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Europe as a Task:

# Rethink Rebuild Repower



Looking ahead to the Czech  
Presidency of the Council of the EU

1 July 2022 - 31 December 2022

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# Executive Summary

On July 1, 2022, the Czech Republic begins its second Presidency of the Council of the European Union (EU), after holding its first Presidency in H1 2009. Having launched its preparations in July 2018, the Czech Republic has recently had to re-evaluate its agenda due to the Russian invasion of Ukraine on February 24. Thus, the Presidency will now seek to strike a balance between managing the geopolitical crisis and progressing with the EU's policy agenda.

Built around the slogan "Europe as a Task", the self-proclaimed objective of the Presidency is to "contribute as much as possible to creating conditions for security and prosperity of the EU in the in context of the European values of freedom social justice, democracy, and the rule of law and environmental responsibility". However, it will be faced with a host of challenges, including continuing to manage the consequences of the COVID-19 pandemic, rising inflation, and the ongoing conflict in Ukraine.

This is reflected in the 5 pillars that the Presidency's work programme will be built around:

## **Managing the refugee crisis and Ukraine's post-war recovery**

Supporting efforts to defend Ukraine's sovereignty and territorial integrity, whilst taking steps to deal with the resulting (and unprecedented) refugee wave.

## **Energy security**

Breaking dependence on Russian oil, gas, and coal – including dealing with the role of nuclear energy in ensuring the EU's energy security – and working to address the negative social and economic impacts of rising energy prices.

## **Strengthening Europe's defence capabilities and cyberspace security**

Reinforcing security and defence capabilities in partnership with NATO, and supporting the rapid development of the hybrid toolbox to fight disinformation and ensure the security of cyberspace.

## **Strategic resilience of the European economy**

Targeting support to ensure technological competitiveness, enhancing production capabilities, and strengthening supply chains.

## **Resilience of democratic institutions:**

Advancing respect for fundamental rights and freedoms in the digital environment, and ensuring the long-term prosperity and stability of Europe's democratic mechanisms.

As we move towards the tail-end of the legislative cycle, the Czech Republic will take the lead on several complex issues, with a particular focus on the digital and green transitions. The current geopolitical crisis has brought the concept of European sovereignty – spearheaded by France in its H1 2022 Presidency – sharply into focus. Whilst the Czech Republic has typically been a Member State that has been more sceptical of these ideas, the current geopolitical context may result in a greater alignment with this notion than would have otherwise been the case.

The present report presents and analyzes the priorities of the Czech Presidency in the following areas:

➤ **Energy & Sustainability**

➤ **Industrial Strategy  
and Competitiveness**

➤ **Technology, Media and  
Telecommunications**

# Presidency of the Council of the EU

The Presidency is ultimately responsible for driving the Council's work on the EU's legislative agenda, ensuring that the EU policy agenda moves forward and that cooperation between Member States is facilitated. In principle, the Presidency must act as an "honest and neutral broker". In practice, this means that the Presidency must represent the position of the Council as a collective when speaking publicly or when interacting with other EU institutions in negotiations, rather than advocating for its own national position.

The two main tasks of the Presidency are:

1. Chairing meetings of different Council configurations and preparatory bodies, as well as ensuring that the Council's rules of procedure are properly adhered to.
2. Representing the Council in relations with other EU institutions, in particular with the European Commission and European Parliament, as a part of interinstitutional negotiations on legislative files, known as trilogues.

The Presidency of the Council of the EU is considered to be one of the key tools for promoting the interests of individual Member States and for influencing the activities and functioning of the entire EU. This is reflected through the legislative and non-legislative agenda.

## The Presidency Trio

Each Presidency operates as part of a group of three presidencies known as a 'trio'. The trio sets longer-term goals and a common agenda for an 18-month period. Each Presidency then defines more detailed priorities on the basis of this overarching programme.

The Czech Republic is the second Presidency of the current trio, which includes France (H1 2022) and Sweden (H1 2023). Their joint programme, agreed on 14 December 2021, is divided into four areas:

Their joint programme, agreed on 14 December 2021, is divided into four areas:

1. Protecting citizens and freedoms
2. Building economic foundations: European model for the future
3. Building a climate-neutral, green, equitable and social Europe
4. Promoting European interests and values in the world

## The Czech Government

The Government of the Czech Republic is led by the Prime Minister, four Vice-Prime Ministers, namely, and 14 cabinet Ministers. The Prime Minister chairs the plenary sessions of the Government and represents the Government in front of international organisations. Besides leading the agendas of their cabinets, the Ministers are in charge of the Presidency's activities in the scope of their portfolios.

