

# Environmental Crime and Punishment

**How to build an efficient state  
environmental inspectorate**

**Based upon the experience  
of the Czech Republic**

**Environmental crime and punishment**

How to build an efficient state environmental inspectorate – experience of the Czech Republic

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# List of abbreviations

<b>Abbreviation</b>	<b>Definition</b>
BAT	Best Available Techniques
CEI	Czech Environmental Inspectorate
CITES	Convention on International Trade in Endangered Species
CLP	Classification, Labelling, Packaging
CWMI	Czech Water Management Inspectorate
CZK	Czech Crown
EIA	Environmental Impact Assessment
ECHA	European Chemicals Agency
EnviHELP	Environmental help desk
EMAS	Eco-Management and Audit Scheme
EMS	Eco Management Scheme
EU	European Union
GDP	Gross Domestic Product
IMPEL	Implementation and Enforcement of Environmental Law
INECE	International Network of Environmental Compliance and Enforcement
IPPC	Integrated Pollution Prevention and Control
IPR	Integrated Pollution Register
ME CR	Ministry of Environment of the Czech Republic
NGO	Non-governmental Organisation
RI	Regional Inspectorate
REACH	Registration, Evaluation, Authorisation and Restriction of Chemicals

# Foreword

## *To ask “Why” is important*

We're the first generation with the tools to see how the Earth system is changed by human activity. At the same time, we're the last with the opportunity to affect the course of many of those changes.

*Peter M. Vitousek*

I shall have to apologise to the reader for intentionally making a platitude just at the beginning.

Whether you like it or not, each branch of human activities creates its own newspeak. Not only in the case of environmental protection, we have used to often speak about lessons learnt or best practice when trying to avoid discovering America again.

The publication you have started to read summarises past, present and possible future development of the Czech Environmental Inspectorate, a supervising, monitoring and enforcement governmental authority in the environmental protection sector in the Czech Republic. Although there also are other models of such a body, e.g. in the United States or in the United Kingdom, the story clearly and hoping reader-friendly shows how the authority was established in a post-communist country, i.e. in a country with economy in transition from central planning to free market. Visible effort of the authors presenting not only top successes, but also everyday failures should be appreciated. This is because they do not surface the serious issues but try to reasonably answer very simple and at the same time fully legitimate question “Why?”. Applying the above newspeak I would just say that the publication's topic is really handled in a holistic manner.

Allow me to express a personal opinion. Being an active and fair environmental inspectorate staff requires everywhere across the world to be brave and psychically resistant because of the substance of that job which is often perceived by many people as a tough repressive authority mainly being connected with imposing a fine for breaking the law. Therefore, in addition to an irreplaceable enforcement body acting purely and explicitly in the public interest (at least in fair countries), the environment protection sector should have various subvention programmes/subsidy schemes positively stimulating environmentally friendly approaches among both natural and legal persons. Of course, communication with, education of and raising awareness among the general public and the target groups is of utmost importance.

Because a talented poet who became one of the most famous playwrights ever, William Shakespeare says that Men of few words are the best men, I shall stop here and simply wish you: Enjoy the reading!

*Jan Plesník*

*Nature Conservation Agency of the Czech Republic Prague*

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# Introduction

## *Some remarks for the reader*

This brochure describes an approach adopted by the Czech Republic in the building of an environmental inspectorate. The Czech Republic has walked along one of the possible paths but we do not say that this is the only way. We are happy to propose the brochure as an inspiration and support to be drawn upon as you build your own inspectorate.

Included is a short historical background, and is one which we believe may resonate with other countries. We also wanted to show the roots and conditions of our situation, which led us down our path. The methodology of building an inspectorate is inextricably bound to the historical background, which forms the basis at the same time. In our recent history (post- 1989), we followed up on a certain type of inspection that already existed. It will be a different approach where there is nothing to follow up on and everything is built, so to speak, from scratch.

By presenting a practical description of how the Czech Environmental Inspectorate has been created, what is the core and the content of its activity. By presenting practical examples, we provide suggestions on how to proceed. This serves not as a literal guide but as a reflection of our experiences, detailing our challenges and successes with the aim to assist our followers in navigating their situations more smoothly. It is for the reader to decide what they will transform into practise.

Any environmental inspectorate operates within the political system of a state. Various political streams intervene and influence the operation of an environmental inspectorate, since it is a part of any political scene. We mention this, because this is something that simply happens. We want to stress that in cases where political and other interests become involved in the activity of an independent body, reputation may suffer, therefore. We do not want to stand in judgement on anybody, we only want to illustrate that we can learn from our mistakes and by learning we can grow.

*Authors*

# I. *System of the state administration of the Czech Republic*

Although the main focus of this booklet is the Czech Environmental Inspectorate (CEI), as it is a part of the whole system of state administration, a brief insight into the system of the state administration is needed.

The Czech Republic is a parliamentary republic, where the government is the supreme authority. The formal head of the state is the President, he has, according to the Constitution, limited executive power and the head of the government is the Prime Minister.

The structure of State power is divided into legislative, executive and judicial branches. The Parliament of the Czech Republic executes the legislative power with the Chamber of Deputies (Lower House) and Senat (Upper House).

The supreme executive power is the Government, with its members – ministers. The lower executive power is the state administration, regions, districts and municipalities. The fourteen regions are self-governing units, having their responsibilities and obligations in administration of the regions. And on the very local level there are municipalities (6 254) and statutory towns (13). Both deputies and heads of the regions (governors) and municipalities (mayors) are elected.

The executive power, among other responsibilities, ensures the compliance with the national laws. At this point the CEI, which has executive power, plays a key role in the field of environmental protection. The CEI is the supervisory and executive body of the ME CR.

The bodies and institutions of the European Union do not have a direct authority over the Czech Republic authorities.

The judicial branch of the state administration is created by a system of four categories of independent courts and the Constitutional Court. As the Czech Republic is a member of the European Union, it is subject to the European Judicial Court, and the European Court for Human Rights.



## II. *We cannot be separated from history but we can learn from it*

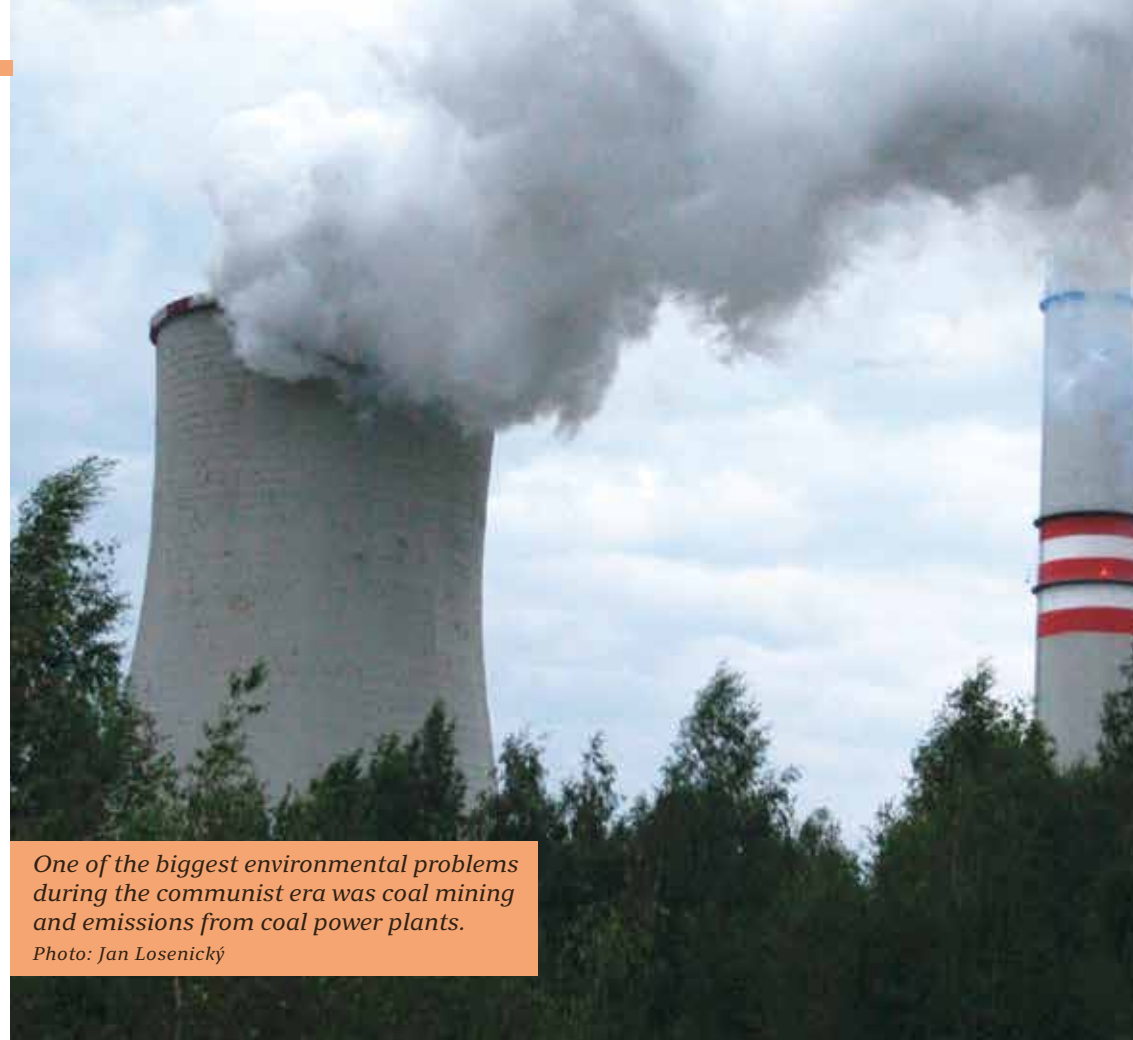
In the years prior to the “Velvet Revolution” in 1989, the state was not executing systematic and focused protection of the environment, because the priority was economic development, namely heavy industry, and coal mining. Serious environmental difficulties, which went hand in hand with heavy industry were either denied or deliberately not seen.

Only a few members of the government in the years between the Second World War and the 1989 “Velvet Revolution” displayed any interest in the true state of soil, forests, and air or water pollution. [1] [2]

### The “good old times” in a socialist country

The Czechoslovak Socialist Republic before 1989 had deep environmental problems but despite this fact, the official doctrine stated: “...the destruction of the environment happens only in capitalist countries due to the monopoly on production and the arms industry”. [3]

The industries, namely heavy industry, coal mining, chemical production and processing were the main focus of the society in the 60s and later. Even when deep health problems of the inhabitants appeared in the 70s, the lack of resources did not allow adopting any significant measures in environmental protection. The other problem was the absolute inability of the state administration to transfer identified solutions into practice.



*One of the biggest environmental problems during the communist era was coal mining and emissions from coal power plants.*

*Photo: Jan Losenický*

*„The environment was a sensitive issue for the regime. Industry and industrial technology were mostly outdated and required an extreme amount of fuel. The coal extraction, transport and subsequent consumption burdened the environment,” describes historian Libor Svoboda from the Institute for the Study of Totalitarian Regimes. [4]*





## The “anonymous society” is responsible

The economies of the former “Eastern Bloc” were state owned before its collapse in the 90s. In the Czechoslovak Socialist Republic, the industry was nationalised (expropriated) in 1948.

The economy was centrally planned, there was no private ownership, all industry and all the production and other sectors of economy were under control of the state (so called State Monopoly). Therefore, the state was responsible for everything, including difficulties, but the leaders were not interested in admitting that monopoly of leadership carries also a monopoly of responsibility. [5]

And so, the non-addressed, “anonymous society” – the whole society – was pointed out as a responsible body for the destruction of the environment. The problem was solved. The two words – whole society – were put as a cause of all the environmental problems.

