Execution of the judgment of the European Court of Human Rights  
in case no. 26074/18 – *V v*. *the Czech Republic*

Updated Action Plan submitted by the Czech Government on 5 September 2025

In its judgment of 7 December 2023, the European Court of Human Rights (“the Court”) held that there was a violation of Article 2 of the Convention in connection with a death of a patient in psychiatric hospital, following repeated tasing by police and nurse’s administration of tranquilizers.

The Court found a violation of Article 2 *first* under its substantive limb, mainly due to the State’s failure to put in place appropriate administrative framework (guidelines and training for situations such as in the case at hand), and *second* under its procedural limb on account of various omissions and shortcomings capable of undermining the effectiveness of investigation of the incident in question.

The present updated action plan is intended to inform the Committee of Ministers of both individual and general measures that have been already carried out or are envisaged to be adopted to properly execute the above judgment.

I. Individual measures

Just satisfaction awarded by the Court in the amount of EUR 29 000 was paid to the applicant on 27 May 2024.[[1]](#footnote-1)

The Government recall that the Constitutional Court Act offers the possibility to request the reopening of the proceedings before the Constitutional Court following the judgment of the Court.[[2]](#footnote-2) The applicant did not avail herself of this possibility.

In view of the above, the Government believe that no other individual measures need to be adopted in the applicant’s case.

II. general measures

*A. Raising AwarEness and analysis of the judgment*

The Ministry of Justice has informed the public about the judgment immediately after its delivery in the form of a [press release](https://justice.cz/web/msp/rozcestnik/-/clanek/strasbursky-soud-pri-zasahu-policie-proti-dusevne-nemocnemu-pacientovi-doslo-k-poruseni-prava-na-ziv-2?_com_liferay_asset_publisher_web_portlet_AssetPublisherPortlet_INSTANCE_XRfnFFegERxq_redirect=https%3A%2F%2Fjustice.cz%2Fweb%2Fmsp%2Frozcestnik%3Fp_p_id%3Dcom_liferay_asset_publisher_web_portlet_AssetPublisherPortlet_INSTANCE_XRfnFFegERxq%26p_p_lifecycle%3D0%26p_p_state%3Dnormal%26p_p_mode%3Dview%26p_r_p_resetCur%3Dfalse%26_com_liferay_asset_publisher_web_portlet_AssetPublisherPortlet_INSTANCE_XRfnFFegERxq_assetEntryId%3D3551336%26_com_liferay_asset_publisher_web_portlet_AssetPublisherPortlet_INSTANCE_XRfnFFegERxq_cur%3D15%26_com_liferay_asset_publisher_web_portlet_AssetPublisherPortlet_INSTANCE_XRfnFFegERxq_delta%3D7). It has further published the Czech translation of the judgment in its online database of the international human rights case law ([mezisoudy.cz](https://mezisoudy.cz/databaze-judikatury))[[3]](#footnote-3) and its summary in the Government Agent’s Newsletter [no. 2/2024](https://mezisoudy.cz/zpravodaj-kvz). In addition, both the translation of the judgment and its summary have been sent to all the public authorities involved in the case.

After the delivery of the judgment, the management of the General Inspectorate of the Security Forces (“GISF”) and of the Police Presidium transmitted the Court’s conclusions to the subordinate members of their respective security corpses.

At the same time, the Government Agent’s Office discussed and analysed the content of the judgment in cooperation with the Ministry of Health, Police Presidium, Ministry of the Interior, GISF, Prosecutor General’s Office and the Office of the Public Defender of Rights. These discussions were carried out first in the form of written consultations, and subsequently – in April 2024 – within a series of meetings held by the Government Agent’s Office with the representatives of the authorities with the goal to identify the general measures needed to implement the judgment properly.

The execution of the judgment was further discussed at the 10th meeting of the Committee of Experts for the Execution of Judgments of the Court and the Implementation of the Convention[[4]](#footnote-4) held on 6 May 2024, at the 11th meeting on 11 December 2024, as well as on the 12th meeting on 15 May 2025; the summaries of the debates from these meetings are available [online](https://mezisoudy.cz/vykon-rozsudku-eslp-a-rozhodnuti-dalsich-mezinarodnich-lidskopravnich-organu/v-proti-cr).

