in the context of the European Union's human rights dialogues with third countries, raises the issue of workers' rights, calls for ratification and implementation of the relevant ILO conventions, and emphasizes the right of workers to freely organize in independent and free associations;
- (b) in international debates on ways to reduce the effects of human activity on the Earth's climate, including in debates under the UN Framework Convention on Climate Change (UNFCCC) and in other fora, promotes the right of all people to live in a healthy environment and to have timely access to complete information on the state of the environment and natural resources;
- (c) in bilateral contacts, focuses on the above issues and uses the projects implemented under the national Transition Promotion Programme

to promote the human rights approach to working conditions and the environment.

Geographic priorities

The human rights and transition promotion policy is aligned with the geographic priorities of Czech foreign policy. In addition, in the context of its action in multilateral fora the Czech Republic focuses also on countries targeted by country-specific resolutions of the UN Human Rights Council and countries for which the Council appoints Special Rapporteurs with country mandates. The bilateral priorities are detailed in the respective regional foreign policy strategies. The national Transition Promotion Programme offers the Czech experience primarily to countries close to the Czech Republic in cultural, historic, geographic or other terms. Accordingly, it focuses on partners in Eastern Europe and the Western Balkans; projects implemented in other regions may be included in justified cases. The Czech Republic will revise the list of priority countries for the national Transition Promotion Programme on an annual basis, if the situation so requires.

Domestic priorities

To be a credible voice for human rights in the world, the Czech Republic must not be afraid to take a self-critical look at its own human rights situation and the overall coherence of its domestic policies in this area. Accordingly, the Czech Republic builds its human rights and transition promotion policy on the principles of openness and credibility and takes care to never lose sight of its own commitments, including the voluntary ones.

The Czech Republic does not hesitate to allow outside scrutiny of its human rights situation and of the way it implements the rulings of international courts. The Czech Republic is subject to regular monitoring by UN treaty bodies. It has issued a standing invitation to the Special Procedures of the UN Human Rights Council. It will continue to openly communicate with UN treaty bodies and other human rights mechanisms and to provide timely information. The Czech Republic is ready to consider any recommendations made during the Universal Periodic Review to transparently implement the accepted ones.

The Czech Republic considers every opportunity to become a party to existing and new UN conventions, regional instruments, commitments and protocols to treaties. It has signed the Optional Protocol to the Convention on the Rights of the Child which allows children to bring complaints directly to the Committee on the Rights of the Child. The Czech Republic is currently about to conclude the domestic ratification process of the Council of Europe Convention on Protection of Children against Sexual Exploitation and Sexual Abuse. It has signed the Council of Europe Convention on Trafficking in Human Organs and will begin the ratification process in due course. The Council of Europe Convention on Action against Trafficking in Human Beings will be presented to the Czech government for signature and ratification in the nearest future. The Czech Republic prepares to sign the Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention). It is considering

the possibility to ratify the Optional Protocol to the UN Convention on the Rights of Persons with Disabilities and to become a party to the International Convention for the Protection of All Persons from Enforced Disappearance.

The Ministry of Foreign Affairs of the Czech Republic seeks to develop synergies between the human rights and transition promotion policy and other government policies. It maintains an intensive dialogue with relevant government actors (especially with the Minister of the Czech Government responsible for human rights issues) and takes an active part in the work of government advisory bodies (Government Council for Human Rights, Government Council for National Minorities, Government Council for Roma Minority Affairs, etc.). Coherence with the development cooperation policy has greatly improved under the Development Cooperation Strategy of the Czech Republic 2010-2017 (listing democracy, human rights and social transition as its sectoral priorities) and the Multilateral Development Cooperation Strategy of the Czech Republic 2013-2017 (listing promotion of human rights and democracy as one of its thematic priorities). The ongoing dialogue with the Czech general public, including non-governmental organizations, and efforts to build public support for the cause of human rights provide the necessary feedback. Domestic debate contributes to reflection on the priorities of the Czech human rights policy and to the building of society-wide consensus on the main principles.