Despite this there existed a monitoring system for the environment (from the 70s), which accumulated and stored data mainly about air and water pollution. But there was no integrated, united system of data collection (this came later). All the information gathered remained within the “walls” of institutions. It was “monitoring-for-the-sake-of-monitoring” without any evaluation and without creating a strategy and implementing measures to reduce environmental damage. [6]

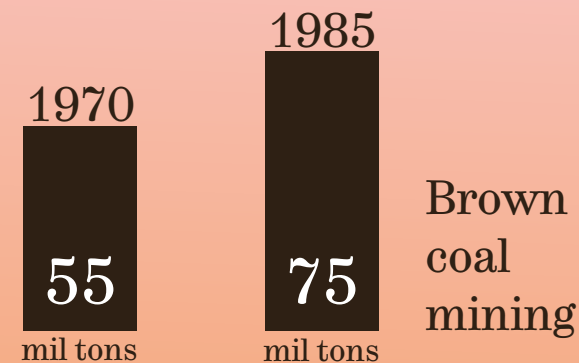
It was the scientists who knew the real state of the environment, but they were not allowed to share any data with the public, the leading party

or any other leading representative. The government only had partial information, due to the fact that the true state of the environment could not be published. [7] [8]

Information about the environment was withheld even though the situation was serious. [9] Any disclosure about the challenges facing the environment was viewed as a potential threat to the State and the leading Communist Party. [10]

These few numbers illustrate the seriousness of the situation:

### Czechoslovak Socialist Republic



- 1,2 million tons of sulphur dioxide released into air per year in the 1980s [11]
- 60–100 kg of sulphur dioxide per year per hectare in the 1980s
- 0,3% of GDP in 1976–1980 for environmental protection [12] [13]

*“We were not used to think about massive destruction of the environment in this society, about the depletion of natural resources, because in the 60s it was local destruction namely in North of Bohemia and not massive...”* says Ivan Dejmál, former Minister of the Environment of the Czech Republic in an interview. [14]

On the one hand there was information about the real state of the environment and on the other hand no measures were taken to remedy the situation.

Namely because of:

- Lack of money, because of state planning and lack of competitiveness of the industry in the global market.
- The true information about the state of the environment was considered a threat to the socialist ideology.
- The main communist doctrine stated that pollution of the environment happens only in capitalist countries.

## A Spark of Hope

The atmosphere in the socialist country changed in the Perestrojka period of economic reform of the Soviet Union.

Influenced by this, the advisor to the Prime Minister of Czechoslovak Socialist Republic (Lubomír Štrougal) asked for an environmental expertise. He was one of the politicians who were interested in environmental issues therefore he addressed environmental lawyer Václav Mezříčský to establish a team and work out a detailed analysis of the state of the environment in

Czechoslovakia. The team of 10 best experts from the Academy of Sciences wrote a detailed report on the state of environment entitled *Analysis of environmental situation in Czechoslovakia (Rozbor ekologické situace v Československu)*. [15]



*Coal mining is associated with many problems, for example the creation of often gigantic spoil tips. Because of the spoil tip in the picture five villages and three small protected areas were destroyed.*

*Photo: Jindřich Petrlík*

*“We created a group of experts and wrote a detailed report about the state of the environment in Czechoslovakia, but something unexpected happened. One copy of the text was given to Charta 77 and through this underground organisation the text got to Radio Free Europe and was broadcasted. Whole Europe heard about the environmental problems of our republic“,* says Bedřich Moldan, Czech environmental scientist, journalist and later Minister of Environment, in a video of Czech TV.

Charta 77, an underground informal initiative asking for the respect for human rights, brought together people who were not allowed to publish, and young people interested in the environment. In the '70s, especially young people were very interested in environmental issues, and Charta 77 took it as a chance to attract young people to their ranks. Questions concerning the environment were perceived by the official government as a tool of the West, to disintegrate the republic [16]. Therefore, the environmental activities became part of the underground movement.

Based on the *Analysis of the environmental situation in Czechoslovakia* the government created in 1983 a *State concept of protection of the environment and the rational use of natural resources of Czechoslovakia until the year 2000*, which was never implemented into practice. The government admitted the environment to be a serious problem, but to implement the changes suggested in the report would mean to acknowledge that Czechoslovakia had environmental issues. [17] [18] This document (after the "Velvet Revolution") served as the basis for essential changes in environmental protection and management.

## The "Velvet Revolution" and changes in society

The first protests (prior the political protests in Prague against the former communist government), were held in Teplice (a town in North Bohemia) and the reason was the catastrophic state of the environment, namely air pollution in that area. The slogans and claims were:

*We want clean air;  
we want a clean environment.*



*The Velvet Revolution was a period of political changes marked by demonstrations that led to the fall of the communist regime in Czechoslovakia. This photo is from one of the biggest demonstrations and the banner says "Civil Forum to the Castle."* Archiv ČTK

The requirements for change of political regime came only a few months later. For the public, the environmental situation was one of the very important topics. Namely, the younger generation was interested in environmental problems already in the '70s.

After the "Velvet Revolution" the main leader for establishing the new society was between 1990 and 1991 the Civic Forum, (Občanské fórum, predecessor of later political parties). It had two main streams: one was humanistic-idealistic and the other were pragmatic economists enforcing the liberal market. These two wings were competing for the direction of future development.

In the first two years after the change, people who were truly and purely interested in the environment entered the political environmental scene. They were experts and had a serious commitment in changing

the situation. In the Parliament of that time there were many smart and educated people more dedicated to serving the environment than private or business interests. [19]

Therefore a number of new laws, by-laws and decrees were passed. The legislation was very progressive by the standards of that time, for example the extent of the rights of the citizens to participate in decision-making processes was one of the largest in whole Europe. From the '70s, the interest of the public (especially young people) in participation did not decrease, it was present in mycelium of the society. After the revolution in 1989, there was something to build upon because to change the law was not enough. There had to be the interest and engagement of the public.

Based on the Association Act, civic initiatives began to emerge and dealt with a wide range of local environmental issues.

*“Almost all the legal documents concerning the environment were created between 1991 and 1992. It is legislative which is good and on which the environmental protection has been based till today”, says Jiří Kulich, teacher of environmental education in a documentary film of Czech TV. [20]*

*“I believe that environmental, economic and social problems have to be solved hand in hand. The idea that first we have to solve the economy and later the environment, is nonsense. And not ethical and unrealistic”, says Josef Vavroušek, environmentalist and the Czechoslovak former Minister of the Environment in a documentary film of Czech TV [21]*

Josef Vavroušek was ahead of his time, his idea was to coordinate environmental protection across the whole Europe. It was the first idea of cooperation on a European level in the history of Europe. He initiated the first pan-European meeting – inviting all the ministries in charge of environmental protection, bankers, leaders of institutions of all the European countries for a conference in Dobříš (town in Central Bohemia) in 1991 to coordinate and share good practice.

We must bear in mind that the main umbrella institution – the Ministry of the Environment was not in existence in the first years after the change. Nature conservation for example was under the jurisdiction of the Ministry of Culture, air protection was under the jurisdiction of the Ministry of Forests and Waters.

And so scientist Bedřich Moldan and lawyer Václav Mezřický, significant leaders of the environmental movement, were asked to lead the formation of a new institution, the task was to design the ministry from scratch.

The Czech Environmental Inspectorate was created in the same year (1991), taking over inspections of water management and air pollution and thus covering waste management, forest protection and water management, and air pollution. The Inspectorate inherited a challenging task to build a fully functional institution



### III. *The change of political system was achieved – what were the first steps?*

The newly established democracy in the Czech and Slovak Federative republic had to deal with the situation of vast environmental pollution.

From the time before the change there existed the State *concept of protection of the environment and the rational use of natural resources of Czechoslovakia until the year 2000*, elaborated by the previous (communist) government based on the detailed and expert analysis of the environment. This document was prepared by the team of best experts in the field of environment as mentioned before. Although it came from the previous era, it was a very solid and progressive foundation on which to build.



Old environmental burdens often include abandoned industrial areas.

Photo: Jindřich Petřík

### THE TWO MAJOR TASKS AND THE TWO SUCCESSFUL STORIES AT THE SAME TIME



#### OLD ENVIRONMENTAL BURDENS

The situation was not easy and the “inherited” troubles were significant. The two main difficulties of the 1990s that appeared as crucial were: old environmental burdens and desulfurization of coal power plants.

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**Old environmental burden is serious contamination of ground and surface waters and contamination of the underground rock environment. It occurred by inappropriate handling with hazardous substances in the past – such as pesticides, chlorinated and aromated hydrocarbons or heavy metals. We can consider detected contamination as an old environmental burden only if the source of the contamination does not exist or has been unknown.**

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The State accepted responsibility for old environmental burdens, which endangered the health of the population through contaminated groundwater, soil, and polluted air.

The ME CR became the main governmental body for the salvage measures and the CEI had to carry out the checking of implementation of the agreed remedies. In 1993 it was entrusted with determining the corrective measures in the process of removing old environmental burdens.

Beside the checking activities the task of CEI was to monitor the remedying measures. Therefore, the CEI had to issue opinions and reports on remedial projects and issue final protocols confirming the finalisation of the remedy. The monitoring of sites with long-term environmental burden is one of the important activities of CEI and has been going until to



*The political system before the Velvet Revolution completely overlooked the impact of industry on the environment. That's why old environmental burdens were one of the biggest environmental problems in the 1990s.*

*Photo: Petr Berger, ČTK*

this day (2023). There are inspectors who ensure permanent supervision and check on the current state of the solution.

The State undertook the duty to finance the revitalization/restoration of the polluted regions and environmentally inadequate equipment or establishments. The source of financing became the National Property Fund. Financing of environmental burdens was not done by the new acquirers but by the State. As it was clear that the problem will be long lasting and will exceed the financial possibilities of the new owners (the situation was caused by the previous State companies).

Each of the subjects of the financial support signed a so-called environmental contract. Later, in 2006, the fund was dissolved, and the financing was split between corresponding Ministries and regions.

The first step was to categorise the old environmental burdens according to its potential threat and to define what exactly the threat was.

*Contaminated sites can for example be: waste dumps, industrial and agricultural sites, small enterprises, unsecured warehouses of dangerous substances (such as banned pesticides), former military bases or areas affected by the extraction of mineral resources. [22] [23]*

The ME CR developed a methodology, which includes criteria for categorising the old environmental burdens – the dangerousness of the substances, the extent of contamination and plans for future usage.

The Ministry also created a database of the old burdens and uploaded it to the official web. Decontamination of the old burdens is the first step to revitalising and restoring the polluted areas and towards further usage.

Thanks to the experience with the decontamination of old environmental burdens, the Czech Republic, has over the years, become one of the leaders in this area. And today the country's know-how and



knowledge transfer can be applied to other countries, mainly to those countries within the former “Eastern socialist bloc” with very similar types of pollution challenges and obstacles.



## DESULFURIZATION OF COAL POWER PLANTS

The other issue was sulphur dioxide emissions, mainly from coal power plants, due to high content of sulphur in the coal mined in the Czech Republic. One of the successful environmental stories of the 1990s, the desulfurization of power plants, dramatically improved air quality. Solving this „debt of the past” became a priority for the then newly established energy company (ČEZ Energy). The most extensive and fastest environmental program in Europe was completed in 7 years (in Germany for example the same process took 14 years). ČEZ Energy wanted to have power plants environmentally sound. Between 1992–1998, ČEZ energy desulfurized 5,930 MW of power in coal power plants and equipped

### Share of the state budget spent on environmental protection measures

**1,1% of GDP** in 1990–2000

**2,5% of GDP** in 1996–1997\*

\* Included desulfurization, construction of the wastewater treatment plants and waste management [24]



*As a consequence of air pollution (sulfur deposition), there was also massive forest die-off.*

*Photo: Jan Rychetský, ČTK*

another approximately 500 MW of power with modern fluid heaters.

The task of the CEI in this process was to check and monitor all activities concerned.

Mgr. Vojtěch Kotecký, director of Hnutí DUHA (NGO Friends of the Earth Czech Republic) in 2010 in a video of Czech TV says: *“In 1990 the Minister of Finance Václav Klaus said that we cannot reduce the exhalations of sulphur dioxide by 30% because we would have to cut off most of our electric plants. But now after 20 years we are the biggest exporter of electric energy in Europe, we did not cut off our power plants and we reduced exhalations by 80%.”*



Installation of emission filters in thermal power plants was a method of environmental protection “at the end of pipe”. However, it brought about a vast shift in the improvement of air quality and reduction in forest damage especially in the northern regions of the country. The amount of the sulphur dioxide per year per hectare decreased from 60 kg (in 1980s) to 10 kg (in 2010). As a result the forests damaged by acid rains recovered.

In 20 years, the enormous burden caused by acid rains reduced to the level comparable with the European Union (EU).

These few numbers illustrate the change of the situation in comparison with the 1970s, 1980s.