In addition, the representative of the Office of the Government Agent participated on the podcast created in December 2024 by the international organisation *Victim Support Europe*, where she discussed – together with the counsel of the applicant in the case *V v. the Czech Republic* – the legal implications of the Court’s judgement and its implementation; the podcast in question is the first one listed on [this website](https://victim-support.eu/media-center/litigate-podcast/#LTG-Podcast).

*B. Measures adopted by the respective psychiatric hospital*

The hospital in Olomouc, where the incident took place in 2015, undertook the following measures in the meantime:

* renovation of the premises of the acute care unit of the psychiatric clinic, intended to increase security of both patients and personnel (installing a more efficient camera system, removing risky elements in the construction, regulation of lightening, connecting the interior part with a garden);
* periodic training of the employees (both medical and non-medical personnel) in the area of prevention and management of the risk behaviour of the patients, including de-escalation techniques; since 2015, 404 employees of the psychiatric clinic had been trained on the premises of the clinic itself and 40 employees in external institutions);
* increase in the number of personnel (in January 2015, the psychiatric clinic had 69 employees, whereas in April 2025, it had 87 employees);
* creation of a strategy and guidelines on how to proceed in case of agitated patients, and their successful implementation in practice (in particular, every employee of the psychiatric clinic who is on duty carries a special device with the SOS button that can be activated in case of an aggressive patient, which leads to triggering the sound alarm in the building of the clinic, as well as sending an automatic SMS to the security guards of the hospital).

*C. measures under the competence of the ministry of health*

1. Collection and evaluation of data on police interventions in psychiatric hospitals

The Court pointed out that there is nothing unusual about persons hospitalised in the acute care unit of a psychiatric clinic being agitated or violent; therefore, psychiatric institutions must, in principle, be appropriately staffed and equipped to handle such patients by their own means, so as to have recourse to the assistance of the police only as a means of last resort (see § 100 of the judgment).

In March 2025, the Ministry of Health assigned a task to the Institute of Health Information and Statistics of the Czech Republic to collect statistical data on how often the hospitals call the security forces to assist them with aggressive patients. This data collection will be done through Adverse Event Reporting System (AERS), and it will be eventually carried out for the first time in May 2027 for data covering year 2026.[[5]](#footnote-5)

The system of data collection will differentiate between calling the internal security guards of the hospital and the external forces (state and municipal police). It will also list separately the cases where the security forces merely arrive to the premises of the hospital and those when they actually resort to the use of force against the patients. The result of this data collection will be aggregated data in the respective categories of the healthcare providers, i.e. a) large and faculty hospitals, b) other hospitals of acute care, c) specialized centres, d) psychiatric hospitals, e) hospitals for follow-up care, f) spas and sanatoriums. The data collection will enable the Ministry of Health to identify the segments of healthcare that appear to be problematic. This will subsequently allow for the allocation of personnel and financial resources to specific segments or facilities.

2. Training of healthcare personnel in de-escalation   
and safe use of restraining measures

The Court emphasized that the relevant health authorities and management of psychiatric establishments should provide a safe and secure material environment, employ a sufficient number of healthcare staff, which should be adequately trained in the restraint of patients, and promote alternative measures, including de-escalation techniques (see § 95 of the judgment).

For this purpose, the Ministry of Health finds it important to strengthen its support of the training of healthcare personnel in strategies and skills aimed to prevent and handle the risk behaviour of patients. The Ministry has already undertaken some steps in this area, e.g. organised several seminars to introduce the so-called *Safewards Model*, an internationally recognized approach to enhance the safety in mental health establishments for all concerned persons.

