

<https://doi.org/10.31861/mediaforum.2019.7.97-109>

УДК: [32+34]:[316.32:004](437.3)

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## ПОЛІТИЧНЕ ТА СОЦІАЛЬНО-ПРАВОВЕ ЗАБЕЗПЕЧЕННЯ РОЗВИТКУ ІНФОРМАЦІЙНОГО СУСПІЛЬСТВА В ЧЕХІЇ

*В статті досліджено політичне та соціально-правове забезпечення розвитку інформаційного суспільства в Чеській Республіці. Доведено, що Чехія як член Євросоюзу активно проводить політику розвитку інформаційно-комунікаційних технологій і домоглася тут помітних результатів. Концептуальне й адміністративне оформлення такої політики в ЧР зробило її інтегральною частиною стратегії ЄС з підвищення конкурентоспроможності європейської економіки і підвищення рівня життя чехів. Державна політика забезпечення розвитку інформаційного суспільства Чеської Республіки – це надзвичайно важливе завдання, що вирішується в ході здійснення загального реформування держави. Метою такої політики в Чехії є насамперед створення умов для своєчасного виявлення джерел інформаційних загроз і можливих їх наслідків. Чехія постійно проводить комплекс превентивних заходів для нейтралізації чи зменшення негативних наслідків інформаційних загроз, створення умов для забезпечення своєчасної, повної і точної інформації для прийняття рішень, здійснення інформаційної діяльності для гармонізації особистих, суспільних і державних інтересів як основи досягнення політичної стабільності в країні.*

**Ключові слова:** Чеська Республіка, Європейський Союз, інформаційно-комунікаційні технології, інформаційне суспільство.

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## Political and Social and Legal Support

### for Information Society Development in the Czech Republic

*The article examines the political and socio-legal support for the development of the information society in the Czech Republic. It is proved that the Czech Republic as a member of the European Union actively pursues a policy for developing information and communication technologies and has achieved significant results here. The conceptual and administrative design of this policy in the Czech Republic has made it an integral part of the EU strategy to increase the competitiveness of the European economy and improve the living standards of the Czechs. The state policy of ensuring the development of the information society of the Czech Republic is an extremely important task that is being solved in the course of implementing the general reforms of the state. The purpose of this policy in the Czech Republic is primarily to create conditions for timely identification of information threats sources and their possible consequences. The Czech Republic is constantly implementing a set of preventive measures to neutralize or reduce the negative consequences of information threats, creating conditions for ensuring timely, complete and accurate information for decision-making, and carrying out information activities to harmonize personal, public and state interests as a basis for achieving political stability in the country.*

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**Keywords:** Czech Republic, European Union, information and communication technologies, information society.

**Introduction.** The relevance of the problem raised in this article is not in doubt. The modern development of any society, same as for the Czech Republic, depends on information and communication technologies, as they significantly affect the internal and foreign policy of the state. Different operations in almost all areas of life (politics, economics, finance and banking, energy, telecommunications, health and social security, defense, security, education, culture, customs and public administration efficiency etc.) are carried out through information and communication systems [Informačná bezpečnosť]. Back in 1993 at the initiative of the President of the European Commission, Jacques Delors, a White Paper “Growth, competitiveness, employment: the challenges and ways forward into the 21st century” was published, which describes “the emergence of a new information society in which people’s activities are supported by the provision of services that involve the use of information and communication technologies” [Growth, competitiveness, employment].

Using the advice and recommendations contained in the White Paper, the member states of the European Union have been actively engaged in the creation and formation of the information society in their countries. The political and socio-legal development of Czech society has reached a level where the issue of creating an effective state management system of the information society and its integration into the world has become a priority on the agenda of the national creation of the state. The necessity of such a step was caused by a number of reasons: first, the globalization processes that move human civilization to the establishment of a global information society and the adoption of sustainable development priorities; second, due to certain deviations in the Czech Republic between the proclamation of the priority of state policy of information society development and specified actions of its implementation; third, the current general concept of the state policy for the information society development leads to the management, focused mainly on the advantages of informatization of the Czech society, however, it does not attract sufficient attention to the accounting, prevention and minimization of the risks that arise in the development of a society at its post-industrial stage of civilization.