## Czech Republic

- ▲ **2,0% of GDP** in 2010 for environmental protection
- ▲ 2010 the releasing of sulphur dioxide **reduced to 10%** due to desulfurization of thermal power plants
- ▲ **10kg of sulphur dioxide** per year per hectare in 2010 [25]

## IV. *Preparing the soil and growing the seed – establishing building blocks for the new arrangement*

Predecessors of CEI were the Czech Water Management Inspectorate and the Czech Technical Inspectorate of Air Protection; they were distinct bodies that had a narrow focus on two main environmental components – water and air pollution.

### The State Water Management Inspectorate and the Czech Water Management Inspectorate

In the aftermath of the post-war era in the 1950's, the imperative arose to establish water management facilities in response to water pollution concerns. The surface water pollution was rising and so it was important to process the surface water. In 1959 a new law came into force, it established the duty to build wastewater treatment plants (the control activities of water management were not yet anchored in the law system, it came later). The reorganisation of the state regional structure (1959) helped to build a check body – the State Water Management Inspectorate, the task was to check the economical usage of water in industry and agriculture, check the quality of wastewater and check the building plan of the wastewater treatment plants.

The State Water Management Inspectorate was the inspecting body of the Central Water Management Administration (At that time

Czechoslovakia was a federative republic consisting of two States) and had State competence, the work managed by Inspectors, appointed and removed by the chairman of the Central Water Management Administration.

Later (in 1967) the Czech Water Management Inspectorate (CWMI) was established [26] to inspect the Czech waters.

The main task of the CWMI was to check, supervise and inspect the discharge of wastewater and special water, operation and maintenance of wastewater treatment plants, protection of water from pollution and economical usage of water. The Czech Water Management Inspectorate later became part of the CEI.

### **In the 1960's the other institution – the Czech Technical Inspectorate – was established to manage the enforcement of air pollution law**

At that time the state authorities came to the conclusion that there was a need to protect the air in certain areas.

The main task of the Czech Technical Inspectorate was to check and inspect the equipment for air pollution monitoring, check the air pollution and set the fees for emissions. The Inspectors were allowed to enter factories, enterprises and small enterprises.

After the “Velvet Revolution” the newly established Ministry of the Environment wanted to follow the path of component environmental protection. The model would mean to establish separate inspectorates to protect individual components of the environment e.g. separate

inspectorates for water, air pollution etc. However, discussing the laws for a component environmental protection approach model, altered the entire landscape.

The Members of Parliament (in 1991) suggested establishing a single body covering all the segments, all the components of environmental protection. The bill was approved, and the Act on Czech Environmental Inspectorate came into force on 19 June 1991.

The CEI was conceived as a state administration body and subordinate to the ME CR.

The structure – of the CEI was that it was divided into headquarters and regional inspectorate with the head of each Inspectorate and the head of CEI. And thus created one integrated body for environmental protection.

The key role of CEI was to check and inspect the new (privatised) subjects – production plants, industry, agriculture and the new owners of forests and water resources.

After the parliament elections in 1992 the two factions appeared in Czech society – “the froggies and the concrete builders”. František Pelc, Director of Nature Conservation Agency of the Czech Republic, in one documentary of Czech TV describes the situation as follows: “The concrete builders were keen to build and restructure (a lot of the concrete builders privatised enterprises and establishments) and wanted to build as fast as possible.” They were accustomed to providing bribes and so called “pocket money”, as frequently practised during the previous Communist administration and all designed to expedite the process.

The other faction on the other hand were the defenders of the environment, who wanted to implement changes in protection of the environment according to the new legislation, but this faction did not have the so-called “green traffic light” to enable them to proceed. [27]

As the two factions competed against each other it became very difficult to enforce any environmental concept. For example: environmental tax reform or projects on declaring new Specially Protected Areas.

Aside from this (by 1992), the country had in place important building blocks for a new system of environmental inspection, protection, and management:

**Ministry of the Environment of the Czech Republic (established in 1991)**

**All necessary legislation concerning the environment**

**The two Inspectorates (mentioned above which later become a basis for CEI)**

**The field Inspectors with specific competences**

**Some knowledge, together with some monitoring equipment and data. (However there did not exist any uniform method of legal compliance and an environmental monitoring system spanning the whole country).**

## **An Unfortunate Situation**

The newly established CEI related to the history of the State and had to deal with it – we are referring to the legacy issue of bribery.

Inherited from the past, the organisational culture included certain behaviours such as Inspectors unabashedly seeking bribes. Cultural

habits do not shift overnight so the staff continued to operate in line with the norms of the Communist era.

Many cases were identical: the Inspectors demanded a bribe to pardon the punishment or a fine.

But the Inspectors were not alone, in acting dishonestly. There was also a pressure exerted by the management of CEI, to *seek but not to find*.

The reasons for the frustration summarised by one of the inspectors of that time, who did not wish to be named:

*„We are expected to seek, but not to find out. We can only blame decent people who make a small mistake. But when we encounter a crook or a suspicious businessman having good contacts everywhere, then suddenly we are alone. And the pressure is on us to hide everything under carpet,“* explained one of the inspectors [28]

- 2002 inspector of the Czech Environmental Inspectorate was sentenced for bribery [29]
- 2004 inspector of the Czech Environmental Inspectorate was accused of abuse of authority of a public official and thus bribery [30]
- 2004 the police arrested a public official while taking the bribe [31]
- 2007 inspector of the Czech Environmental Inspectorate asked for a bribe [32]

## V. Building a *functional* environmental inspectorate

Unfortunately, the situation with bribery and fraud within the CEI remained until the first decade of the new century (some cases appearing as late as 2008).

The continuing task in the first decade of the new century was remedying old environmental burdens (this task was still not completed even by 2005), and the results were still unsatisfactory, and the impact on human well-being was serious with the poor health of population in some areas of the country as a result of a polluted environment. [33]

The ME CR and the CEI needed restructuring, there was a legal framework for both institutions, but performance of the institutions was non-productive, not flexible, too slow and uncoordinated.

“The light at the end of the tunnel” appeared with the invitation for entry to the EU. The process of entering the EU related to the fulfilment of conditions such as: improving the protection of the environment namely – waste management, wastewater treatment, air quality and emissions control, protection of soil.

The activities of the harmonisation of the EU standards for the environment with the country’s environmental standards had to start. At the beginning of this work Czech authorities were criticised for just a formal implementation of the legislation: the adoption of EU legislation was more in the rhetoric way and less in the practical implementation. The Czech central authorities still persisted in the unwillingness to release the information needed. Withholding of information about the real state of the environment was still not fully overcome. [34]



*Celebration of the entry of ten new countries into the European Union, including the Czech Republic, in 2004.*

*Photo: DPA Archive*

The first decade of the new century was busy therefore for both CEI and the ME CR as well. Changes had to be made to meet the European Union requirements. In addition, the first results of activities after the Velvet Revolution were seen and had to be reflected on. [35]

### What the CEI had to do to prepare for entry to the EU?

- Providing stimuli to law amendments within approximation to the Acquis Communautaire, the unified EU law.
- Twinning programs. The CEI decided to join two programs. One

with the United Kingdom in 1998 and the other one in 2004 with the Netherlands. The first run was closed and evaluated in 2001, the second one in 2005.

The Twinning projects are the core tool for knowledge-exchange. The countries out of the EU can take advantage of know-how exchange and cooperation with the EU member countries.

- The twinning partners had to be found.
- The twinning agreement had to be elaborated and the topic of twinning defined.
- The type of the Twinning had to be decided upon – thematic twinning or twinning between organisations.

■ In the second half of 2002, CEI launched a broad modernisation of the office equipment and new cars had to be purchased.

One of the very important decisions was to establish a legal department (which later extended to become a legal department in each region).

In order to become more flexible, to be more operational and to be closer to the public, the training of employees was organised. The main focus of the training was on communication skills, administration procedures and other professional abilities.

■ The second wave of reform took place in 2003. The organisational structure of the inspectorate was changed, the territorial competences of regional inspectorates were strengthened, better coordination of activity of the departments was implemented, the competences of the legal department were consolidated.



## A Key Milestone: Joining the EU in 2004

Accession to the EU brought a lot of advantages, such as:

- Improving the legislative framework, unification of environmental standards and approaches with the EU Member States.
- The possibility to receive EU funding for environmental measures. The opportunity to access additional funding was significant to be able to resolve many of the legacy issues which remained from the pre-1989 era.
- A stimulus to tackle the complete restructuring both institutions – the CEI and the ME CR – involving organisational and structure changes.
- Training the inspectors – language tests.
- Anti-corruption projects and trainings.

However, joining the EU brought unexpected challenges. One of them was (and still is) illegal waste import. By entering the European free market of goods, the Czech Republic became a target of cheap solutions. Saving money on a landfill or an incinerator is attractive for some companies. Mostly companies from Austria and Germany transporting waste which cannot be recycled domestically, to the Czech Republic [36] [37]. To prevent this behaviour the CEI cooperates with the Police and the Customs. It also uses experience from practice and long-term data gathering. Trade with waste must be reported. But the reality is that some of the companies report the waste as sorted pure raw material (permitted) but in fact it is non-separated waste and sometimes hazardous waste, which is not permitted to import.

## Intensive work continues even after joining the EU

Three main innovations were implemented (as outlined in the Annual report 2005):

- Because the Czech Republic undertook the fulfilment of international obligations in the field of environmental protection, the ME CR established an Integrated Pollution Register (IPR) as a publicly accessible information system of emissions and transfers of pollutants. Public accessibility has qualitatively distinguished the IPR from other existing registers in the field of environment protection and places far greater demands on the administration and operation of the register.

Companies polluting the environment are obliged to report releases of substances into water, soil, and air; the CEI became a competent body in terms of supervising and checking the fulfilment of the reporting obligation.

- With the new EU legislation came *Integrated Pollution Prevention and Control* (IPPC). The IPPC is based on an integrated approach of environmental protection. The main emphasis is placed on a prevention of the pollution before it occurs by choosing up-to-date technologies and suitable production procedures, the so-called Best Available Techniques (BAT).

The environment is considered at the beginning of the production process not only at the end of the process, in other words an “end-to-end” process. [38]

- The introduction of the EMAS/EMS tool which was developed by the European Commission for companies and other organisations to evaluate, report, and improve their environmental performance. EMAS implemented CEI as the Minimum criteria for environmental inspections. [39] [40]

In 2005 the CEI undertook another organisational structure change, the aim of which was to increase work efficiency and compatibility with the EU.

Further training and educating of Inspectors continued following accession to the EU, which included mandatory language tests set by European standards. [41]

Also the introduction of eco-labelling for CEI was negotiated.. It is a guaranteed certification system of the product’s environmental friendliness and compatibility. [42]

The following years were aimed at improving organisational structure, greater integration, and cooperation within CEI as well as continuous training of Inspectors and other staff.

In 2010, the CEI celebrated its 20 years anniversary. During the 20 years of work, the inspectorate became a highly professional and transparent inspection body performing executive supervision, monitoring, enforcement, and preventive activities. The CEI became a flexible, capable control body with a professional legal service, implementing special issues within environmental protection and management.

## Challenges which make us stronger

### Corruption

As with all the post-communist countries, the Czech Republic had to cope with a serious issue of corruption, which is defined as: “Dishonest or unethical conduct, often involving the abuse of power or position for



*personal gain. It can manifest in various forms, such as bribery, fraud, embezzlement, or other acts of wrongdoing that undermine the integrity and fairness of systems, organisations or individuals.”*

Reduction of corruption was one of the conditions of entry to the EU.

Corruption is a complex issue connected with the political system of the country, legal system, loopholes and gaps in the legal system and other influences. It is a non-formal layer under the official decision-making system, which is not easily uprooted. Nevertheless, it can be reduced which naturally requires a long lasting and continuous process. To introduce what was the situation in 2005 and today, we will use the Corruption Perceptions Index of Transparency International:

*In 2005, the Czech Republic was positioned 47<sup>th</sup> out of 158 countries, placing it within the top third with an index score of 3,36. By 2022, its ranking improved to 41<sup>st</sup> out of 180 countries with an elevated index of 4,39. [43] [44]*

In accordance with the anti-corruption policy of the Czech Republic, the CEI as well as other state bodies accepted the Anti-corruption Programme – entitled „Corruption and anti-corruption policy in public administration” in 2005 . It was a programme supported by the European Anti-Fraud Office, created by Transparency International together with the Ministry of Internal Affairs of the Czech Republic. Training sessions were held mainly for Clerks in the ministries, regional authorities and local municipalities.

Anti-corruption programmes, e.g. constant ethical education of clerks and court proceedings contributed to the reduction of corruption in the Czech Republic and thus in CEI as well.