Led by the conservative Civic Democratic Party (ODS), the cabinet consists of total of five political parties, grouped into two alliances. The conservative alliance is made up of ODS and the Christian and Democratic Union – Czechoslovak People's Party (KDU-ČSL). This alliance controls several key ministries including finance, defence, and justice. The liberal alliance consists of the Czech Pirate Party and the Mayors and Independents and oversees ministries related to foreign affairs, home affairs, European affairs, and industry and trade. The centre-right TOP 09 completes the cabinet overseeing health, and science and research.



## Key Priorities Energy & Sustainability

With the EU facing one of the biggest energy crises of the 21st century, the Czech Presidency will have the immense task of reducing the EU's dependence on Russian fossil fuels, decarbonising the economy, and pushing ahead with negotiations on the “Fit for 55” package. The Czech Republic will, therefore, have several key legislative files high on its agenda, including the revision of the EU Emissions Trading System (ETS), the Carbon Border Adjustment Mechanism (CBAM), the Revision of car, van CO2 standards legislation, among others.



## Challenges Within “Fit for 55”

With the Council of the EU adopting negotiating positions (known as ‘general approaches’) on the Fit for 55 legislative package under the French Presidency, the Czech Presidency will now have to negotiate with the European Parliament on these crucial files. The package represents the revision of the EU’s climate, energy, and transport-related legislation, with its objective being to achieve climate neutrality by 2050.

Taking centre stage will be two key inter-related files – the EU ETS and CBAM. The EU ETS, designed to define the greenhouse gases that can be emitted by installations covered by the system, will now be linked with CBAM, designed to mirror and complement its functioning on imported goods to the EU Single Market. Alongside the phase-out period of ETS, CBAM will gradually replace the existing EU ETS mechanisms to address the risk of carbon leakage, in particular the free allocation of EU ETS allowances.

The EU ETS puts a price on carbon and lowers the cap on emissions from certain economic sectors. The Council’s general approach reflects the European Commission’s overall ambition of 61% of emissions reductions by 2030 in the sectors covered (electricity and heat generation, energy-intensive industry sectors such as steel works and production of aluminium, and commercial aviation within the European Economic Area), a phase-out by 2036, and proposes to include maritime shipping emissions within the scope of the EU ETS. While the European Parliament’s position is less ambitious in emission reductions than the European Commission’s in the short-term, it achieves a higher overall CO<sub>2</sub> emission reduction by 2030.

The Czech Presidency’s negotiating mandate on CBAM focuses on a greater centralisation of governance at EU level, and foresees a minimum threshold which exempts consignments with a value of less than €150 from the scope of CBAM’s obligations – the need to buy CBAM certificates to import certain goods based on its carbon content.

The European Parliament proposes a more ambitious take on the legislation. The EU co-legislator proposes an extension of the scope of the CBAM to polymers, organic chemicals, and hydrogen. Moreover, the European Parliament stresses that the ETS free allowances in sectors covered by the CBAM should be phased out between 2027 and 2032, thus fully implementing the CBAM.

Moreover, as the CBAM is closely linked to Trade policy and Free Trade Agreements (FTAs), the file represents a complex challenge that needs to be overcome to successfully conclude some of the ongoing Agreements.

With the political pressure for the negotiations on both files to be concluded ramping up, the European Parliament and the Czech Presidency are keen to start the interinstitutional negotiations ahead of the summer break. However, the negotiations are poised to last throughout the Czech Presidency, as some stakeholders fear that too many exemptions and flexibilities have been introduced in the final texts, due to the ambition to achieve a compromise within the French Presidency’s term. This is set to complicate the negotiations, with a possible agreement only likely to be found at the later stages of the Czech Presidency.

## All the Roads Lead to Energy Security

When it comes to energy, the priorities of the Czech Presidency can be mapped out in three overlapping layers:

**Decoupling energy dependency of the EU** – despite the long-term nature of this challenge, the Ukraine conflict has raised the urgency of finding an effective solution to EU energy security using all available tools. An informal ministerial meeting will be organised during October to find a common political approach (Informal meeting of the Transport, Telecommunications and Energy Council (Energy Formation) – Prague, October 12).