Many scientists and practitioners devoted their works to various aspects of the state policy of the information society development, including the works of I. Aristova, K. Belyakov, S. Gnatyuk, O. Grigor, V. Gurkovsky, V. Danilian, V. Efimova, Y. Kalashniuk, Y. Makarenko, A. Mikhnenko, V. Parfeniuk, G. Pocheptsov, M. Ryzhkov, S. Chukut, A. Shevchuk, and others; in Western science – works of N. Wiener, M. McLuhan, D. Robertson, B. Badie, P. Bourdieu, L. von Bertalanffi, M. Mesarovich, D. Gudbi, K. Shenon, D. Easton, P. Sorokin, G. Almond, K. Deutsch, I. Masud, A. Bentley, I. Wallerstein, S. Huntington, E. Tofler, D. Bell, J. Galbraith, R. Bowdich, J. Nye and W. Owen, T. Parsons, R.-J. Schwarzenberg, and others. Scientists study the information society as a whole and its establishment in individual states. And V. Parfenyuk directly analyzed the achievements and failures of the Czech Republic in this area while investigating the features of the development and content of the information society policy in the conditions of European integration in Central Europe.

The comparative approach used in this article made it possible to analyze and effectively use the experience of other countries, consider the problems, challenges and prospects of development, effective strategies and plans of this state more realistically. The experience of the Czech Republic, which has a common historical socialist past with post-Soviet countries, is

also valuable because in recent years this state has made significant steps in the development of the information society.

**Presentation of the main material.** The European Union has been paying attention to the development of elements of a unified information society in the European space since the early 1990s. The European community has recognized the task of creating an information society as a priority. The EU information policy is based on the doctrine of the European information society, which was proclaimed by N. Bangemann in 1994 in the Report on “Europe and the Global Information Society: recommendations for the European Union”. The main idea of the document is to create an information society based on the European integration process to ensure the economic stability of the European countries, economic growth of traditional and new (information) industries; solving of social problems of employment by creating new jobs; providing opportunities for free access to global networks for education, health and administrative management purposes [Bangemann A., 1993, 5-32.]. The implementation of the Action Plan (Europe and the global information society, 1994) resolved in significant success, which determined the further strategy of Europe’s movement towards the information society.

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In December 1999, the European Commission launched the “eEurope” initiative, adopting the “eEurope – information society for all” plan, which was followed by the following similar plans. The “Europe 2020” Strategy is currently in effect. These programs were designed to accelerate the transition of all EU member states towards a knowledge economy, potential benefits of economic growth, more jobs, and better access for all citizens to the new services of the information age. Currently, the EU information policy belongs to the common policies of the EU and is implemented at three main levels: global, at the level of the European Union and at the level of individual states. This was directly evident in the Czech Republic, which officially applied for membership in the European Union in January 1996 [Clenstvi CR v mezinarodnich organizacich, 1998, 17], and on May 1, 2004 became a member of this organization. A referendum on joining the European Union was held in the Czech Republic, which showed that 77.22% of citizens voted in favor of joining, while 22.67 % were against it [Jelik I., 2002, Scenario 10+15]. The results of the voting were well received by both political figures of the Czech Republic and official representatives of the European Union. In this way, the Czechs voluntarily took obligations to comply with all the decisions of this international organization.

The European Union documents indicate that the information society is becoming an important driver of economic, social and technological changes and affects the functioning of society as a whole and the relations between individuals, groups and countries at the global level, providing more opportunities for communication and exchange of information, including the cross-border level, through the globalization of widely available networks and services for society. Information is a mandatory component of the democratic decision-making process and guarantees the right of citizens to participate in public administration by obtaining information about public policies, government activities, and management decisions. Objective and consistent information helps to increase the level of awareness on these issues and citizens' confidence in the government and to form public support for state policy.

For the Czech Republic, informatization has opened the way not only to the European integration, but also to the growth of economic well-being, because the level of the society information space development at the present stage has a decisive impact on the economy. The goals of informatization all over the world, including the Czech Republic, are to fully meet the information needs of society in all areas, to increase the efficiency of social production, and to help stabilize social and political relations in the state through the introduction of telecommunication tools.

The information society has become a key topic of the XXI century strategy of the European Union. The EU has launched a number of initiatives to support and spread new information technologies and communication tools, while at the same time taking measures to control and reduce the risks associated with the development of the information society. It is obvious that the effectiveness of the information processes directly depends on the interest of the political elite of a particular country, on the joint efforts of member states, on the appropriate targeted state policy, and on the development and implementation of special programs. The experience of the European Union in the development of the information society also convinces us that it is no less important to create a system of motivation for attracting citizens to use modern information and communication technologies, and to provide the most important electronic services for citizens and entrepreneurs.