Based on Government Resolution (No, 752 as of October 2, 2013), the CEI adopted an internal anti-corruption programme, which consists of procedures and measures to manage corruption risks and which employees

are obliged to follow in the decision-making process. Its goal is to limit the corruption practices.

## Political pressure

Any inspectorate in any country cannot avoid political pressure because it is a part of a complex system of State administration. Various interest and lobbying groups want to achieve their goals, politicians have private businesses and influence institutions and the procedure of approving the laws to achieve their goals. Political parties impact the running of the State by appointing people who act in their favour in key positions; thus, a change in the political situation may trigger a change in the Inspectorate.

In this environment there is the Inspectorate, which must be a solid body to resist all these influences. The recent history of the CEI (after 2010) has not been without problems, difficulties, and challenges.

Three waves of dismissing the staff (Inspectors included), brought fewer inspections and checks.

*In 2008–2010 the number of inspections per Inspector per year averaged between 38 and 40. However, by 2021, the number of controls per Inspector had fallen to 27 controls.*

Less frequency of checks means, of course, a greater risk of violation of the environmental law. [45]

Also the loss of trained Inspectors often means that complicated or non-standard cases will remain unresolved or avoided altogether and not even opened. An Inspector who opens a case is required to manage the



case to completion. Therefore those Inspectors who are new or unfamiliar with complex cases, tend not to open them at all.

In addition to the loss of trained Inspectors, there was a significant exodus of lawyers. The Directorate Legal Dept. was almost dissolved, and this had a critical impact on the work of the Inspectors. The Inspectors lost support and became isolated, particularly in respect of complex cases. Opening a non-standard case became almost impossible because the lawyers that remained were unable to cover the work as before. [46]

The latest Director (2014–2022) was blamed for unprofessional management. [47] *Speculations*, but also deputies of ecological NGOs [48] [49] [50] suspect that the main task of the latest director of CEI was to deconstruct it due to political order.

The Bečva River case is a very good example and probably reflects the pinnacle of the challenges faced by the CEI.

In 2020, one of the most significant river pollution cases occurred in the Czech Republic. The release of a poisonous substance, (most probably cyanide), killed 40 tons of fish. [51] To date (2023), it is not known exactly what poisoned the fish; the case is not yet closed; and it is not known which individual or which company polluted the Bečva River.

However, what is clear is that the inflexible behaviour of the CEI; unclear communication; missing water samples from the first days following the “accident;” the inability to act in a timely manner and as the result of a disrupted Inspectorate [52]. The fact that the CEI does not have water samples is a key fact that makes it impossible to solve the case. [53] (please refer to Chapter XI. for more detail about this case).

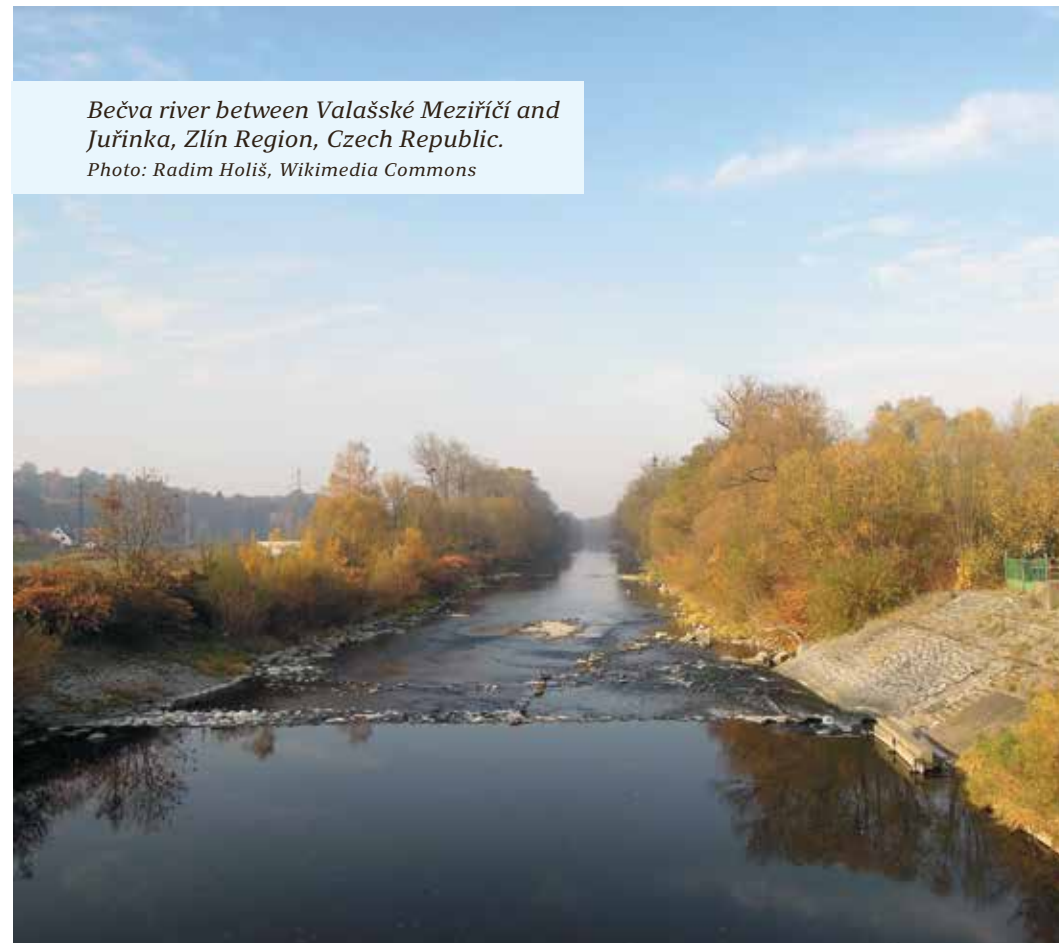
The current Inspectorate is definitely working better than 30 years ago, but it is not without mistakes.

In cases where political and private interests become involved in the work of an independent body, there is a risk of reputational damage. The position of any inspectorate (and the CEI as well) is fragile and there is a need for civil society to be alert. Civic associations, various environmental initiatives and non-profit organisations, and independent media, are something like a “fuse” that enters the game at the moment when the proper functioning of state authorities is threatened by external pressures – political or lobby interests.

The new Director of CEI will have to start to re-build the authority and the main challenge will be to regain the trust of the public.

*Bečva river between Valašské Meziříčí and Juřinka, Zlín Region, Czech Republic.*

*Photo: Radim Holíš, Wikimedia Commons*



## VI. *Activities of the Czech Environmental Inspectorate*

Predecessors of the CEI (the State Water Management Inspectorate and the Czech Technical Inspectorate, the two supervising and monitoring bodies of nationwide competence) executed its power through work of field Inspectors.

This methodology continues to be operated by the CEI even to this day e.g. Inspectors supervise the subordinated institutions, companies, non-profits, joint ventures, associations and compare their performance with the legislation and issued permits.

**The CEI carries out its activities in the following areas:**



*The Czech Environmental Inspectorate is a professional body charged with supervising compliance with environmental legislation. It also oversees compliance with binding decisions of administrative authorities in the field of the environment – as stated on the website of the CEI.*

[54]

The CEI is a supervisory authority of the ME CR, it is fully subordinated to it.

The first law which established the activity of CEI was Act No. 282/1991 Coll.

The activity of the Czech Environmental Inspectorate is currently set by six laws: Act No. 114/1992 Coll., Act No. 334/1992 Coll., Act No. 100/2004 Coll., Act No. 162/2003 Coll., Act No. 78/2004 Coll., Act No. 93/2018 Coll.

The CEI is open to the professionals and public, which not only fulfils its function as an enforcement body in environmental protection, but also opens a public debate on environmental issues.

### OVERVIEW OF THE CEI ACTIVITIES

The general task is to supervise compliance with environmental protection legislation. In detail this means that CEI:

- performs inspections – checks,
- imposes measures to correct identified deficiencies,
- imposes sanctions for non-compliance with environmental laws,
- controls the trade and handling of endangered species of animals,
- plants and their products (removal of illegally obtained individuals and products),
- supervises chemical safety (dangerous chemical substances and mixtures) and product safety,

- restricts or suspends operations if they pose a threat to the environment,
- participates in resolving old environmental burdens,
- deals with the initiatives of citizens/physical persons and legal persons,
- provides information based on requests in respect of applicable laws,
- informs the public as well as the media and state administration bodies about environmental data gathered during inspection activities,
- prepares opinions for other state administration bodies, and participates in investigating and solving environmental accidents,
- cooperates with the inspection authorities of the countries of the European Union Member States and the network of inspection authorities of the EU (the so-called IMPEL – Implementation and Enforcement of Environmental Law).

## THE COMPETENCES

**1. Supervision** – checks, revisions, inspections, investigations, etc.

### 2. Sanctions

- Fines for legal persons
- Fines for entrepreneurs
- Fines for individuals/physical persons (namely in the field of water protection)
- Restriction or suspension of activity, and or operations

### 3. Measures

- Measures to correctly identify inefficiencies.

- Solving old environmental burdens
- Recording of accidents and cooperation in solving them
- Detention and confiscation of illegal specimens of endangered animal and plant species
- Removal of illegally held individual (such as animals) or products, removal of the products.

**4. Standpoints/stands** – opinions, statements, approvals for other bodies

### 5. Reports/Announcements

Solving reports of citizens protection and CITES – (Convention on International Trade in Endangered Species)

## 1. Supervision

The main task is to supervise the compliance of the private (or state-owned) companies with environmental legislation and is carried out via inspections. The CEI uses two types of checks – **planned and non-planned**. [55]

The scheduling of the **planned checks** happens before the end of the year and is in line with the environmental plan for the upcoming year. Usually, the plan has some main goal – such as for example reduction of emissions or more intense control of surface water.

Inspectors already know from experience, which areas need to be checked regularly and long-term (the wastewater treatment plants, landfills, incinerators, thermal power plants, metallurgical plants, etc.).

The **non-planned checks** are conducted due to announcements of citizens, state authorities or municipalities, or as a response to detected damage to the environment.

The Inspectors are always, without distinction, obliged to notify the inspected person of the place, date and time of the start of the inspection in advance. The announcement includes a list of the documents needed. The inspection is authorised to enter private areas pursuant to the appropriate law.

## 2. Sanctions

Violations of the obligations can be sanctioned by fines or suspension of the activity. The amount of the fine is governed by the following criteria: the extent of the damage, the circumstances under which the offence was committed.

*Example from practice: Issued fines:*

YEAR	TOTAL AMOUNT CZK/EUR	AVERAGE FINE / YEAR
2013	170.000.000 CZK / 6.800.000 EUR	70.000 CZK / 2.800 EUR
2014	150.000.000 CZK / 6.000.000 EUR	53.000 CZK / 2.100 EUR
2015	140.000.000 CZK / 5.600.000 EUR	48.000 CZK / 1.920 EUR
2016	130.700.000 CZK / 5.100.000 EUR	45.300 CZK / 1.700 EUR
2017	113.100.000 CZK / 4.350.000 EUR	42.600 CZK / 1.600 EUR
2018	100.300.00 CZK / 3.900.000 EUR	39.400 CZK / 1.500 EUR
2019	112.300.000 CZK / 4.300.000 EUR	44.400 CZK / 1.700 EUR
2020	87.600.000 CZK / 3.400.000 EUR	43.000 CZK / 1.600 EUR
2021	79.000.000 CZK / 3.160.000 EUR	47.000 CZK / 1.880 EUR

*(Data from Annual Reports 2013–2021. The average income of a manager in 2022 was 50.000 – 90.000 CZK/2.000 EUR – 3.600 EUR per month, the average wage in 2022 was 40.000 CZK/1.600 EUR per month)*

## 3. Measures

Violations of duties can lead to correction or to the removal of identified deficiencies. The corrections are in the competence of the Inspector and are confirmed by his/her manager. In case there is no definition of correction in the law, the inspector acts according to his/her experience and in connection with the fact that corrections must improve the situation or remove the causes/drivers and effects/impacts.

**For example, a company or an entrepreneur, which violated law or regulation on waste, is obliged to remove an illegal dump, to separate the waste and to bring it to the recycling facility. Or an entity which violated forest law, must reforest areas which the subject illegally logged.**

In the case of more serious violations of the law the restriction of production or activity can be ordered. Such a major intervention into the activity of the entity inspected can paralyse it or badly influence his income. Therefore, the condition of “until the causes of this threat are eliminated” is stated by the Inspector. This motivates the entities to correct and solve the situation as soon as possible.