D. Tools

Czech human rights and transition promotion policy is embedded in the Czech Republic's standard foreign policy approaches, in its action within international organizations, including the European Union, and in its bilateral relationships. The national Transition Promotion Programme provides additional scope for practical support. An important tool for promoting human rights and transition in the wider socio-economic sense is foreign development cooperation which interacts and shares many objectives with the human rights and transition promotion policy.

Multilateral tools

The Czech Republic is a long-standing advocate of an international arrangement that would solve problems multilaterally and espouse efficiency and stability as well as equity. In this spirit, the Czech Republic actively uses its membership of international organizations to promote its human rights policy and pursue the cause of democracy.

One of the most important tools is membership of the main elected human rights body of the United Nations - the Human Rights Council. The Czech Republic currently seeks a seat on the Council for the 2019-2021 term. It also intends to seek a seat on the ILO Governing Body for the 2017-2020 term. Within the UN system, the Czech Republic takes an active part in building reasonable consensus on human rights resolutions across regional groups, especially in connection with the priorities identified in this Policy Concept. It urges international organizations to address human rights violations, and States to recognize their accountability and honour

their commitments. The Czech Republic is getting involved in the global human rights dialogue evolving across political, cultural and social lines to improve the implementation of universal internationally recognized standards.

The Czech Republic supports the control mechanisms of regional organizations, including the Court of Justice of the European Union and the European Court of Human Rights. It takes an active part in the development of binding human rights instruments, especially within the Council of Europe. In the OSCE, the Czech Republic supports autonomous OSCE institutions and field missions. In the European Union, the Czech Republic supports a strong mandate for the Union's external relations representatives who lead international negotiations on issues of human rights and democracy. The Czech Republic contributes to the implementation of the Action Plan, human rights guidelines and country strategies. It takes part in developing common positions on human rights issues, actively contributes to meetings of the European Council's Working Party on Human Rights (COHOM) and the Political and Security Committee, and supports appropriate use of EU tools in promoting democracy. The Czech Republic seeks to bring important human rights issues into the agenda of the EU Foreign Affairs Council. It is an active observer in the Union's human rights dialogues. The Czech Republic supports the inclusion of human rights issues in the agendas of interregional fora.

The Czech Republic supports international organizations by providing financial contributions, seconding experts and nominating candidates for seats on expert and intergovernmental bodies. It seeks to increase the presence of Czech nationals in secretariats of international organizations and in the European External Action Service, especially in positions related to human rights and democracy.

Bilateral tools

The Czech Republic considers human rights in all its bilateral contacts as detailed in the respective regional foreign policy strategies. It conducts human rights consultations with like-minded as well as unlike-minded countries in order to establish cooperation and gain allies across regions. Czech embassies raise human rights issues in their political contacts in their countries of accreditation. The national Transition Promotion Programme is actively used to increase public awareness of human rights and of the Czech Republic's priorities in this area.

Czech embassies are closely involved in the human rights and transition promotion policy. They supply the data and analyses necessary for informed decisions and provide feedback including recommendations on thematic priorities for their countries of accreditation. Czech embassies are active and open in their dealings both with the local public administration and with civil society actors. They maintain contacts with human rights defenders and use all available means to support them. They assist in the implementation of the European Union's country-specific human rights strategies and take part in the work of the Union's local Human Rights Working Groups (HRWG) and in donor coordination in their countries of accreditation. In countries where human rights promotion and transition cooperation projects are under way, embassies assist with their monitoring and evaluation.

