



**PERMANENT MISSION OF THE CZECH REPUBLIC  
TO THE UNITED NATIONS**

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The Permanent Mission of the Czech Republic presents its compliments to the Office of Legal Affairs of the United Nations - Codification Division and, with reference to its Note No. LA/COD/11/1 of 6 January 2020, and pursuant to the General Assembly resolution 74/432 of 18 December 2019 entitled “**Measures to eliminate international terrorism**”, has the honor to transmit the enclosed report on this matter.

The Permanent Mission of the Czech Republic to the United Nations avails itself of this opportunity to renew to the Office of Legal Affairs of the United Nations - Codification Division the assurances of its highest consideration.

New York, June 1, 2020

Office of Legal Affairs  
Codification Division  
United Nations  
New York

## CZECH REPUBLIC

### REPORT ON MEASURES TO ELIMINATE INTERNATIONAL TERRORISM TAKEN FROM 2017 TO 2020

The Czech Republic provides hereinafter updated information concerning measures to eliminate international terrorism and supplements its reports transmitted in previous years.

#### **Status and implementation of existing multilateral, regional and bilateral agreements relating to measures to eliminate international terrorism**

##### Multilateral conventions

The Czech Republic is a Party to the Convention on the Suppression of Unlawful Acts Relating to International Civil Aviation, done at Beijing on 10 September 2010, which entered into force for the Czech Republic on 1 July 2018, and to the Protocol Supplementary to the Convention for the Suppression of Unlawful Seizure of Aircraft, done at Beijing on 10 September 2010, which entered into force for the Czech Republic on 1 January 2018.

##### Regional agreements

The Czech Republic did not sign, ratify or accede to any regional agreement relating to measures to eliminate international terrorism in the period 2017 – 2020.

##### Bilateral agreements

On 26 March 2017, the Agreement between the Government of the Czech Republic and the Government of the Republic of Kazakhstan on Cooperation in Combating Crime was signed in Astana.

Further, on 7 June 2017, the Agreement between the Government of the Czech Republic and the Government of the Socialist Republic of Viet Nam on Cooperation in Combating Crime was signed in Hanoi.

#### **Incidents caused by international terrorism and criminal prosecution and sentencing**

No incidents of international terrorism in the territory of the Czech Republic were reported in the relevant period.

In the reported period, a 73-year-old retiree was convicted and sentenced by the judgment of the Regional Court in Prague of 14 January 2019 together with the judgment of the High Court in Prague of 16 April 2019 to four years of imprisonment for terrorist attacks committed in 2017. He intentionally cut trees which fell on a railway with the intention to derail passenger trains on a local railway in the vicinity of the city of Mladá Boleslav in June and July 2017. He left leaflets on both crime scenes in which he claimed he had been acting as a cell of Islamic fighters. From June to October 2017, he also distributed similar leaflets and threats in his neighborhood with the intention to spread threats, to scare the public.

Further, on 17 September 2019 a 36-year-old man was convicted for service in foreign armed forces after he served several months within separatists' armed groups in Ukraine. The

man was initially accused of terrorism, however, the High Court in Prague changed the legal classification of the offence. The appellate review is ongoing. In addition, another Czech and foreign citizens are being prosecuted in the Czech Republic for the same criminal offence.

Another Czech citizen was convicted of participation in a terrorist group and sentenced by the judgment of the Municipal Court in Prague of 28 February 2020 together with the judgment of the High Court in Prague of 18 May 2020 to ten years of imprisonment. He assisted his brother with travel to Syria in November 2016 and with joining the an-Nusra terrorist organization (also known as Jabhat Fatah al-Sham). Before that, he married his brother to a Czech citizen, whom he also later assisted to travel to Syria. He also sent money to said terrorist organization. His brother was sentenced by the same judgements to eleven years of imprisonment and his brother's wife to six years of imprisonment, both in absentia.

### **National legislation and Counter-Terrorism Strategy**

The Czech Republic has amended the Act No. 40/2009 Sb., Criminal Code. The Act No. 287/2018 Sb., which amends the Criminal Code and which entered into force on 1 February 2019, establishes as a criminal offence terrorist attacks on computer systems (Section 311) and further amends provision on support and promotion of terrorism regarding travelling to another state for the purpose of committing a terrorist criminal offence (Section 312e).