The Inspectors are authorised to take samples of substances or objects in order to determine their composition.

Mostly at the airports of the Czech Republic, the inspection retains endangered and specifically protected plant and animal species, which were illegally imported.



*CEI also acts as a regulatory body in waste management to prevent, for example, landfill fires.*

*Photo: Arnika archives*

## 4. Opinions

The CEI issues opinions on projects as part of EIA. As the State administrative body, the CEI issues opinions, statements, or approvals for other State administrative bodies. It is part of the preventative agenda. The CEI can also issue its expert opinions on the operation permit procedure, which is the competence of the regional departments. (it can cover for example incinerators of all types in the area of air protection) [56] [57].

## 5. Reports/announcements

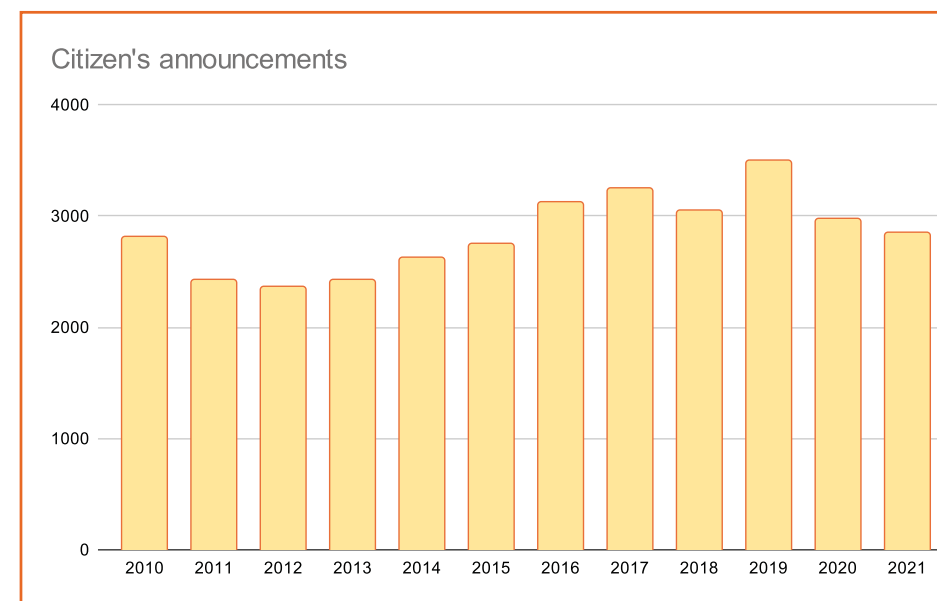
The non-planned checks are mostly carried out on the basis of initiatives of citizens, state authorities or municipalities. Citizen's announcements/

reports are an important part of the environmental protection process. The cooperation with the general public and communities is one of the pillars of CEI work.

And announcements can reveal damage or threats to the environment, which would otherwise remain hidden. The public, which is considered to be an important player in environmental protection, is motivated to cooperate.

An informed public also learns what is and is not important for the environment. Public and communities learn through the cases which are published in the media. Every case with a published solution is a signal for the citizens that it is good to make announcements.

*Example form practice, citizen's reports/announcements in total for whole republic:*





## VII. *Tasks of the Czech Environmental Inspectorate*

During the long history of CEI, many changes and adjustments have had to be made to achieve the current state.

One of the goals was to specify the tasks of the CEI. Profiling the tasks was a long-term issue because the defined tasks needed to be tested in practice and consequently redefined if needed. Until the year 2016 there were two types of tasks defined – *main* and *specific*. The main tasks are listed below (later the situation changed – see also below).

The CEI cooperates with municipal and regional authorities, public health protection authorities, customs authorities, the Fire Service and the Police of the Czech Republic. It also provides them with professional/expert assistance and support.

### THE MAIN TASKS [58]

The main tasks are those resulting from the definition of CEI's activities. The mission of the CEI is therefore primarily the supervision of compliance with laws in the environment (water, air, waste, nature, animal and plant species, and forest protection). The main tasks of the CEI are determined annually by a document called *Activity Plan of the Czech Environmental Inspectorate* for the given year. The headquarters sets the requirements and passes them to the Regional Inspectorates; they generate the final number of checks (per year or per quarterly) from the plan.



### Air protection

The CEI contributes to the minimisation of air pollution.

The main activity in this field is to control emission limits, odour substances in the air, the acceptable darkness of the smoke and the acceptable rate of smell intrusion.

The issuance of expert opinions, on applications for integrated permits or their changes for facilities falling under the IPPC is the other task of CEI. The Inspectors are also permitted to control the technology of incinerators, heating plants and the emission limits.

As defined by the Act on Greenhouse Emissions, the Inspector takes samples of the greenhouse gas and tests the composition, and according to the result decides on the measures.



### Water protection

The role of the CEI in this field is the protection of both surface and groundwater, and also controls the compliance of the operators with their obligations set by respective permits.

The CEI:

- checks river transportation in terms of protection of the water,
- plays a key role in dealing with accidents on watercourses (e.g. has the right to give instruction during an accident, and gives the instructions to mitigate the consequences of an accident on water),
- controls the minimum biological water flow (minimum residual water flow).

The CEI manages a water pollution accident database that is a very

important tool for control and evidence of consequences which are usually long-term.

## waste management

### Waste management

The basis of activities in this area are to check the legal compliance, to restrict or suspend operation of the waste processing companies.

Therefore, the CEI:

- Performs inspections at the points of waste generation.
- Checks transportation of waste within the country, transboundary trade and transit of waste.
- Prohibits the sale of batteries or accumulators which could harm the health of people or harm the environment.
- Checks the fulfilment of the obligation of re-cycling of used products – electronics, tires, batteries and accumulators.

The Inspectors can check the records of chemical substances and mixtures because the trade with illegal pesticides has to be detected. Also trade with industrial chemical substances must be subordinated to control.

## nature conservation

### Nature conservation

The CEI checks the compliance of legal regulations in nature conservation and landscape protection. The CEI detects and records cases of threats and damage to

nature and the landscape and checks the origin of specially protected species of plants or animals.

The CEI:

- supervises the trade in wild animals and plants in danger of extinction,
- performs checks on trade licences and permits for those animals in danger of extinction – performs checks on the trade in seal fur and products
- performs checks on strictly regulated trade of fur and animals under special regulations
- performs checks on wild animal rescue centres and zoological gardens and private keepers
- performs checks of the use of genetically modified plants or microorganisms.

The CEI investigates cases of pollution or damage to agricultural land – agricultural land resources, i.e. hop fields, vineyards, gardens, orchards, fields, fish breeding ponds but also field roads and irrigation water reservoirs. The CEI checks unauthorised use of land for other activities than farming.

## forest conservation

### Forest protection

The CEI investigates damage to forests and the causes of such damage, as well as those persons responsible for the damage. It performs investigation of the damage and mandates corrections and solves problems with excessive or illegal deforestation, damage to forest land and roads, illegal usage of forest land for other purposes than for growing and maintenance of forest – using forest as a landfill ground for waste or dumping of damaged soil.

A special task of the CEI is the protection of the monument/veteran trees (the trees individually protected because of their exceptional historical and cultural value).



## THE SPECIFIC TASKS [59]

Besides the regular inspection, investigative and checking activity of CEI there are other areas of special focus. It concerns repeated violations of the compliance with the regulations (for example the water treatment plants of hotels, biogas power plants, etc.). Accomplishing this task requires Inspectors with long experience, because they are required to know the topic and choose sites (enterprises, private subjects, etc.) that will be checked regularly and over the long-term. Within the frame of specific tasks, these companies are specially and regularly (for a few years) supervised by regional inspectors. The checking activity is also focused on the regions where there is a potential danger of serious damage to the environment, and this cannot be fulfilled other than by knowing the practice.

Some typical examples are:

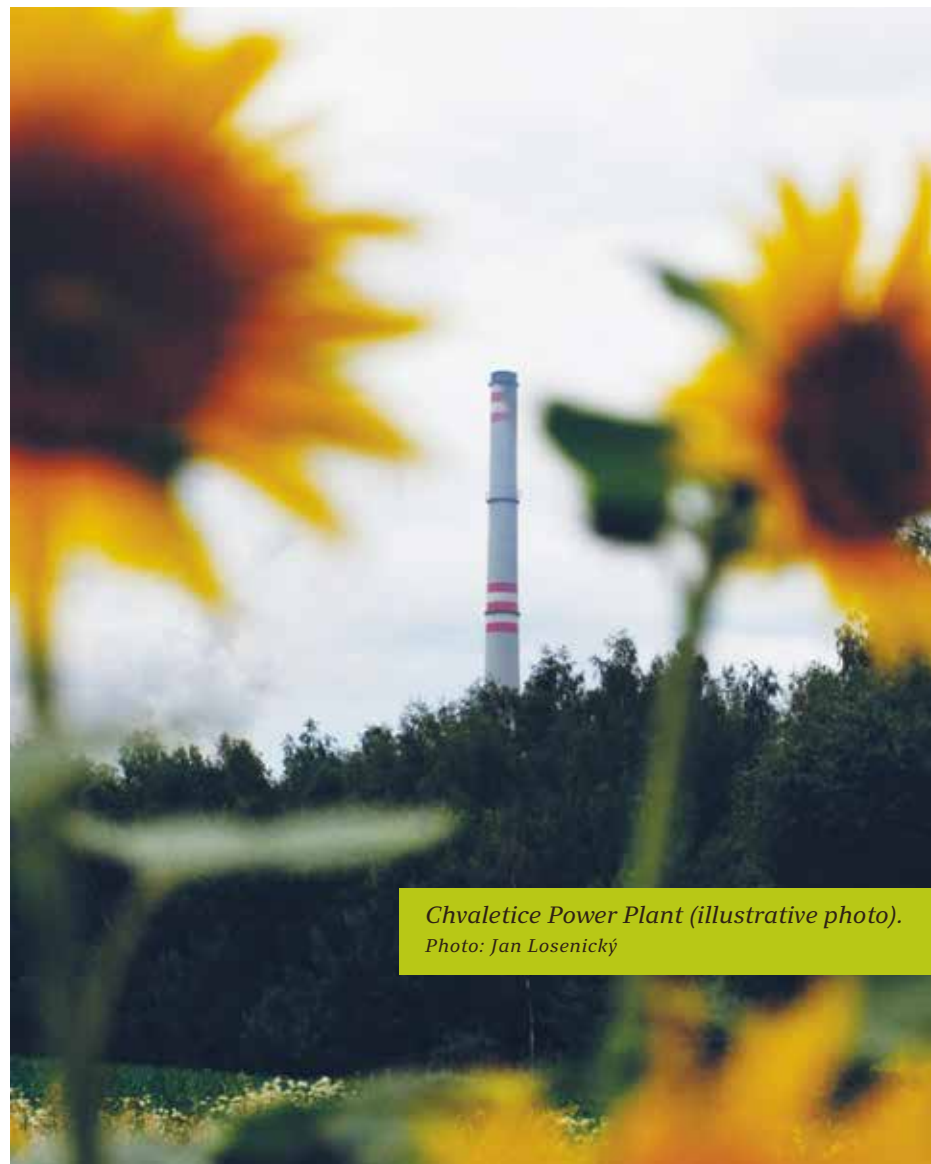
- Frequent violation of the water protection act by hotels and guest houses that repeatedly drain the wastewater into the water course or use of groundwater without permission;
- Biogas producers repeatedly violating the regulations on hazardous substances;
- Regular checks of one of the biggest water polluters in the country – the inspectors repeatedly measured phosphorus, which led to discovery of pesticides in processed/treated water.

In the years 2016 – 2018 the specific tasks were included into the main tasks because the plans of checks covered both.

**Examples from practice – according to Annual report 2019, the specific tasks were:**

- **Usage of water without permission:** the Guest house Penzion Hájenka used 1.225 m<sup>3</sup> of water without permission, Děčinská Sportovní used 6.154 m<sup>3</sup> of water without permission

- **Draining the wastewater into the water course** – hotel Alpská vyhlídka, Mayr-Melnhof Holz Paskov Ltd.. and ALFA VERUS Ltd.
- **Violating the regulation on hazardous substances** – FOBOS INVEST a.s. handling of harmful substances without approved emergency plan



*Chvaletice Power Plant (illustrative photo).  
Photo: Jan Losenický*

## VIII. *The structure of the Czech Environmental Inspectorate*

The CEI is a specialised body of the state administration, which executes preventive inspection checks and sanctioning activities in the field of environmental protection.