Czech embassies namely (but not exclusively):

- (a) raise human rights issues in political consultations and in regular contacts with governments, parliamentarians and public administration in their countries of accreditation;
- (b) work together with EU Delegations, other EU Member States and like-minded countries to enhance the effects of human rights consultations;
- (c) provide background information for human rights resolutions, the Universal Periodic Review, dialogues, working parties, special representatives and representatives of relevant organizations;
- (d) gather and assess relevant information on the local human rights situation and make proposals concerning the Czech Republic's response to human rights violations;
- (e) maintain contacts with civil society, human rights defenders and international organizations operating in their countries of accreditation;
- (f) support human rights and democratization projects implemented or planned under the national Transition Promotion Programme;
- (g) contribute to public diplomacy on human rights issues in their countries of accreditation.

Transition Promotion Programme

The national Transition Promotion Programme enables the Czech Republic to coordinate the political and programme levels of its human rights activities. The Czech Republic will continue to use this Programme actively as one of the main tools of the human rights and transition promotion policy.

The purpose of the Programme is to select, manage and fund projects and activities promoting human rights and transition in keeping with the aims and priorities identified in this Policy Concept. The projects support education, awareness raising and the sharing of the Czech transition experience. Where necessary, the Programme provides other types of assistance and support to human rights defenders at risk and to civil society actors in general. The Programme is based on partnership and cooperation with civil society, non-governmental organizations, local public administration, the media and educational institutions. The form and content of each project must be tailored to local conditions and the specific needs of the beneficiary/target country.

The human rights and transition promotion policy is managed and funded by the Ministry of Foreign Affairs of the Czech Republic. Funds are allocated in accordance with the applicable laws and regulations, government subsidy rules and the internal regulations of the Ministry of Foreign Affairs. The procedures are compatible with the foreign development cooperation system.

The Ministry of Foreign Affairs encourages co-funding of Czech NGO projects by governments of partner countries, European and international institutions and foreign NGOs. Cooperation with the European Union is particularly desirable because it enhances the effects of the national human rights and transition promotion policy.

The activities and projects promoting human rights and transition cooperation in beneficiary countries are bilateral as well as multilateral. Calls for applications for subsidies are issued annually and projects are selected according to the government's rules. The Programme supports annual projects as well as multiannual ones which make it easier to address complex problems and achieve sustainable results. The Ministry of Foreign Affairs may implement its own projects or one-off activities through embassies in target countries working directly with local entities. The Transition Promotion Programme is described in the annex to this Policy Concept.

E. Timeframe

This Policy Concept is aligned with the Concept of the Czech Republic's Foreign Policy. Accordingly, it remains in force for an indefinite period. Proposals to update or revise this Policy Concept will be considered after five years.

F. Annex

TRANSITION PROMOTION PROGRAMME



This Annex complements the Human Rights and Transition Promotion Policy Concept of the Czech Republic. It sets out the basic rules of the Transition Promotion Programme (“TRANS Programme”) and the ways to achieve the aims of the Concept of the Czech Republic’s human rights and transition promotion policy. The procedures to be followed in each stage of the TRANS Programme are laid down in the TRANS Programme Manual.

The administrator of the TRANS Programme is the Human Rights and Transition Policy Department of the Ministry of Foreign Affairs of the Czech Republic (since 1 August 2007).

1. Funding

The funding available under the TRANS Programme depends on the annual budgetary allocations authorized by the Czech Republic’s State Budget Act. The annual allocation is included under the Foreign Ministry heading, as part of the Foreign Development Cooperation budget item which is subject to annual approval by the Government of the Czech Republic. The responsibility for its spending rests with the Human Rights and Transition Policy Department.

2. Thematic priorities

In accordance with the Concept of the Czech Republic’s human rights and transition promotion policy, the TRANS Programme focuses on the following thematic priorities: (1) supporting civil society, including human rights defenders; (2) promoting the freedom of expression and information, including the freedom of the media; (3) promoting an equal and full political and public participation; (4) supporting institution-building in the area of the rule of law; (5) promoting equality and non-discrimination; and (6) promoting human rights in employment and in the environmental context. These priorities are described in more detail in the Human Rights and Transition Promotion Policy Concept of the Czech Republic.