**Decarbonising industry and transport, the heating and cooling sector, and achieving energy efficiency while deploying renewables** – there is significant political ambition to meet the goals of the Fit for 55 legislative agenda, whilst ensuring global competitiveness and boosting of electrification. In addition, the Presidency wants to assess the role of nuclear energy in the energy transition and strive for self-sufficiency.

**Addressing the energy crisis, the surge of prices, and Russian relations** - discussions on eliminating the EU's dependency on Russian energy supply has been ongoing since last year, and the policies towards this goal are progressing. The global energy market offers a number of opportunities, and at the same time, innovative technology allowing better energy management is accelerating. However, the legislation still needs to catch up with market progress.

Regarding energy legislation, the Czech Presidency will face one of its uphill battles with the interinstitutional negotiations of the revision of the Renewable Energy Directive (RED III). The general approach achieved by the French Presidency introduced, amongst others points, more flexibility in the calculation of heating and cooling sub-targets and gradual scaling-up of the sub-target for industry.

Meanwhile, the European Parliament is yet to finalise its position with a tentative plenary vote scheduled for 12 September, as it attempts to incorporate the revised RePowerEU targets into its report. Thus, whilst the Czech Presidency seems likely to begin trilogues, it seems that they are more likely to be concluded under the H1 2023 Presidency of Sweden.

## The Big Sustainability Push Will Just Be Starting

In March 2020, the European Commission adopted the new Circular Economy Action Plan, the EU's steppingstone for sustainable growth. Contrary to what was expected, the European Commission has delayed the adoption of the Circular Economy Package II to November 30. This package includes, amongst other initiatives, the revision of the Packaging and Packaging Waste Directive and the proposal for a Regulation on substantiating environmental claims using the Product/Organisation Environmental Footprint methods (Green Claims).

With the delay, it is likely that this package will only play a minor role during the Czech Presidency, with the Swedish and Spanish Presidencies (H1 2023 and H2 2023 respectively) expected to take the bulk of the work on these files.

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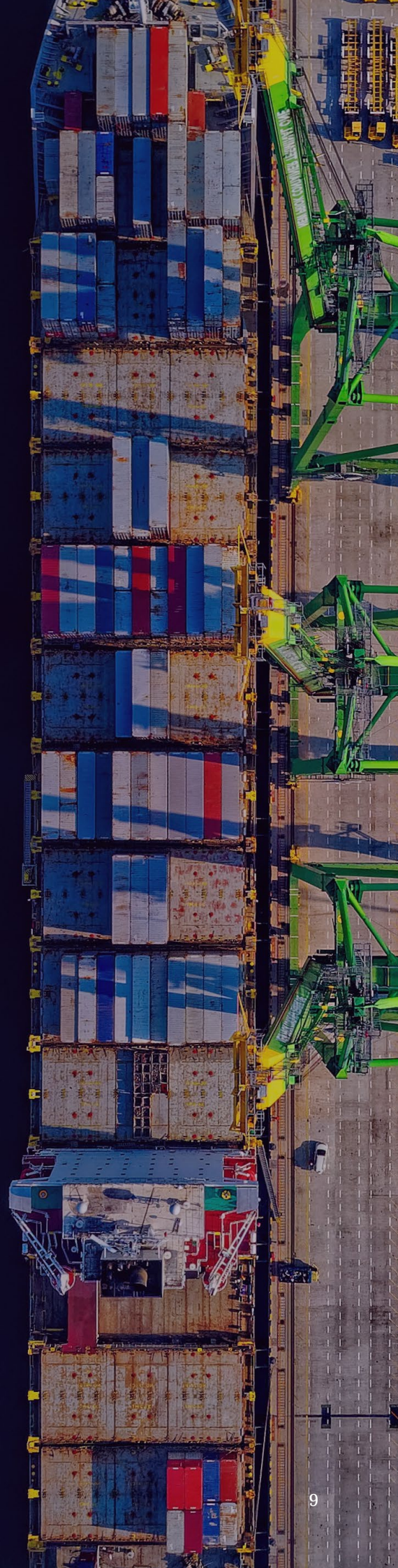
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## Key Priorities Industrial Strategy & Competitiveness

The COVID-19 pandemic and the Ukraine crisis exposed vulnerable spots in the European economy and global supply chains. The Czech Presidency will focus on reinforcing self-sufficiency across industries, from food to medicines, raw materials, and technology. Several legislative files, at various stages of maturity, will therefore be brought into focus during the coming six months, including the EU Chips Act, the anti-coercion instrument, and an upcoming proposal on emergency powers in relation to the supply chain.