The activities of CEI are – site visits, monitoring of emissions and checks of internal reports and follow-up documents, verification of self-monitoring, checking of the techniques used and adequacy of the environment management.

The CEI Directorate is headed by a Director appointed by the Minister of the Environment. His selection, appointment and dismissal are governed by the Civil Service Act.

The basic CEI structure has two levels of management:

### **1. The Headquarters (called the Directorate since 1993).**

The Directorate has the position of a managing, organisational and methodical body in the organisational structure of CEI.

The organisational activities at CEI directorate are carried out by three departments:

- Department of Economy and Operation,
- Department of Internal services and,
- Department of Information and Communication Technologies.

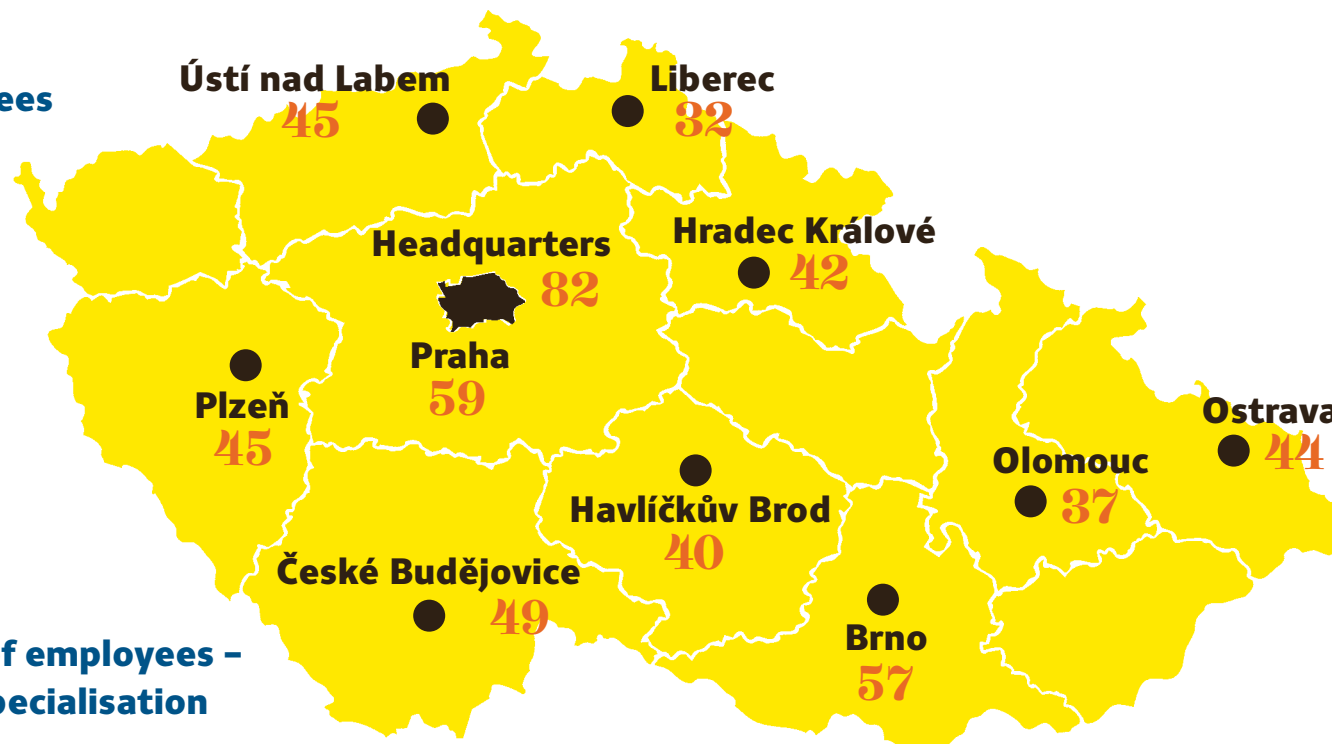
The methodological activities at the CEI Directorate are carried out by two professional departments:

- Department of Technical Protection and Integrated Prevention
- Department of Nature Protection and Forest Protection and CITES [60]

**2. The regional inspectorates (RI)**, of which there have been ten since 1995: Regional Inspectorate Prague, České Budějovice, Plzeň, Ústí nad Labem, Hradec Králové, Havlíčkův Brod, Brno, Olomouc, Ostrava, Liberec.

The Directorate of the CEI, in addition to the methodical management, carries out its own control activities and measurements. These measurements are carried out based on the requirements of the regional inspectorates.

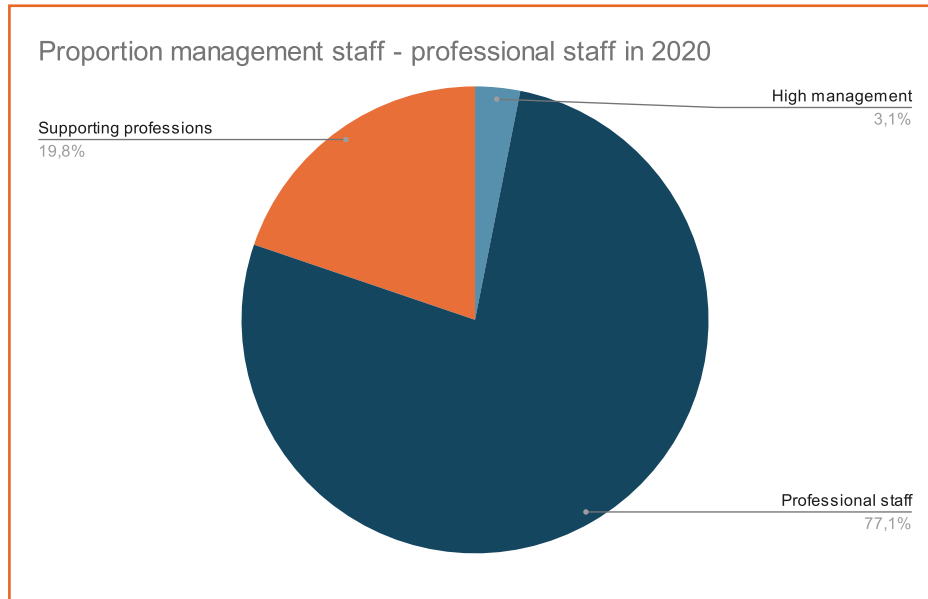
**Total number of employees  
- split by Regional  
Inspectorates (RI)  
and Headquarters**



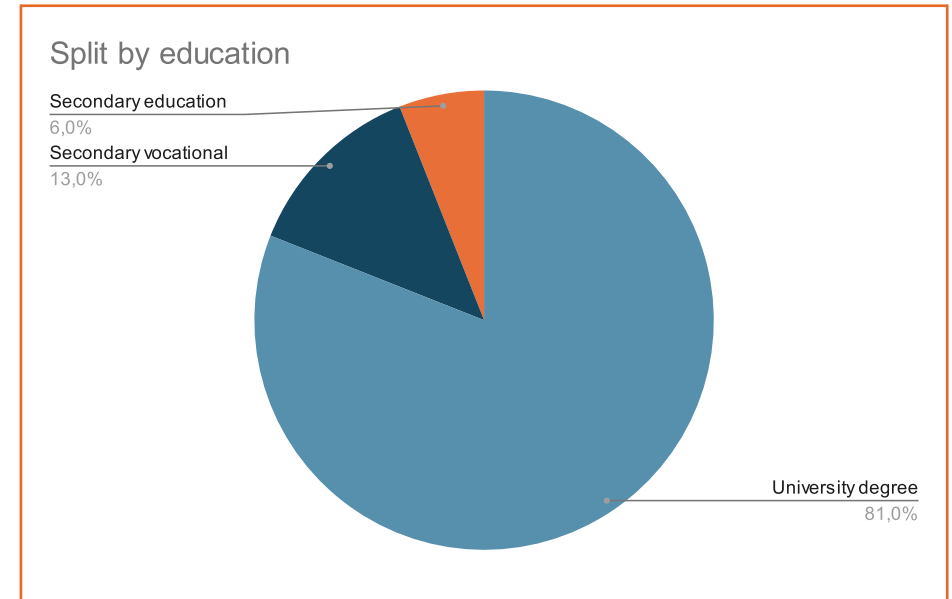
**Number of employees -  
split by specialisation**

	Water protection	Forest protection	Nature conservation	Waste management	Air protection	Support	High management + management	Total
<b>Headquarters</b>	4	2	9	4	4	4	55	<b>82</b>
	Water protection	Forest protection	Nature conservation	Waste management	Air protection	Management	Integrated protection	
<b>RI Praha</b>	11	6	11	11	9	9	2	<b>59</b>
<b>RI České Budějovice</b>	9	5	6	9	8	10	2	<b>49</b>
<b>RI Plzeň</b>	9	3	7	10	7	7	2	<b>45</b>
<b>RI Ústí nad Labem</b>	8	4	9	10	6	6	2	<b>45</b>
<b>RI Hradec Králové</b>	9	4	7	9	7	5	1	<b>42</b>
<b>RI Havlíčkův Brod</b>	7	5	8	6	8	5	1	<b>40</b>
<b>RI Brno</b>	10	6	8	11	10	10	2	<b>57</b>
<b>RI Olomouc</b>	6	4	6	7	7	6	1	<b>37</b>
<b>RI Liberec</b>	5	3	6	7	4	5	2	<b>32</b>
<b>RI Ostrava</b>	9	4	7	11	7	5	1	<b>44</b>

## The percentage split between management staff and professional staff (in 2020)\*



## The split by education (average - last 10 years)\*:



\*The number of staff ranged from 630 in 2010 to 540 in 2021

## The split between management staff and professional staff in numbers (in 2020)\*

The total number of staff	<b>546</b>
High management – department heads, management	<b>17</b>
Professional staff	<b>421</b>
Employees of supporting professions	<b>108</b>

\* The numbers and the proportion has been approximately the same in the last 10 years.

## Why are skilled inspectors a value?

Inspection activities are carried out by CEI inspectors at regional inspectorates. [61][62] The Inspectorate activities are carried out according to the law of State Control and the Control Order.

The most important issue is to educate and train inspectors. To master the methodology, processes and procedures takes approximately two years. After this period, the inspector is ready to work independently in his/her field. To retain educated, trained and experienced inspectors is the key subject for a well-functioning inspectorate. Skilled and experienced inspector (inspecting some areas is based only on the experience from practice) can handle difficult and comprehensive cases.

When the turnover of inspectors is too high and the inspectors leave before they are skilled and experienced, the difficult cases stay untouched. To open some of them means to solve it and to conclude it, and for this the courage and certainty in methodology and procedures are crucial.

## What does an Inspector's job entail?

An Inspector's work is carried out both in the office and in the field. An Inspector's work is supported in the main by the following tools:

- Computer
- Phone
- Drones
- Measuring equipment (collection device for olfactometer)
- Laser rangefinder
- Digital camera
- Voice recorder

In general, the job of an Inspector is split into two parts:

- 40–45% of the inspector's time is allocated to supervisory and control activities and is planned.
- The remaining capacity of the Inspector's time (55 – 60%), is left for tasks such as unplanned inspections, including inspections of authorised emission measurements, initiatives from the public warning of environmental damage or threats.

The main task of an Inspector is to observe and control the state of the environment.

The work activities are:

- Monitoring the state of nature in the region or location (including emissions, follow-ups from information provided by the public,...).
- Organising professional support and consultancy (if necessary) and the technical activities in nature conservation and landscape protection.
- Carrying out the inspection activities – inspecting the companies, enterprises, producers. In the case of violations – making proposals and suggesting the solutions.
- Providing the necessary information for either the public or the companies. The inspector informs the companies about the restrictions which must be abided by.
- Working out of conceptions and methodology for environmental protection. Consulting the municipalities and state administration.
- Within the process of territorial planning/spatial planning protecting the interests of nature.
- Elaborating on explorations and surveys of the state of nature.
- Management of the protected landscape area.
- Issuing fines, calling, informing the and liaising with the police if necessary.

- Preparing the basis or materials for EIA expert opinion.

Every Inspector has an official ID to prove his or hers authority. It can be shown to anybody who asks for it.

