

Reply by the Government of the Czech Republic to the Platform alert n° 58/2021

The alert concerns the selection process for the next election of members to the Council of the Czech Television, a body through which the public exercises its right to supervise a public broadcasting organisation. Members of the Council are elected and recalled by the Chamber of Deputies of the Czech Republic, according to Act No 483/1991 on the Czech Television. This legislation requires the Chamber to manage the election process so as to ensure that important regional, political, social and cultural opinion trends are duly represented on the Council.

The legislation governing elections to the Council of the Czech Television (and the Council of the Czech Radio) is consistent with democratic principles. It establishes the Council as a body whose members represent the public in supervising the activities and economic management of the Czech Television (a public service broadcaster). On this basis, the legislation entrusts the election of Council members to the Chamber of Deputies of the Czech Parliament, another body composed of elected representatives of the people.

Nominations for seats on the Council can be made by organisations and associations representing cultural, regional, social, trade unions' employers', religious, educational, scientific, environmental or national (minorities) interests. They must be presented to the Chamber of Deputies within fifteen days after the Chamber's chairperson issues a public call for such nominations. Nominations can be made by any entity representing the above interests, which means that the number of nominations presented to the Chamber before each election tends to be very large.

This is why Section 46a of the Rules of Procedure of the Chamber of Deputies requires the Chamber to set up an Electoral Committee for the purpose of elections to the Council.

The section lays down obligatory rules for the management of the nominations:

“ If the number of nominations presented by individual qualified organisations and associations is higher than three times the number of Council members to be elected, the Electoral Committee shall consider the presented nominations and, from among the eligible nominees, select candidates in a number equal to three times the number of Council members to be elected ...”

This shows that in the case described in the alert, the Electoral Committee followed the procedure laid down in the Chamber's Rules of Procedure. The alert says that the Electoral Committee “ only shortlisted candidates with political connection, it is to be noted that according to the Chamber's Rules of Procedure, members of the Electoral Committee are elected by the Chamber strictly in compliance with the principle of proportional representation.

On 16 and 17 March 2021, the Electoral Committee held a public hearing during which it personally interviewed the nominees. On the basis of the hearings, the Electoral Committee selected, in accordance with the Chamber's Rules of Procedure, twelve (out of fifty-five) candidates who were to be presented at the Chamber's plenary session. Out of this group, the Chamber was to elect four new Council members.

It goes without saying that the Chamber as a whole (including the Electoral Committee) is obliged to respect the Czech Television Act according to which the composition of the Council must reflect important regional, political, social and cultural opinion trends.

The election of Council members started at the Chamber's plenary meeting on 26 May 2021 but the debate was suspended. It is to be added that the question of election to the Council was discussed during a meeting of the Minister of Culture of the Czech Republic with leading representatives of the European Broadcasting Union on 24 May 2021. Information on the meeting is available on the website of the Ministry of Culture of the Czech Republic www.mkcr.cz (in Czech).