3. Geographic priorities

The TRANS Programme is designed for countries in transition and for non-democratic countries where pro-democratic and pro-human rights movements exist and are likely to benefit from transition cooperation. The priority countries of the TRANS Programme are Burma/Myanmar, Belarus, Bosnia and Herzegovina, Georgia, Cuba, Kosovo, Moldova, Serbia and Ukraine.

The geographic priorities are reflected in the distribution of the TRANS Programme funding. Each year, at least 85% of the allocation is earmarked for activities in the priority countries. The remainder can be spent on activities in countries that meet the above criteria but, for various reasons, are not listed as priorities. This structure of funding provides a solid basis for long-term systematic work and sustainable results in priority countries while leaving room for flexible response to new developments and for the Czech Republic's interests in other countries.

A necessary condition for any form of transition cooperation, both in priority and non-priority countries, is a specific expression of interest on the part of relevant and credible partners in the country concerned.

4. Methods

The core part of the TRANS Programme is the support of soft projects (projects based on the sharing and transfer of the experience of Czech project promoters). The methods used to achieve the set aims are chosen accordingly. Most usually, they include the sharing of information, experience and good practices, the organization of training and seminars, visits and secondments of Czech experts to target countries, as well as study visits to the Czech Republic for foreign participants involved in the projects.

A special method is the awarding of microgrants, preferably to small and recently formed non-governmental non-profit organizations ("grassroots organizations"). Microgrants complement the training provided under the TRANS Programme. They enable the trainees to test their new knowledge in practice under the guidance of a TRANS project promoter. Direct financial or in-kind support is admissible in the case of human rights defenders or independent media. The volume of direct support distributed in each budgetary year must not exceed 10% of the total allocation.

5. Tools

The Human Rights and Transition Policy Department uses the following tools to fulfil the aims of the TRANS Programme:

5.1. State budget subsidies

5.1.1. Calls for applications for subsidies

NGOs¹ are annually invited to submit applications for subsidies. The applications are reviewed by the Human Rights and Transition Policy Department in consultation with the competent Czech embassy and geographic desk officer. Eligible applications are presented for a final decision to selection board including external experts. This procedure is used to distribute the largest part (at least 85%) of the annual allocation. The results of the selection process are published before the end of the calendar year preceding the year in which the project is to be implemented.

¹ The granting of subsidies from the state budget to NGOs is governed by the *Government Principles for the granting of subsidies from the state budget to non-governmental non-profit organizations*, approved by Government Resolution No. 92 of 1 February 2010 and amended by Government Resolution No. 657 of 6 August 2014.

The subsidy is formally confirmed by a Subsidy Award Decision which includes detailed instructions on the use of and accounting for the subsidy.

Transition projects fall into two groups according to their length:

- **Annual projects** – projects not exceeding 12 months. The subsidy is paid from the budgetary allocation for the given year. The project must begin and end within one calendar year. The minimum duration of the project is nine months.
- **Multiannual projects** – The standard duration is 18-36 months, which enables the project promoter to address more complex problems and achieve more visible results. The purpose of the subsidy is to support targeted and consistent work in priority countries or on priority issues and to ensure that the project leads to sustainable results. The duration of each project is determined by the selection board. The recipient of the subsidy receives a notice informing him of the results of the selection process, including the permitted duration of his project.

Once the project receives a multiannual subsidy, the continued availability of funding must be confirmed each year in a new Subsidy Award Decision; however, the recipient does not have to repeatedly go through the selection process and apply for subsidies. The next year's portion of the subsidy is released after the recipient presents a report on the previous project year. The Ministry of Foreign Affairs may conclude long-term cooperation contracts with project promoters.

Subsidies received from the Human Rights and Transition Policy Department do not cover more than 90% of the total cost of the project. Project promoters are expected to seek co-funding from other sources to cover the remaining 10%. In the case of multiannual projects, this pattern must be observed each budgetary year. In justified cases of special interest, a subsidy covering up to 100% of the costs may be granted outside the regular selection process. "Justified cases" include e.g. a response to unanticipated crisis situations or to new opportunities emerging in the target countries.