In September 2024, the Ministry has also launched a new project titled [*Development of Acute Psychiatric Care*](https://mzd.gov.cz/informace-o-projektu-rozvoj-akutni-psychiatricke-pece/), which aims inter alia to train the healthcare personnel in strategies and skills aimed to prevent and handle the risk behaviour of patients. The implementation of the project is planned for 36 months. Within this project, the Ministry organizes two-day seminars for team leaders in healthcare on selected topics in acute psychiatric care, including legal questions (involuntary hospitalization and treatment, restraining measures, human rights and autonomy of patients), involving the peer workers in acute care, de-escalation, conflict prevention, risk management, setting up a system of regular training of employees etc. The first seminar took place in June 2025, the second one is scheduled for October 2025. In 2026, this training of team leaders will be followed up by training for groups of 30 lectors and/or employees of the providers of acute psychiatric healthcare, who in turn will train the employees in their respective hospitals. The courses will cover conflict prevention, human rights in psychiatry, verbal de-escalation, how to handle aggressive patients, restraining measures and involuntary hospitalization. This training will be carried out through a public tender which is currently being prepared.

In addition, in January 2025, the [expert commission](https://www.bezpecivpsychiatrii.cz/project/vznik-expertni-rady/) for prevention and de-escalation of conflicts in psychiatric healthcare was established within the Expert Council for Development of Healthcare in the Area of Mental Health, set up by the National Institute of Quality in Healthcare in 2024. The goal of the expert commission is to introduce high quality, unified and available training of healthcare personnel in this area.

*D. measures under the competence of the police authorities   
and ministry of the interior*

1. Special police training programme for dealing with mentally disturbed individuals

The Court deplored the fact that there is no special training programme in the Czech Republic for police officers that would address the specific challenges of dealing with persons suffering from psychosocial disabilities (see § 107 of the judgment).

The Government took notice of the Action Report submitted by the Belgian government in a similar case, namely in the case of *Kaya v. Belgium*. The report was approved by the Committee of Ministers on 14 December 2022; according to it, the Belgian police will be trained in dealing with people in the state of so-called excited delirium, which can be caused by mental illness or intoxication.[[6]](#footnote-6)

In November 2024, the Police Presidium asked the Czech Psychiatric Society for a methodological guideline on how the officers during a police intervention can identify a person with an obvious mental disorder or intoxication, and how they should proceed in such a situation, including the instructions on the use of de-escalation techniques.

In April 2025, the Czech Psychiatric Society issued this guideline, and it was included into the training programme for police instructors, with the first training course starting in September 2025. This training programme will be used in both introductory and continuing education; as for the continuing education, it will constitute an obligatory requirement for police instructors every five years. Subsequently, police instructors will provide this training to all the police officers undergoing introductory and continuing education.

The programme will be also supplemented by an instructive video which will be available to all police officers in the electronic educational system *ePolis*; the production of the video is scheduled for autumn 2025.

2. Positional Asphyxia

The Court noted that the police officers put the patient in a prone position, that is to say with his chest down; in this connection, the Court drew attention to the fact that prone position may lead to positional asphyxia because of pressure exerted on the neck; it also makes it impossible to observe whether the person concerned is actually breathing (see § 97 of the judgment).

On 7 June 2022, the Unit of Police Education and Training has issued a Methodical Guideline on Positional Asphyxia.[[7]](#footnote-7) This guideline consists of detailed instructions in this area, including description of inherent risks and a rule that prone position can only be used under exceptional circumstances and for a strictly necessary time, while continuously monitoring the breathing and health state of the person concerned. The policemen are required to communicate with the person concerned and react immediately to any signs of difficulty in breathing.

On the basis of this guideline, all instructors of professional police education have been trained; these instructors subsequently train the individual policemen within the standard educational police programme. At the same time, an instructive video accompanying this guideline has been introduced to the above mentioned electronic educational system *ePolis*.

Furthermore, on 23 September 2024, the Unit of Police Education and Training has issued another methodological guideline, focused on the use of positional and compression asphyxia. This guideline highlights specific risks of using these techniques towards people in extreme psychological distress causes by illness or intoxication and described preventive measures and procedures to be used in this context. This guideline was also already integrated into police education, including instructive videos.

3. Use of taser

The Court observed that Czech legislation does not contain any specific provisions concerning the use of a taser against persons with mental disorders or, more generally, against persons who have been hospitalised and who are likely to have been medicated: these persons are not included among vulnerable groups of persons specifically mentioned in Section 58(1) of the Police Act (see §§ 103–104 of the judgment).