#### **Section 311 Terrorist Attack**

- 1) Whoever with the intention to impair the constitutional system or defense capabilities of the Czech Republic, disrupt or destroy the base political, economic or social structure of the Czech Republic or an international organization, seriously terrify the population or illegally make the government or another public authority or an international organization to act, omit or tolerate something,
  - a) destroys or damages in larger extent a public area, property or a public facility, a transportation or telecommunication system, a fixed platform on continental shelf, an energetic, water-work, medical or other important facility, including computer system on functioning of which such facility, system or platform rely, with the intention to expose property to risk of extensive damage,
  - b) disrupts or interrupts supply of water, electricity or other fundamental natural resource with the intention to expose property to risk of extensive damage,
  - c) captures an aircraft, ship, other means of personal or cargo transportation or a fixed platform on continental shelf or exercises control over such means of transportation or fixed platform, or destroys or seriously damages navigation device or in larger extent interferes with its operation or communicates a false important information, by which he exposes property to risk of extensive damage,
  - d) exposes property of another to risk of extensive damage by causing fire or flood or detrimental effect of explosives, gas, electricity or other similarly dangerous substances or powers or commits other similarly dangerous conduct, or increases such risk or aggravates its aversion or mitigation,
  - e) by means of inserting data into a computer system or on an information carrier or by deleting, other destroying, damaging, altering or suppressing of data stored in a computer system or on an information carrier, decreasing its quality or rendering it inapplicable carries out an attack against a computer system disruption of which would have serious impact on functioning of the state, on health of persons, security,

economy or on ensuring basic life needs of the inhabitants, an attack with impact on a larger number of computer systems with usage of a computer program created or adjusted for such attack or an attack which causes a substantial damage, will be sentenced to imprisonment for three to twelve years, or as the case may be, in parallel to this sentence also to confiscation of assets.

(2) Whoever with the intention to impair the constitutional system or defense capabilities of the Czech Republic, disrupt or destroy the base political, economic or social structure of the Czech Republic or an international organization, seriously terrify the population or illegally make the government or another public authority or an international organization to act, omit or tolerate something,

- a) performs an attack threatening human life or health with the intention to cause death or grievous bodily harm,
- b) seizes hostages or commits kidnapping,
- c) destroys or damages in larger extent a public area, property or a public facility, a transportation or telecommunication system, a fixed platform on continental shelf, an energetic, water-work, medical or other important facility, including computer system on functioning of which such facility, system or platform rely, with the intention to jeopardize human lives or security of such area, facility, system or platform,
- d) disrupts or interrupts supply of water, electricity or other fundamental natural resource with the intention to jeopardize human lives,
- e) captures an aircraft, ship, other means of personal or cargo transportation or a fixed platform on continental shelf or exercises control over such means of transportation or fixed platform, or destroys or seriously damages navigation device or in larger extent interferes with its operation or communicates a false important information, by which he jeopardizes human lives or health or security of such means of transportation,
- f) manufactures or otherwise obtains, handles, imports, transports, exports or otherwise supplies or uses explosives, nuclear, biological, chemical or other weapon or means of combat or similar material or conducts research and development of nuclear, biological, chemical or other weapons or combat equipment or explosives, or
- g) exposes people to general risk of death or grievous bodily harm by causing fire or flood or detrimental effect of explosives, gas, electricity or other similarly dangerous substances or powers or commits other similarly dangerous conduct, or increases such risk or aggravates its aversion or mitigation,

will be sentenced to imprisonment for five to fifteen years, or as the case may be, in parallel to this sentence also to confiscation of assets.

(3) An offender will be sentenced to imprisonment for twelve to twenty years, or as the case may be, in parallel to this sentence also to confiscation of assets, or to an exceptional sentence of imprisonment, if he

- a) commits the act referred to in sub-section (1) or (2) as a member of an organized group,
- b) causes grievous bodily harm or death by such an act,
- c) causes that a larger amount of people remained without shelter by such an act,
- d) causes extensive damage by such an act,
- e) gains for himself or for another extensive profit by such an act,
- f) by such an act seriously jeopardizes the international position of the Czech Republic or position of an international organization which the Czech Republic is a member of, or
- g) commits such an act in a state of national peril or state of war.

(4) Preparation is criminal.

**§ 312e**  
**Support and Promotion of Terrorism**

(1) Whoever publically instigates commission of a terrorist act or whoever publically approves of a committed terrorist attack or publically praises its perpetrator, will be sentenced to imprisonment for two to ten years.

