



Prepared by: **WHITE & CASE**

**IFRC COVID-19 Emergency Decree Research:** [Country researched]

**White & Case Team:** [List names here]

- *Questions to be answered by close of business Friday, 20 March are listed below.*
- *Please be sure to include English translations of relevant text where possible.*

**1. Is there coordination between state and non-state actors, e.g. through a national emergency response mechanism?**

The state of emergency is declared pursuant to Clause 5 of the Act No. 110/1998 Coll, on the security of the Czech Republic (the “**Security Act**”), by the resolution of the Czech government or by the Czech Prime Minister himself in case of risk of delay. Should the state of emergency exceed the period of 30 days, the government must seek the approval of the Chamber of Deputies under Clause 6 of the Security Act. Pursuant to Clause 4 of the Security Act, the Czech government may establish the Central Crisis Council (in Czech: *Ústřední krizový štáb*) as an organ of the government primarily dealing with the emergency situation.

Clause 24a of the Security Act enables the Czech government to determine the composition of the Central Crisis Council. In its resolution no. 213 dated 15 March 2020, the government listed the members of the Council who include, amongst the ministers, e.g. the president of the Czech Police, the chief hygienist of the Czech Republic or the head of the National Institute of Public Health. Hence, no “non-state actors” are members of the Council. Nonetheless, the government’s resolution in Clause 7 stipulates that “other experts” may be invited to the meetings of the Council based on the decision of the Council’s president.

**2. Is there mention of the role of Red Cross (RC) or humanitarian actors? In what areas/sectors? What responsibilities are ascribed to RC?**

There is no specific mention of the role of humanitarian actors, whether the Red Cross or others, in the Czech government’s resolutions. However, volunteering activities are exempted from the ban on free movement of persons pursuant to the government’s resolution no. 215 dated 15 March 2020.

The local units of the Red Cross in the Czech Republic are actively recruiting volunteers to assist vulnerable people during the state of emergency, however, this has not been done on the basis of an official mandate granted by the government.

**3. Are there exceptions to travel restrictions that will facilitate the movement of RC/humanitarian relief teams and/or aid across borders? What (if any) quarantine requirements or other conditions are attached?**

No specific measures have been adopted to facilitate the movement of humanitarian relief. However, the movement and the importation of medical aid and other relief items from foreign countries to the Czech Republic has not been restricted. Neither is prohibited the performance of activities for the protection of health, delivery of medical and social services, including volunteering activities .

Everybody arriving from China, Iran, Italy, South Korea, France, Spain, Germany, Switzerland, Norway, Denmark, Netherlands, Sweden, Great Britain, Belgium and Austria are under a mandatory two-week quarantine (resolution no. 209).

**4. Are there exceptions to quarantines, curfews and other restrictions on movement that allow RC/humanitarian organizations access to vulnerable populations (including for psychosocial or non-medical aid)?**

The government's resolution no. 215, which imposed the wide-ranging prohibition of free movement of persons on the territory of the Czech Republic, includes an exception for the performance of activities for the protection of health, delivery of medical and social services, including volunteering activities. Furthermore, the performance of services for the citizens, including delivery services, is exempted from the prohibition. These exemptions do not explicitly refer to humanitarian organizations, but they do enable the access to vulnerable populations for the purpose of delivering aid and psychosocial services.

**5. Have any special legal facilities or exemptions been put in place for the importation of medical aid or other relief items or personnel (International Disaster Response Law)? What (if any) quarantine requirements or other conditions are attached?**

With respect to the access of foreign personnel to the Czech Republic, the government's resolution no. 203 imposed a prohibition on the entry of any foreign person into the Czech territory. However, this does not apply if the entry is "in the interests of the Czech Republic". This exception would arguably cover the cases of entry of foreign medical personnel or foreign volunteers.

The importation of medical aid and other relief items from foreign countries to the Czech Republic has not been restricted in any way by the Czech government. There is currently a prohibition on exports of pharmaceuticals outside the Czech Republic under the government's resolution no. 242 and on exports of FFP3 respirators under the Ministry of Health's extraordinary measure dated 3 March 2020. There are currently no special legal facilities in place for the importation of medical aid and relief items into the Czech Republic.

**6. Is the RC (or humanitarian organizations) categorized as 'essential' or 'emergency' services, for the purposes of exemptions to restrictions on business operations and opening hours?**

There is no express reference to the RC or other humanitarian organizations in the government's resolutions. The Czech government imposed restrictions in its resolution no. 211 on the sale of goods and provision of services in business "establishments" (in Czech: *provozovny*). There is no general exemption for the provision of "essential" or "emergency" services as the list of exemptions covers specific types of establishments (i.e. supermarkets, pet shops, petrol stations, etc.). The term "establishment" is defined in the Act No. 455/1991 Coll. on Trades (the "**Trades Licensing Act**") as "*premises where a trade is carried on*". Given this definition and the fact that humanitarian organizations do not engage in trades regulated by the Trades Licensing Act, the prohibition does not apply to the premises of the RC or other humanitarian organizations.

**7. What other measures are provided in the emergency decrees? (for governmental actors, for communities, for health workers, etc).**

With respect to communities, the most significant emergency measures are the prohibition of free movement (except for shopping, work and stay in nature) under the government's resolution no. 215 and the requirement of wearing veils and other items covering respiratory tract under the resolution no. 247. Community gatherings (i.e. unrelated to work or business) are thus not allowed under these resolutions and the government recommends to keep the distance of at least 2 meters from other persons in public areas.

All health workers currently cannot take a vacation until the end of the state of emergency under the government's resolution no. 216. Providers of spa treatment can no longer take on new clients due to the government's resolution no. 252. Furthermore, the Ministry of Health's extraordinary measures prohibit the visits of patients in hospitals and require the providers of medical care to defer any non-urgent medical operations as well as to prepare for the future intake of COVID-19-infected patients (e.g. by ensuring sufficient personnel capacity).

Members of security forces were ordered not to pursue any other gainful activities under the government's resolution no. 243.

**8. Have restrictions been adopted or put in place that ban the export of protective medical equipment?**

Yes, there is currently a prohibition of exports of FFP3 respirators based on the Ministry of Health's extraordinary measure dated 3 March 2020. Furthermore, the government imposed a prohibition on exports of pharmaceuticals outside the Czech territory under its resolution no. 242.