The inspector has the right:

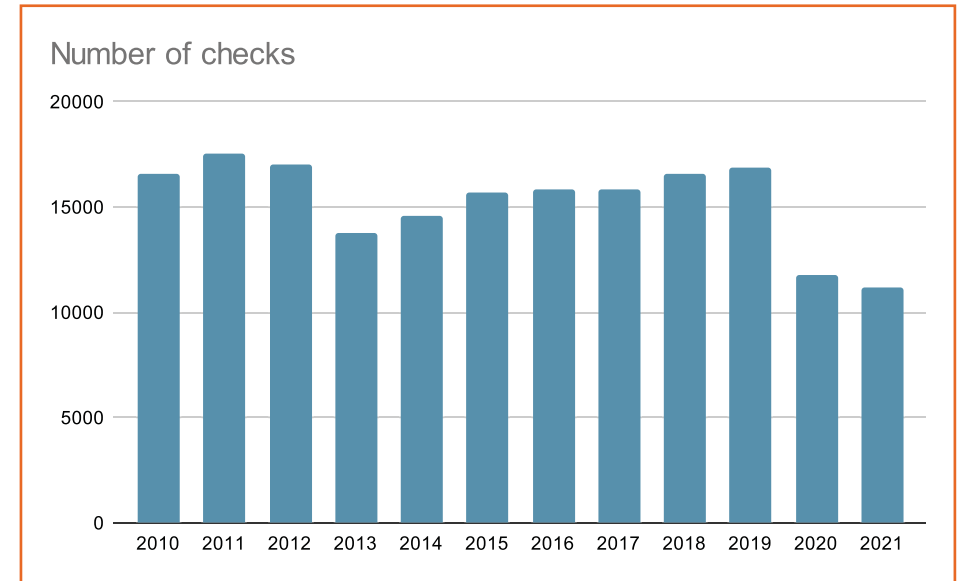
- To access necessary information.
- To access necessary documents and permits.
- To secure evidence including samples.
- To limit or prohibit certain activities.
- To enter premises.
- To inspect articles and persons.
- To ask an expert to take part in the inspection/check.

The inspector's duties:

- In advance informs about the check.
- Undertakes to keep confidential the details of the person or persons who made the initial report.

The outcome of a check activity is an inspection protocol, which contains the course of the inspection and the result, description of the facts found and a conclusion. The signature of the controlled person indicates that the content was read.

*The annual checks (both scheduled and unscheduled) in the whole republic.*



Most of the activities carried out by the CEI is preventive, although the result is very often the discovery of deficiencies or a violation of the law and the initiation of administrative proceedings.

The way to seek redress is the granting of sanctions and penalties, or restricting activity – these means can be granted repeatedly and simultaneously. If the sanctions do not help, the CEI has the right to close the enterprise or suspend the activity. The sanctions are conducted in administrative proceedings.

## IX. An *example* of annual budget of the Czech Environmental Inspectorate

Ministries receive finance from the state budget and funds of the EU. For special measures which cannot be financed from the EU funds, or the state budget additional national financial programmes are established.

The CEI as an executive body of the ME CR receives all the finance through the Ministry.

An annual budget in general is bound – and originates simultaneously – to a system of financing in the region or country, size of the institution to the legal form of the institution to the number of staff to the value of property to the number of buildings... and so on. We do not present a detailed view on financing the CEI but only an approximate image.

An example of an annual budget for the CEI, for all the regions plus the headquarters. The numbers are approximate. This example of a budget is based on real numbers but each of the items is an cumulative average of the past three years.

Item	Amount CZK/EUR
Non-investment expenses (mobile phones, computers, technical security,..)	5.508.500 CZK / 220.340 EUR
Investment expenses (repairs and modernization of buildings, cars, electronic security system,..)	41.744.000 CZK / 1.699.760 EUR
Wages	370.000.000 CZK / 14.800.000 EUR
TOTAL	417.252.000 CZK / 16.690.080 EUR

### Frame of reference:

- 1 930 950 000 000 CZK/77 238 000 000 EUR total income of the state budget 2023
- 2 222 954 000 000 CZK/85 498 200 000 EUR total expenditures of state budget 2023
- 26 680 000 000 CZK/ EUR total income of the budget ME CR 2023
- 17 530 000 000 CZK/ EUR total expenditures of the budget ME CR 2023 [63]
- The total number of employees of CEI was 540 in 2021.



# X. Optional *activities* of the Czech Environmental Inspectorate

International cooperation brings new ideas, exchange of experience and sharing of good practice. It is a source of new “wind” and therefore the CEI is active internationally. As a progressive and modern Inspectorate, the CEI is involved in six types of international activities.

## 1. Implementation and Enforcement of Environmental Law (IMPEL)

The CEI cooperates with inspection bodies of the EU Member States. One of them is the European Union Network IMPEL. It was established in 1992 as an informal network to cooperate in implementing minimum criteria for inspection tasks – now it is an international non-profit association sited in Belgium. The CEI became a member in 2006.

There are a number of ways of cooperation in which the CEI actively participates:

- sharing knowledge, skills, and best practice
- coordination of measures between countries, for example in illegal transboundary waste trade
- providing feedback to policy makers

<https://www.impel.eu>

## 2. International Network of Environmental Compliance and Enforcement (INECE)

The INECE is dedicated to using regulatory and non-regulatory approaches to guide compliance with environmental law in member countries. The main goal of the network is to contribute to a healthy and clean environment, sustainable use of natural resources and the conservation of ecosystems.

Peer review, exchanges of practical information and promotion of solutions is CEI’s contribution to the network.

<https://www.inece.org>

## 3. Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES)

The convention particularly controls and restricts trade of endangered species of animals and plants. CITES is a global international agreement under the UN. The Czech Republic became a member in 1993.

The CEI is a member of the Wildlife Crime Working Group of Interpol. The task is to coordinate cooperation of the CITES Parties in Europe and of the Europe subgroup of Wildlife Crime.

<https://cites.org/eng>

## 4. Bilateral cooperation with neighbour counties

The CEI cooperates bilaterally within the framework of concluded agreements with Slovakia and Poland.

## 5. Cross-border cooperation

The CEI ensures cross-border cooperation, especially through specialised inspectors in border regions and communities. Mainly focused on water protection and illegal cross-border waste trade.

## 6. International commissions for the protection of transboundary watercourses

Inspectors represent the Czech Republic at meetings of international commissions for the protection of the transboundary watercourses of the Elbe, Oder, and Danube Rivers.

## 7. Help line (so-called Green Line)

A free telephone connection between the CEI and the public was established 1.9. 2008. The line is used to receive suggestions, questions and information from members of the public. It serves as a means of communication with the public: questions posed by members of the public regarding environmental issues are answered; and members of the public are informed about the legal competences of the CEI. The line operates daily and solves one to two announcements per day.

## 8. The CEI as a part of environmental information system (EnviHELP)

Environmental help desk (EnviHELP) gathers information about the environment. On EnviHELP portal can be found information on all the topics concerning the environment and information indirectly related to the environment – e.g. subsidy programmes. The founder is the Ministry of Environment of the Czech Republic and CEI became part of the system by sharing the link. The activity helps to issue information concerning the environment.

<https://helpdesk.cenia.cz/hdPublic/>

## XI. Tips *how to build* a functional inspectorate

Environmental Inspectorate plays a key role in the enforcement of environmental laws and regulations. It supervises and checks the compliance of both state and private entities, (and in some cases also individuals), with environmental legislation. Based on the experience of the Czech Republic, we can offer 10 crucial points on how to build an effective Inspectorate – bearing in mind however that circumstances, governmental and legal structures in other countries may vary.



**Adopt robust legislation** to cover the activities of the Inspectorate and provide the Inspectorate with a strong mandate. The position of the Inspectorate in the state administration and its relations to the other state bodies must be clearly defined. The Inspectorate should be a financially and organizationally independent body.



**Clearly define the competencies** and rights of an Inspector (and the whole Inspectorate) in the respective law. It is essential for Inspectors to have the right to access private premises without prior notice; the right to suspend or at least restrict a harmful activity (e. g. operation of industrial facility) or to close the enterprise violating the law. Last but not least, to ensure sufficient capacities of the Inspectorate e.g. optimal number of Inspectors.

The findings of the inspection – penalties, sanctions must be based on administrative law, to avoid official arbitrariness.

Even those who violate the law must have a right for appeal

and other remedies. The Inspectorate should develop annual plans of checks based on correct up-to-date data (creating a regularly updated database of power plants, production units, significant air, and water polluters).



**Provide the Inspectorate with regular financing.** The best is to designate the Inspectorate as an organisation subordinated to a central ministry of environment. The budget should cover adequate salaries, operation of its own vehicle fleet, purchase, and operation of technical equipment (such as a mobile laboratory, drones, etc.).



**Protect the Inspectorate against corruption** by training, adequate salaries and internal control mechanisms (e.g. anonymous anti-corruption hotline, procedure of internal corruption investigation, etc.). To reach a non-corrupted Inspectorate, it is convenient to design an anti-corruption scheme with some of the specialised organisations (e.g. Transparency International). Corrupt Inspectors are a huge obstacle to legal action.



**Invite and employ experts from various fields**, so that the Inspectorate can keep pace with the private companies. It is essential to find technical experts to cover all areas of the Inspectorate mandate (e.g. nature conservation, industrial facilities, forestry, etc.) as well as lawyers. Train the Inspectors regularly according to the highest standards possible.



**There are many advantages in establishing regional branches** – it provides the Inspectorate with faster and easier access to the areas and operations of concern. The regional branches should have access to technical equipment and each branch should develop its annual plan of activities.



**Cooperation with the public is very important**, because it helps to reveal damage or threats to the environment, which otherwise might remain hidden. Therefore, it is important to create an easy system of gathering of the announcements (e.g. hotline, online form). Members of the public who have contributed information to the hotline should be informed about the results of the inspections, because this develops trust in the investigative processes and procedures. Public should be given the opportunity to join the inspections and the administrative proceedings.

The periods for informing the public about the result of findings should be short as well as the possibility to appeal against the decision of an inspector.



**To build transparency and support law violation prevention** is essential to publish an annual report covering activities of the inspectorate in all fields. More detailed description of the main cases helps to show the practical activity of the inspectorate. The annual reports are a valuable source of information from policy and practise for the public, media and policy makers.



**The fines must be sufficiently punitive** to deter from law violations, and their amount should be updated according to the inflation. The Inspection should have a right to significantly increase the fines in the cases of repeated violation of the law.



**The revenues of fines should be accumulated on a specific bank account** (e.g. State Environmental Fund) and invested into the measures to protect the environment, including information campaigns.

## XII. Some practical *examples*

The following are some cases which demonstrate how important it is to clearly define the competencies of an environmental Inspectorate and the importance of the participation of both the public and NGOs. Where the competencies and the executive powers are not clearly defined, it is difficult to solve comprehensive and difficult cases.

Every pollution of the environment brings extra costs that are a burden for the country. Especially countries where the economy is not so strong, environmental accidents are a big burden, therefore a good prevention system is half the way to success.

Nature in the affected area bears the consequences of accidents for many years, it requires special care, remedying and consequent regular monitoring and last but not least – additional costs.

That's why it's important to prevent accidents and to have professional and reliable monitoring systems, proactive communication with stakeholders and the public and to anticipate situations which can happen. For example, to anticipate that along the stream of the river, as more companies discharge water, pollution will accumulate and therefore a system of distinguishing the source of pollution is essential.

### DOMESTIC CLOSED CASES

Following are the cases, demonstrating the work of CEI. This is group of cases where it is clear how it was resolved and what the consequences were:

#### 1. Company importing hazardous chemical substances violated national chemical law and the EU's regulation

*Company Grass EU did not classify hazardous mixtures*

The company imported and marketed products from Volgograd to the Czech Republic in 2020, specifically cleaning detergents for special use (stain remover, engine cleaner) intended for the public. The company Grass EU Ltd. is importer of hazardous chemical substances, producer of detergents and exporter of chemical mixtures. The imported goods were hazardous chemical mixtures and detergents at the same time.

The Regional Inspectorate in Hradec Králové (on East of Bohemia) checked the package labelling and classification of the mixtures. Both were not sufficient. The company did not classify the mixture's dangers for health correctly and did not announce the import according to the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH) regulation. It also did not announce the import of the hazardous mixture to the European Chemicals Agency (ECHA) as imposed by European Parliament regulation (Regulation No 1272/2008) called Classification, Labelling, Packaging (CLP).

The company violated one of the basic duties of importer and producer of chemical substances, therefore the inspectors imposed a fine of 150.000 CZK/6.000 EUR, the company appealed, but the fine became final.