Having the appropriate infrastructure, in 1999 the government of the Czech Republic developed and approved a strategic document that defined state policy, guidelines for the information society, and introduced

the coordination of segmental actions. In the Czech Republic, achievement of information security in the state was determined to be one of the necessary conditions for the functioning of the society. In a broad sense, this meant ensuring information security and protecting the information space and, in particular, protecting the information and communication infrastructure of the state and its information content, which belong to the concept of strategy in the digital space. The concept of information security, on the one hand, can be considered as safety of internal information as such, which implies the protection of the quality of information, its reliability, and the protection of various branches of information (political, state, banking, and commercial secrets) from disclosure. On the other hand, information security means control over information flows, limiting the use of provocative, hostile public information, including control over advertising, and protecting the national information space from external information expansion [Thomas R. Peltier, J. Peltier, J. Blackley, 2005, 16].

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The EU has included information security issues to its main priorities and has started implementing a number of strategic documents, recommendations, guidelines and rules related to privacy and computer programs, electronic signatures, electronic commerce, anti-cybercrime, anti-spam, etc. Therefore, the “Electronic Czech Republic” project (2002) was developed to support informatization. Its goal was to expand Internet access and accessibility of electronic services for the population, improve the quality of content, education and training of the population in mastering computers and the Internet.

It should be noted that the government of the Czech Republic, as well as national governments, supranational bodies and organizations of developed countries (UN, G8), pays great attention to the formation of the information society and information security, and therefore actively participates in the creation of various institutions and institutional systems to ensure the protection of information (ENISA HLIIG, CERT, and others). For example, in March 2004, the European Union Agency for Cybersecurity (ENISA) was created, which united all EU member states. The Czech Republic is represented in this Agency by the Ministry of Finance.

The next impetus for the development of the information society in the Czech Republic was the adoption of the Law on free access to information and the introduction of information and communication technologies in all spheres of society and the training of appropriate personnel for this purpose. Subsequently, the government developed and adopted the

national policy program for broad access, the national cybersecurity strategy of the Czech Republic, and the new information and communication policy for electronic development of the Czech Republic based on the European Union “eEurope” Action Plan [Stanovich, 2010, 203].

In March 2007, the government created a coordinating, expert and advisory body for decision-making in this regard – the Government Council for the Information Society, which was headed by the Prime Minister [Statut Rady vlády pro informační společnost]. Since 2009 in the Czech Republic, under the auspices of the government, a legal and technical initiative of the post office and the Ministry of the Interior is being implemented, which aims to create a base for providing public services in electronic form in all areas, to let people to get all the necessary documents in one place – from social, land, commercial, trade, legal and other issues.

Every year, the Czech government tried to expand the range of these services. The program included most government agencies, including judicial bodies. This interaction was defined by the government as the basis of the social order. The introduction of the eJustice tools into the information environment has brought results in the form of ensuring fair and just legal proceedings, which has facilitated verification and broad public control, and contributed to reducing budget expenditures.

Under the auspices of the Ministry of Justice, the government of the Czech Republic is implementing a powerful eJustice project, which provides for a clearly structured portal with accessible information materials, a database of court decisions, electronic forms for appealing to the court via the Internet, and other important components.

Having assumed the presidency of the Council of the European Union starting from January, 1 to June, 30, 2009, the Czech Republic tried to promote eJustice technologies for the entire European community [Membership of the Czech Republic, 2009]. To this end, Czech officials held a special conference attended by the EU Ministers of Justice on February, 17-18, in Prague, during which an intensive exchange of experience on this issue took place within the framework of the European Commission’s electronic strategy for justice (European eJustice Action Plan) [2019-2023 Action Plan European eJustice].

Czech legislators took the most active part in all these projects, developing regulations and standards, discussing legal issues of information and computer technologies interaction (ICT) and law at conferences, publishing relevant materials. Progress in the practical implementation of Czech

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projects contributed to the activation of research activities on network law in Czech universities, to establishment of the Masaryk University Institute of law and technology in 2010, which employs both experienced and young researchers – Radim Polchak, Michaela Poremska, Adam Ptashnyk, Danusha Spachilova, Libor Kuncha, Matej Myshka, Jaromir Savelko and other.

