

LATE TRANSPOSITION PHENOMENON IN THE CZECH REPUBLIC

The implementation of European law is a necessary precondition for the functionality of European integration. However, while the Union institutions carry out the legislative work, the implementation of European law is a task for the Member States. They must adapt their legal systems accordingly and enforce EU rules effectively. In the case of directives, the basic condition for their effectiveness is transposition into national law, which usually requires to propose a new act of Parliament.

The Czech Republic has long been one of the countries with a high proportion of late transposition of EU directives. Despite the generally accepted claim that the culprit of these transposition failures lays in the Czech Parliament, research refutes such views. Although the Chamber of Deputies is relatively autonomous from the Government, its deliberations are lengthy, and the Chamber of Deputies' Rules of Procedures offers only a limited range of instruments to guide parliamentary deliberations, transposition delays occur already at the executive level. This is even though the Czech Republic has a series of robust measures to improve the planning of implementation works, but these are not enforced in practice.

Presented research is based on data on the legislative process for three electoral periods (2010-2021) and compares the speed of deliberations on non-EU and implementing legislation in the Czech Parliament. It compares these data with those of the European Commission and then verifies them using semi-structured interviews with senior actors of the legislative process. The thesis concludes with the findings that late transposition occurs quite regularly and systematically. European prints are debated in Parliament in the same way as non-EU bills and have a relatively low priority. Their prioritisation is dependent on political trade-offs and the threat of infringement is so pervasive that it lacks an element of urgency. The European agenda is distant to MPs, who are also concerned about unacknowledged or wild gold-plating.

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