## 2. Water pollution on the Moravanský Brook

*Tisk centrum Ltd Moravany, polluted brook and pond near to the city Brno by hazardous liquids*

The water pollution happened in Moravany near to the city of Brno (South Moravian Region), it was caused by the release of a hazardous substance from the printing industry into groundwater and surface water. The citizen's announcement was registered by the CEI in February 2016 – members of the Moravany fishing association reported deteriorating water quality. The inspectors of CEI detected substances from printing in the Moravany brook and fishpond and later they found out that enterprise Tisk centrum Moravany released the substances. The company also dealt with harmful substances on a larger scale without an approved emergency plan and what more – it took groundwater from its own source (drilled wells) without a water management permit.

On the basis of the detected facts, the CEI decided to impose a fine of 300.000 CZK/12.000 EUR. The CEI subsequently enacted the remedial actions to protect the surface and ground waters.

## 3. The fisherman took away tons of dead fish

*AGPI Ltd centre of agrochemical services caused death of tons of fish*

Fishermen noticed the dead fish when they came to feed them in July 2019. They immediately informed the CEI. Laboratory water sampling confirmed high concentration of ammoniacal nitrogen. The consequent check was done in the Staňkov campus, where the company AGPI Ltd. stores and handles liquid and solid fertilisers.

Meanwhile fishermen were dealing with a water accident at the Tovaryš fishpond. Water from the Staňkov campus flowed through the Milevský brook into the fishpond and poisoned tons of fish.

The company was fined CZK 200.000/8.000 EUR because it did not take adequate measures when handling harmful substances.

#### 4. Biogas plant was fined for air and water pollution

*Zucca, company operating a biogas plant, has received several fines from the CEI*

Since 2016, the Zucca company has been fined several times in the total amount of 900.000 CZK/ 36.000 EUR, in water protection. Due to this activity the CEI carries out quite frequent inspections of this operator. Any inspection must be particularly careful because transgressions repeat.

In 2016–2020 citizens of nearby village repeatedly called CEI due to an excessive odour. In the mentioned years the inspectors asked for an operation permit of sources of pollution and for corresponding data, but unsuccessfully.

In 2021 the CEI again called on the operator to submit data on the operation of the mentioned air and water pollution sources but the result was – no data and very bad communication from the side of Zucca management. This behaviour led to a high fine.

**In August 2020 a fine of two million Czech crowns (80.000 Euro) became final under the Air Protection Act for the unauthorised operation.**

#### 5. Setra delivered sewage sludge directly without treatment for application on agricultural land

*SetraComposting plant accepted savage sludge without permission*

The composting plant had a permit to process sludge by aerobic fermentation (decomposition of biodegradable waste with access of oxygen). This was the only process allowed and not any other method.

In 2019 the company received sewage sludge from the sewage treatment plant in the amount of 659 tons, which it subsequently without any treatment handed over to the farmer for direct application on agricultural land.

Earlier the same year, Setra took over sewage sludge, which it subsequently concentrated on land in the village of Ostrov u Lanškrouna (the East Bohemia) not permitted for this purpose.

At the time of the CEI inspection the facility did not have proper records of sewage sludge in the amount of 659 tons and violated the operating permit.

**The Regional Inspectorate in Hradec Králové imposed a fine of 120.000 CZK/4.800 EUR because the company did not keep proper records and violated operating permits.**



## 6. Phenolic water leakage

*Hazardous substances were released during the accident*

Tens of people were complaining on social media on health issues (headache, cough and fever) in February 2019. The citizens of the town of Chodov (the West of Bohemia) called the CEI due to the smell and health problems. A day later firemen informed the CEI that substances leaked to the Chodov Brook and the commander of the firemen confirmed that the substance was phenolic water with a content of tar.

The following two days the Department of Air and Water protection of CEI checked the generator and facilities of Sokolovská uhelná/Sokolov Coal Company. The conclusion was – the company violated the permit for the facility.

For several days after the accident, the quality of the surface water of the Chodov Brook was affected. Significant odour problems occurred in the town of Chodov – strong smell remained for several days.

**The company was fined CZK 500.000/20.000 EUR because it did not take relevant measures for preventing an accident and limiting potential consequences.**

## 7. Tree clearance – 60 trees in the Jezerka Urban Park in Prague district 4

Company Rossy Service cut healthy trees.

The police were called in March 2009. Rossy Service company started the clearance of healthy trees. The citizens called CEI to the site, because they wanted to be sure that the activity was announced and confirmed by the City council of Prague 4.

The director of CEI [64] came and stopped the clearance on the spot. But the next day the company continued in felling of the trees and citizens of the Prague 4 called CEI again as well as the staff of the Department of the Environment of Prague 4. It turned out that the City Council of Prague 4 did order the felling but the company behaved very unprofessionally.

The main issue was that felling of the trees was carried out too late. In the late March – after the vegetative rest – in the time of birds nesting, it is not allowed to do any maintenance of trees. In particular, the company should not have continued in felling the trees after the first stopping. Rossy Service should have called a specialist, ornithologist to supervise the process or to recommend postponing the action to the time of vegetative rest.

**Corresponding administrative body in administrative proceedings decided to postpone the maintenance of the trees to time of vegetative rest.**

## INTERNATIONAL AND DOMESTIC CASES NOT CLOSED

Not all cases have a good and clear ending. We can learn from what did not go well, improve the processes, and grow.

Following three cases are a good example to demonstrate what failed and what can be improved.

### Trucks bringing illegal waste from South Europe

#### *Illegal municipal waste import*

The Police stopped a Volvo truck carrying more than 20 tons of waste in May 2020 at the Dolní Dvořiště border crossing from Austria. Most of the cargo was brought from Italy. [65] in 2020, but it is like the cases in 2005 and 2006.

The cargo had to be delivered to one company near the city of České Budějovice/Budweis (the South of Bohemia). It was a mixture of plastic, wood, cork, paper and other materials, part of which was already in decay, informed the spokesman of the Police.

The custom control discovered that a part of the cargo was delivered under the cover of correctly specified waste, but it was a non-recyclable mixture in fact.

It is easier and cheaper to bring the prohibited waste to the Czech Republic, sell it to a Czech waste sorting company, which covers it up by purchasing, so it becomes "Czech legal waste" and landfills it or stores it on the property of the facility without further processing.

This happened in Hůry (the South of Bohemia). About 6,300 tons of waste accumulated on an area of approximately one hectare on site owned

by company Profiacont. The today non-existing wanted to sort the waste out and distribute it further, but the company in 2007 disappeared.

Illegal "fly dump" dump was liquidated in 2016 – the costs were 8.000.000 CZK/308.000 EUR and was paid by the local community.

### The Odra/Oder River poisoned

#### *One of the biggest recent poisonings of a river in Europe.*

The German and Polish fisherman in June 2022 pulled 350 tons of dead fish from the Odra/Oder River. The poisoning of the river probably occurred between its middle and upper reach. On the Polish side there was no water monitoring system for the quality of the water. Therefore, the disaster was coming slowly and unseen. The salinity of the water helped to spread the algae which poisoned the water and fish.

At the time when the Brandenburg Ministry of the Environment in Germany was doing tests and said that it was probably more than one cause, Polish authorities did not inform the public at all (finally they did but two weeks later because of underestimating the situation) [66] and at the beginning they did not take the whole problem seriously. The warning system (sending SMS to inhabitants near the river) failed absolutely. The cause of the poisoning was still unknown at the end of August (one month after the accident). There was speculation about poisoning by mercury or mesitylene (a substance used in the production of paints) [67].

The two NGOs BUND in Germany and Greenpeace in Poland knew that the reason was high salinity caused by the discharge of water from coal

mines and other industries into the river.

Half a year later the EU committee calls it one of the biggest disasters on a river in recent time in Europe and confirms what the German BUND and Polish Greenpeace already knew. [68] A year later (2023), it was still not known whether fines were issued or if corrective measures were taken.

The case shows that non-governmental organisations can bring substantial knowledge, they work in the field and know the regional/local conditions. The testimonies of citizens, fishermen or NGOs can be especially valuable in the cases where there is no official/governmental monitoring system.

## **A poisoning of forty kilometres of the Bečva River**

*One of the greatest environmental catastrophes in the history of the Czech Republic*

One of the most serious water disasters in the Czech Republic occurred on 20th September 2020 and led to the serious poisoning of forty kilometres of the Bečva River, after which up to 40 tons of dead fish floated on its surface. It was probably caused by several leaks of toxic substances. There is a total lack of direct evidence, such as water and fish samples, which were not secured after the accident, and which would have made it possible to identify the culprit quickly and easily. The two institutions, which were supposed to cooperate and to obtain the trustful samples (the CEI and the State Water Authority of Valašské Meziříčí) failed completely. The CEI confirmed that the inspector took one sample of water and dead fish, which is insufficient. The CEI tried to shift responsibility to the State Water Authority Valašské Meziříčí and vice versa. The CEI started

investigating the consequences of the accident too late. The unanswered question is why the CEI did not act according to its competences and tasks.

It is unclear why the CEI initiated corrective measures only with a one-year delay and after intervention of the NGO Arnika and a local fishermen's union.

Two years later it was still not clear what happened, who was the culprit and what caused the poisoning. To this day (2023) it is not even entirely clear whether the Bečva River was actually poisoned by cyanides or other toxic substances and who is the offender. [69] [70]

What we learn from transboundary international cases for example – it is easy to get rid of responsibility or blame the other country for pollution, when appropriate monitoring is not in place (the case of the Odra/Oder River). The state of Odra/Oder River is supervised by the International Commission for the Protection of the Odra/Oder River from Pollution, established by an agreement of the three countries. The Odra/Oder River disaster showed how difficult it was for these three countries to coordinate testing and common interventions to terminate the disaster.

The role of NGOs is important, as they can carry out additional tests, monitoring and observations. In the case of the Odra/Oder River the Greenpeace NGO knew the reason in the moment when the others were still seeking the answers. And Greenpeace was very close to the truth, as an EU analysis of the environmental disaster in the Odra/Oder River in 2022 confirmed in February 2023.

International trade with waste, the Odra/Oder River pollution and the Bečva river pollution are examples of situations where it is hard to find an offender, because of unclear executive powers and ineffective legal mechanisms.



Based on the EU analysis of the environmental disaster in the Odra/Oder River in 2022 71) we present some key points:

- knowledge (satellite monitoring, tests, data collection and availability) and monitoring system and the data gathered should be directly and publicly available
- communication – early, complete communication and information exchange between authorities
- have a clear procedure for emergency communication
- in case of any environmental incident make a inventory of environmental damage with a special focus on impact on protected habitats and species and develop a plan of ecosystem restoration with restoration measures
- research – as a consequence to any large-scale pollution a further research should be carried out to understand how to avoid mass pollution

*In 2020, toxic substances leaked to the Bečva – the largest gravel-bearing river in the Czech Republic. It led to the death of living organisms along many kilometers. It is one of the biggest cases that CEI has dealt with in recent history, unfortunately not an isolated one.*

*Photo: Stanislav Pernický*



# The key points of building the Inspectorate

- 1989** The “Velvet Revolution” and changes in society.
- 1990** Categorising the old environmental burdens and monitoring of sites (has been going till today).
- 1991** All necessary legislation concerning the environment was approved.
- 1991** Czech Environmental Inspectorate was created.
- 2001** The Twinning programme – closed and evaluated as one of the steps for preparation for entry to the EU.
- 2002** The CEI launched a broad modernisation.
- 2003** The second wave of reform took place at the CEI.
- 2004** Joining the EU, the milestone.
- 2005** The second Twinning programme closed and evaluated
- 2005** The CEI undertook another organisational structure change

- 2005** As fulfilment of international obligations ME CR established an Integrated Pollution Register (IPR) and CEI became a competent body in terms of supervising and checking the fulfilment of reporting.
- 2005** With the new EU legislation came Integrated Pollution Prevention and Control (IPPC).
- 2005** EMAS implemented CEI as the Minimum criteria for environmental inspections.
- 2010** The 10th anniversary – CEI is a highly professional and transparent inspection body.
- After 2010** Difficulties and challenges – three waves of dismissing the staff (Inspectors included).
- 2014 – 2022** Speculations say – due to political order, the latest director had to deconstruct the Inspectorate.
- 2020** One of the most significant river pollution cases occurred, it was the pinnacle of the challenges faced by the CEI.
- 2023** The new Director of the CEI has to rebuild the authority, the main challenge will be to regain the trust of the public.



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## Further reading

### History of Czech environmental development

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