104 — On May 8, 2009 the Ministers of justice of the Visegrad Four member-states – the Czech Republic, Hungary, Slovakia and Poland – signed a memorandum about close cooperation in Wroclaw (Poland) to create a common electronic platform for data exchange between justice systems. Based on the provisions of the Memorandum, its participants introduced electronic courts in their states. For example, on January 1, 2010 in Lublin (Poland), an electronic court has started its activity within the entire state, which considers cases of small complexity on electronic claims. During the year, it accepted 686,973 cases, and granted 635,751 requests based on them [E-sąd: Prawie 700 tys. spraw]. On January 14, 2010, a group was established in the Czech Ministry of justice to develop the concept of computerization of legal proceedings and draft the necessary legal acts [Víceletý akční plán, 2014].

A similar group was also created in Wroclaw. It was based on employees of the leading Polish research center, which operates on the basis of the University of Wroclaw, Jacek Goliachinski, Dariusz Adamski, Sylvia Kotecka, Marek Lesniak, Anna Zalesinska, Lukasz Gozdyazhek and others. The Wroclaw center for research on legal and economic problems of electronic communications has significant achievements in the field of eGovernment policies and procedures, in the field of privacy and consumer protection, and in expanding access to justice through electronic means of communication, which is implemented on the basis of the district court in Wroclaw. Researchers are also working on models of electronic decisions in courts of general jurisdiction.

While preparing to lead the Council of the European Union in the second half of 2011, Poland, continuing the Czech line, put the intensification of work on the development of the information society in the EU countries, its institutional development, and various activities in this regard as one of the priorities of its activities as the Council's President.

The new economy and the Internet have remained at the top of the EU agenda since the Lisbon EU Summit in 2000 [Lisbon Strategy]. At that time the EU leaders set a new and very ambitious goal – to turn Europe



into the region with the most competitive and dynamically developing knowledge (information) economy. To achieve this goal, the European Commission has developed a comprehensive strategy known as the eEurope 2002 Action Plan. The heads of the states and governments decided that the EU “will become the most competitive and dynamic, capable of sustainable growth by 2010” and approved the “eEurope” strategy, which in 2005 was replaced by “eInitiative-2010” (European information society 2010) [Parfenyuk V. M., 2006, 5].

Implementing the decisions of the summit, the Czech Republic as a member of the European Union actively pursued a policy of ICT development and achieved notable results here. The conceptual and administrative design of this policy in the Czech Republic has made it an integral part of the EU strategy to increase the competitiveness of the European economy and improve the living standards of Czechs.

The EU itself considers the development of ICT as one of the three main sources of overcoming more than 20% of the lag in labor productivity in the EU compared to the same indicator in the US. At the same time, two other “breakthrough areas” were also directly involved in the ICT sector: stimulating innovation and investing in human capital. The analysis of the state of the European ICT market industry shows that intellectual resources have achieved record results: the absolute growth of the European ICT market is associated with the expansion of opportunities for multimedia products, with the development of mobile eCommerce, and in particular – contracting, consulting, Internet marketing, Internet banking, Internet telephony, PR-branding, and so on.

Research on the introduction of ICTs in the Czech Republic has shown that ICTs are an important source of productivity, innovation, growth, increasing competitiveness, increasing the number of jobs, and thus have the ability to drive the processes of globalization, and at the same time meeting the Lisbon strategy courses and introducing new tools that can be used to try to contain a number of social challenges, such as climate change, excessive energy use and aging of the population. The second decade of the XXI century introduced a new stage of development of the information society in the EU and in the Czech Republic associated with the adoption of the document Europe 2020 Strategy – a new political strategy for the EU development up to 2020, aimed at supporting of employment, productivity increase and social cohesion in Europe.

**Summary.** The state policy of ensuring the development of the infor-

mation society of the Czech Republic is an extremely important task that is being solved in the course of implementing the general reform of the state. The purpose of this policy in the Czech Republic is primarily to create conditions for timely identification of sources of cyber threats and their possible consequences. The Czech Republic is constantly implementing a set of preventive measures to neutralize or reduce the negative consequences of cybercrime, creating conditions for ensuring timely, complete and accurate information for decision-making, and carrying out information activities to harmonize personal, public and state interests as a basis for achieving political stability in the country.

We consider the experience of developing the information society and its political, social, legal, organizational and technological support in former socialist countries to be very important for Ukraine and other post-Soviet states. We should pay attention to the importance of public-private partnership, institutional, technological, technical and legal aspects, eGovernment and eJustice legal technologies introduction, legal regulation of personal data protection, access to information, legal basis of management in these areas, which attracts not only the attention of the Czech [R. Polčák, 2009], but the Ukrainian researchers as well [Tokarski A., 2008] and the priority of the issues of human rights in the information society [Agdeppa R. F., 2006].

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