The Government, after consultations with Police Presidium and Ministry of the Interior, assume that the implementation of this part of the judgment does not necessarily require an amendment of the Police Act. Instead, it appears sufficient to unify the interpretation of the above-mentioned provision thereof, and to reflect this interpretation in police training.

In August 2024, the Ministry of the Interior adopted an interpretative guideline to Section 58(1) of the Police Act (see § 31 of the judgment), according to which the term “a person with an obvious physical handicap or illness” in this provision also applies to persons with an obvious mental disorder, as well as to hospitalised persons.

*E. coordination between police officers and health professionals   
in cases concerning a joint intervention*

The Court stressed that the Czech Republic has no instruction or methodological guidance requiring that cooperation and coordination be established between health professionals and police officers intervening in psychiatric institutions (see § 108 of the judgment).

After analysing the situation, the competent authorities agreed that in order to implement this part of the judgment, the best course of action would be to establish a multi-sectoral working group with the aim to elaborate rules for a joint intervention of police officers and health professionals against persons in excited delirium, both in the hospital environment and in public spaces. In August 2024, the Ministry of Health issued a decree establishing a multi-sector working group for the implementation of the judgment *V v. the Czech Republic*. According to the decree, the working group is composed of the representatives of the Ministry of Health, Police of the Czech Republic, Czech Psychiatric Society, Czech Association of Psychiatric Nurses, Czech Association of Emergency Health Services, Czech Association of Hospitals, Patient Council, as well as the Government Agent’s Office. The mission of this working group is to elaborate rules for coordination and cooperation during a joint intervention of health professionals and police officers.

The working group met already four times: in September and December 2024, and in March and May 2025. During these meetings, the group established the outline and structure of the above-mentioned methodological guideline. Also, the respective members of the group were assigned the task to elaborate the individual chapters of the guideline, according to their relevant area of expertise.

The guideline will apply to the joint interventions of healthcare personnel and police officers both in the healthcare establishments and outside this setting. It describes specific procedures and rules for their coordination respectively for interventions in:

* outpatient clinics;
* inpatient facilities including emergency departments;
* patients’ homes; and
* public spaces; with regard to the last two premises, the guideline also differentiates between the situation when the police call the healthcare personnel and vice versa.

The most problematic aspect of the new guideline appears to be how to set up the procedure for exchange of necessary information between health professionals and police officers, while at the same time respecting the legal duty of medical secrecy.

At the next meeting of the working group, which is planned for mid-September 2025, the members of the group should discuss the final version of the guideline.

*F. measures regarding effective investigation*

As for the procedural aspect of Article 2 of the Convention, the Court drew attention to three shortcomings capable of undermining the thoroughness and reliability of the investigation.

*First*, the GISF did not immediately isolate and question the police officers involved in the incident, thus failing to prevent possible collusion; in fact, the police officers were only heard after twenty days and one month, respectively (see § 123 of the judgment).

*Second*, the interviews in question were conducted in a rather non-inquisitive manner, the police officers having simply been asked to provide their account of events and posed a very few questions, which did not relate to the coercive measures used during the intervention (*ibid.*).

And *third*, the scope of the investigation was somewhat narrow; in particular, the investigation did not focus on the information exchanged between the police officers and the medical staff, and the experts were not asked to comment regarding any possible interaction between the medication administered to the patient (see § 124 of the judgment).

The *first* problem, prevention of possible collusion, has been discussed at a meeting on 1 August 2024, convened by the GISF and with the participation of the representatives of all security corpses falling under its investigation authority (Police of the Czech Republic, Prison Service of the Czech Republic and Custom Administration of the Czech Republic), together with the Government Agent’s Office and the Prosecutor General’s Office. The result of this meeting was that the GISF would issue a methodical recommendation for the Police of the Czech Republic; if necessary and on the basis of discussion with their leadership, the GISF may issue separate methodological recommendations also for the other two security corpses. The methodical recommendation for the Police of the Czech Republic was supposed to outline rules and procedures aimed to eliminate – to the maximum possible extent – any risk of potential collusion when investigating the use of force resulting into death or serious injury.