(2) An offender will be sentenced to three to twelve years, or in parallel to this sentence also to confiscation of assets, if he

- a) engages another person to commit a terrorist criminal offense or a criminal offense of Participation on a terrorist group (Section 312e),
- b) provides to another person information or training regarding the manufacture or use of explosives, weapons, dangerous substances or other similar methods or techniques for the purpose of committing a terrorist criminal offense,
- c) acquires information or skills regarding the manufacture or use of explosives, weapons, dangerous substances or other similar methods or techniques for the purpose of committing a terrorist criminal offense, or
- d) himself or through another person provides or promises reward or compensation to another person for the commission of a terrorist criminal act, or if organizes a fundraiser for such reward or compensation.

(3) An offender will be sentenced to the same punishment as referred to in sub-section (2), if he

- a) travels to another state or to the Czech Republic for the purpose of committing a terrorist criminal offense, criminal offense Participation in terrorist group (Section 312a), Threat by terrorist criminal act (Section 312f) or a criminal offense referred to in sub-section 2 (b) or (c), or,
- b) organizes such travel for another person, incites another person to such travel or enables or facilitates such travel for another person.

(4) An offender will be sentenced to imprisonment for five to fifteen years, or in parallel to this sentence also to confiscation of assets, if he

- a) commits the act referred to in sub-section (1) or (2) b) or d) via press, film, radio, television, publically accessible computer network or in another similarly effective manner,
- b) commits the act referred to in sub-section (1), (2), or (3) as a member of an organized group,
- c) commits the act referred to in sub-section (1), (2), or (3) in a state of national peril or a state of war, or
- d) commits the act referred to in sub-section (2) a) or b) against a child.

No amendments to the Criminal Procedure Code relevant for terrorism have been adopted since the submission of previous reports of the Czech Republic.

To implement the Strategy of the Czech Republic for the Fight against Terrorism, the Government of the Czech Republic adopted the Action Plan on Combating Terrorism for the

Years 2016 – 2018 on 31 August 2016 and the Action Plan on Combating Terrorism for the Years 2019 – 2020 on 26 August 2019. The Czech Republic is continuously working on building a system of soft targets protection. In the years 2017 - 2020, several guidelines have been issued, which focus, for example, on threat assessment, the creation of a security plan, and dealing with the phase after a security incident. All the guidelines are available to download for free via the following link <http://www.mvcr.cz/cthh/clanek/terrorismus-webdokumenty-dokumenty.aspx>.

Border protection and analysis of data of all passengers travelling to and from the Czech Republic are very useful and efficient tools of national counter-terrorism policy. Passenger information unit (PIU CZ) was established on 1 January 2018 as a part of National Counter Terrorism Contact Point of Criminal Police. API data (data from machine readable zone of travel documents) help fighting illegal immigration and air carriers are obliged to send API data from all non-Schengen inbound flights. Passenger name record (PNR) data (data from reservation and check-in systems provided by passengers and held by air carriers) help fighting serious organized crime and terrorism. The relevant travel intelligence legislation was adopted in April 2019 after two years of negotiations.

Moreover, the Financial Analytical Office which is tasked with the fight against financing of terrorism has recently dealt with one of the above-mentioned cases related to an-Nusra. Since 2018 the Office cooperates closely with the security authorities of the Czech Republic that are dealing with the fight against terrorism. The Office did not sign or ratify any bilateral agreement relating to measures to eliminate international terrorism in the reported period, however, in the fight against financing of terrorism it cooperates closely with partner FIUs.

Further, the Czech Republic actively participates in various counter-terrorism activities which are inspired, coordinated and fostered by the European Union. The Czech Republic is involved in preparation of the EU strategic and legislative documents dealing with EU counter-terrorism priorities. In addition, the Czech Republic cooperates with other EU Members States and EU institutions (mainly with Europol, Eurojust and Frontex) in everyday fight against terrorism.

Last but not least, the Statute of the interagency coordination group for the implementation of international sanctions, including those aimed at fighting and preventing terrorism, in the Czech Republic, together with its Rules of procedure was approved by the Ministry of Finance and the group was formally established. Besides that the Minister's Internal Regulation No. 1/2020 concerning the exercise of the powers and responsibilities of the Ministry of Foreign Affairs in respect of international sanctions was adopted as well, which should facilitate handling of motions, including those related to terrorism.