5.1.2. Co-funding

Co-funding is a special procedure designed to encourage cooperation with major donors (e.g. the European Union) and to give Czech projects more chance to succeed in international competition. The criterion for TRANS Programme co-funding is that the aims of the project must conform to the aims of the TRANS Programme. The co-funding (not more than 30% of the project budget, depending on the size of the TRANS Programme budget) is provided directly to the Czech project promoter. In case the annual allocation includes extra funds earmarked for co-funding over and above the standard level of the TRANS Programme, these funds must be used strictly for co-funding purposes.

5.1.3. Cooperation with strategic partners

The TRANS Programme supports strategic partners (NGOs, networks, platforms, and umbrella organizations of NGOs). The strategic partner's activity must be aligned with the priorities of the human rights and transition promotion policy. The strategic partner must be selected by an expert board and must have at least two year's history

of cooperation with the Ministry of Foreign Affairs. The Ministry of Foreign Affairs may conclude a long-term cooperation contracts with a strategic partner (for no more than three years). On the basis of the contract, continued availability of funding is confirmed each year in a new Subsidy Award Decision. The next year's portion of the subsidy is released after the strategic partner presents a report on the previous project year. Subsidies provided through the Human Rights and Transition Policy Department do not cover more than 90% of the total cost of the project. Project promoters are expected to seek co-funding from other sources to cover the remaining 10%.

5.2. Support provided through Czech embassies

The TRANS Programme may provide funds for purposes proposed by Czech embassies or by the Human Rights and Transition Policy Department, as a rule on the basis of requests and suggestions coming from civil society. Funding is required mainly for local transition projects, or to pay for minor items and services in the context of the transition process. The funds are distributed through Czech embassies.

5.3. Contracts of mandate

Some minor services are ordered directly by the Human Rights and Transition Policy Department.² These are, as a rule, one-off services provided by authorized experts (e.g. training or support services for human rights defenders relocated to the Czech Republic under the Shelter Cities programme), elaboration of studies, human rights awareness activities and supplies of material.

6. Administration

The Human Rights and Transition Policy Department has full responsibility for the administration of the TRANS Programme. Projects are supervised and audited in accordance with Act No. 320/2001 concerning financial auditing in public administration, Finance Ministry Regulation No. 416/2004 implementing Act No. 320/2001, and by Act No. 552/1991 concerning state audit.

6.1. Monitoring and evaluation

A vital part of the management of the transition promotion policy is the monitoring and evaluation of projects and activities. Monitoring consists in regular collection of data on the progress of the project, its results and the current amount of project funds. Projects included in the TRANS Programme are monitored by Czech embassies in coordination with the Human Rights and Transition Policy Department.

Detailed instructions on the monitoring and final evaluation of projects, the accounting for project funds, the procedures to be followed when requesting approval for changes to project content and budget, as well as document archiving rules, are set out in an annex to each Subsidy Award Decision.

² The provision of support under a contract of mandate is regulated by Act No. 137/2006 concerning public procurement.

Evaluation consists in systematic and objective assessment of the project in terms of its relevance, efficiency, impacts and sustainability. Comprehensive evaluation serves as a basis for the development of new programmes, projects and activities and for decisions on future distribution of funds to countries and sectors. The evaluation and the resulting recommendations for improvement help increase the efficiency of the TRANS Programme as a whole.

In accordance with the recommendations resulting from past evaluations, the Human Rights and Transition Policy Department will place more emphasis on thorough analysis of the needs of target groups and on cooperation with relevant actors and other donors. More attention will be paid to cooperation with the Czech Development Agency, including opportunities for synergy in bilateral development cooperation in countries that have priority status both under the TRANS Programme and under the programmes of the Czech Development Agency. To improve the efficiency of the TRANS Programme, it is crucially important to build the capacities of project promoters.