In October 2024, the GISF issued its own internal methodological guideline which applies to situations when the GISF investigates a police intervention involving a use of force which resulted into death or serious injury, and the aim of which is to establish rules for elimination of any risk of potential collusion among the intervening policemen. This guideline was published in the form of an internal instruction of the Deputy Director of the GISF for Criminal Proceedings. It describes, inter alia, the procedures for registering the notification or complaint of the above-described police intervention, communicating this information between the operative headquarters of the GISF and their officers dispatched to investigate the intervention, measures which should be undertaken towards the intervening police officers at the place of the incident to prevent collusion, their questioning about the intervention etc.

In November 2024, as a follow-up to the above-mentioned meeting of 1 August 2024, the GISF sent to the Police of the Czech Republic an overview of the recommended measures to be adopted by the police itself at the place of the incident before the arrival of the GISF investigators on the scene with the goal of prevention of collusion. The GISF proposed, in particular, that after a police intervention which resulted into death or serious injury, the commanding police officer should promptly order the policemen involved in the intervention to remain at the place if the incident and wait for the arrival of the GISF investigators, and at the same time to separate them and order them not to communicate together about the intervention.

This material was discussed by the Police Presidium in January 2025, as well as later on at several meetings with the participation of the Police of the Czech Republic, Office of the Government Agent, GISF and the Prosecutor General’s Office. The GISF informed that the proposed measures had been so far largely reflected in police practice. The Police Presidium explained that despite this fact the incorporation of these measures in an official instruction of the Police President could have negative psychological impact on the policemen concerned, increase the uncertainty of police officers during interventions, reduce the interest of individuals in becoming police officers or in remaining in the service, and thus significantly jeopardize the ability of the Police to ensure public order and safety. At the same time, the Police Presidium expressed its understanding for the need to ensure that reliable evidence of the course of police interventions, especially when death or serious injury has occurred, is secured for the purposes of the investigation by the GISFs.

Therefore, the Police Presidium decided to put an emphasis on the widespread **use of cameras** in police units during interventions to document the course of events. A video footage of a police intervention constitutes an objective evidence, unlike testimonies of the intervening policemen which are by their very nature always subjective. Therefore, when the cameras will be systematically used during interventions, testimonies of the policemen will carry merely a secondary evidentiary value, and the issue of possible collusion should not have an impact on the effectiveness of the investigation. The Government note that a similar approach has been adopted also by the Court in its recent case-law (cf. *Koomen v. the Netherlands*, no. 298/15, judgement of 20 May 2025, § 125).

In this connection, the Government would like to point out that already since June 2021, according to the instruction of the Police President, the policemen are obliged to activate their body cameras during an intervention directed towards other persons. At the meeting of the Police President with the directors of the regional police units in September 2024, it was emphasized that the policemen have a duty to verify at the beginning of each of their work shifts whether their body cameras are functioning, and to activate them at the beginning of every intervention. The application of these instructions in practice can be demonstrated by the following data:

* currently, the Police of the Czech Republic have at their disposal approximately 5900 body cameras (while the number of uniformed policemen is at the moment 4335, divided into 2558 units);
* in addition, majority of police cars are equipped with an integrated camera which is automatically turned on once the car is driven; these cameras can also record the course of police interventions;
* in 2025, there have been so far 6 deaths resulting from a police intervention in the Czech Republic; 5 of these have been recorded on a police camera.

Last but not least, the Police of the Czech Republic will carry out long-term comparative research into the positive and negative impacts of immediate interrogation of police officers and measures to prevent collusion after an intervention from a legal, psychological and criminological perspective. The research should be based on both quantitative and qualitative methods, as well as on comparison of various models existing in other countries. On the basis of the results of this survey, the Police of the Czech Republic will carefully assess the need for potential further measures.

As for the *second* and *third* problem identified by the Court, the management of the GISF discussed the conclusions of the Court on their internal meetings and they envisage to instruct their subordinate officers on regular trainings to avoid these issues in future.

On 18 September 2024, the GISF in cooperation with the Police Academy of the Czech Republic organised a seminar on effective investigation of state agents’ use of force. During the seminar, special emphasis was placed on the deficiencies identified by the Court in the judgment of *V v. the Czech Republic*. The seminar was attended mainly by GISF officers, but also by the members of other security forces. The representatives of the Government Agent’s Office participated on this seminar as trainers as well.

Furthermore, in March 2025, the Office of the Government Agent has published a [Key Theme](https://mezisoudy.cz/tematicke-prirucky/dukladnost-vysetrovani) on the issue of the thoroughness of an effective investigation. It includes an overview of general principles arising from the Court’s jurisprudence and even more importantly a case-by-case overview of the most frequent recurring deficiencies in the investigation that the Court identified and criticized the national authorities for. This material will serve as a useful guide especially but not only for GISF investigators so that they know what aspects they should pay particular attention to.[[8]](#footnote-8) The material was given publicity through a [press release](https://mezisoudy.cz/aktuality/kancelar-vladniho-zmocnence-vydala-za-podpory-norskych-fondu-dalsi-tematicke-prirucky) and social media.

III. Conclusion

The Government of the Czech Republic will continue their efforts to execute the judgment according to the above stipulated action plan and will provide the Committee of Ministers with an updated action plan by 30 September 2026.

The Government consider that already sufficient implementation measures have been taken in the areas covered by parts A, B, D.2, D.3 and F of this action plan. The updated action plan will focus on the remaining areas, namely C.1, C.2, D.1 and E.

1. Details about the payment could be requested from the Office of the Czech Government Agent. [↑](#footnote-ref-1)
2. Section 119 of the Constitutional Court Act as amended by Act no. 404/2012 provides, *inter alia*, that if the Constitutional Court has previously ruled in a case in which an international court finds a violation of human rights or fundamental freedoms guaranteed by an international treaty, it is possible to file a request for reopening of the proceedings in which the ruling was given. Section 119b provides, *inter alia*, that if Constitutional Court’s previous judgment (*nález*) was inconsistent with the decision adopted by the international court, it must set it aside. If the Constitutional Court sets aside its judgment, it deals anew with the original constitutional appeal and the new judgment should be based on the legal opinion of the international court. [↑](#footnote-ref-2)
3. In June 2024 the Ministry of Justice officially launched a new website (<https://mezisoudy.cz/>) dedicated to international protection of human rights. The website is run by the Government Agent’s Office. It includes a database, which provides access to the case-law of the Court. The database contains all the judgments of the Court in the language in which the Court issued them. Above that, the database contains translations of all judgments of the Court against the Czech Republic, hundreds of translations of the most important judgments of the Court delivered against other States and more than 1 700 legal summaries compiled in the Czech language of other relevant and significant judgments and decisions of the Court. The database also connects the case-law of the Court with the case-law of the Constitutional Court of the Czech Republic and the jurisprudence of the European Committee on Social Rights and United Nations Treaty Bodies. [↑](#footnote-ref-3)
4. Established as a follow-up to the obligation to reinforce the implementation of the Convention at the national level agreed by and between the Contracting Parties to the Convention at the High-level Conference on the “Implementation of the European Convention on Human Rights, our shared responsibility” of 27 March 2015, it is the Government Agent’s advisory body which serves as a forum for analysing and formulating recommendations to the authorities in terms of suitable measures to be adopted for the purpose of implementing the Court’s judgments. It is composed of representatives of all ministries, both Chambers of Parliament, highest courts, Office of the Supreme Public Prosecutor, Office of the Public Defender of Rights, academic staff and members of various NGOs operating in the field of fundamental human rights. [↑](#footnote-ref-4)
5. This means a one-year delay with regard to what was anticipated in the Action Plan submitted on 6 September 2024; the reason for this delay is that the negotiations between the Ministry of Health and the Institute of Health Information and Statistics on the parameters of this data collection were more complex, and thus lasted longer than expected. [↑](#footnote-ref-5)
6. Application no. 59856/18; see <https://hudoc.echr.coe.int/eng?i=001-222261>. [↑](#footnote-ref-6)
7. Upon request, the Government may provide the Department for the Execution of Judgments with the guideline in question in Czech version or, if need be, to procure its translation into English. [↑](#footnote-ref-7)
8. It was agreed that in September 2025, the Office of the Government Agent would provide the GISF with a shorter version of the material in the form that would be tailored to serve the practical needs of their investigators. [↑](#footnote-ref-8)