## Advancing EU strategic autonomy

One of the steps towards technological sovereignty is the [EU Chips Act](#), which shall address outstanding weaknesses to develop a thriving semiconductor ecosystem and resilient supply chain, while setting measures to prepare, anticipate, and respond to future supply chain disruptions. The Presidency considers it a flagship of its legislative agenda.

The Chips Act shall build on three pillars - the [Chips for Europe Initiative](#), the security of supply, and the monitoring and crisis, complemented by establishment of a European Semiconductor Board composed of Member State representatives. The Board will make sure that the interests of all the Member States are reflected in the policy and will oversee the allocation of funds. The challenge for the Presidency lies in the fact that the European Commission so far does not have a dedicated working group, and some Members of the European Parliament are concerned about the lack of data on the semiconductor value chains and possible distortion of the market. The Czechs will thus have to negotiate and find interinstitutional consensus, aiming to finalize a Council position by the end of the year.

In tandem with the French Presidency, the Czech Presidency has also committed to finalising the anti-coercion instrument before the end of 2022. This new trade defence tool is intended to counter the use of economic coercion by third countries as a means to achieve EU policy change in areas such as climate change, taxation, or food safety. Persistent coercion can be met with countermeasures such as trade and investment restrictions – even the prohibition to access the EU market. The anti-coercion instrument complements a number of other trade defence and competition instruments, including the recent agreement on the foreign subsidies Regulation, the enforcement of international trade rules Regulation, as well as the new international procurement tool.

## New Emergency Powers for Supply Chains

While supply chains drive European economic growth, the current operating models are not adequate to respond to uncertainty. The EU's political leadership has acknowledged the need to reinvent supply chains in order to make them more resilient and future-ready as a new economic order takes shape.

In this context, in Q4 2022, the European Commission is set to unveil its proposal for new powers to allow Brussels to secure supply chain crisis. The expected proposal will include a toolbox of measures that can be activated to address structural strategic dependencies, increase industrial capacities, and ensure security of supply in times of crisis.

## Strengthening International Trade Relations

The Czech Presidency will look into new raw material sources and support the development of innovative forms of technology. In terms of strategic partnerships for raw materials, reaching new markets will also be an important item on the action list. Countries of the Indo-Pacific region, Japan, and South Korea are being considered as new supply partners for the EU.

Two important topics in which the Czech Republic wants to focus on cooperating with the US are the sanctions against Russia and cybersecurity. The coordination of the sanctions is essential in order to maintain functional markets and limit the impact of the conflict on European and American economies. The Czech Republic wants to have concrete objectives and priorities for the future of the EU-US relationship.



The main focus is on finding common standards for deployment of new technologies, such as AI, clean tech, reinforcing cybersecurity in a coordinated manner, and safe data-flow. The Czech Presidency also wants to intensify its dialogues with the industries within the Trade and Technology Council (TTC), tailor it to be more sector-specific, and start planning future pathways.

The Czech Republic is one of the core Member States promoting the Free Trade Agreements (FTAs) with third countries. Two of the key FTAs to be prioritised are with Australia and New Zealand. The third one represents a big challenges for the Czech Presidency. The establishment of an FTA with Mexico is highly relevant, notably thanks to its role in fair competition and monopoly regulation.

However, the EU sustainability requirements make its delivery complicated, and the European Commission is not very supportive of the procedure presented by the Mexican Government. The Czechs will thus strive to find a compromise, leaving the finalisation of the ratification process to the Swedish presidency in 2023.

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## Key Priorities Technology, Media & Telecommunications

Despite the increased geopolitical concerns, regulating technology continues to be a high priority on the EU's agenda. Several legislative files will be taken over by the Czech Presidency, including the Artificial Intelligence Act and the Data Act, among others. In addition, the European Commission is expected to publish its highly controversial proposal for the Connectivity Infrastructure Act after the summer. In parallel, the Presidency is committed to work on the so-called EU Hybrid Toolbox to address cyber threats and disinformation dissemination.



## Continued Push to Regulate the Tech Sector

With various committees in the European Parliament fighting over competencies on the [Data Act](#), progress in both institutions is still at a preliminary stage. Member States submitted their initial comments on the European Commission's proposal towards the end of the French Presidency. The Czech Republic will now seek to move towards drafting a first compromise text for examination in the TELECOM Working Party. The scope of application, the extent to which public authorities can oblige companies to share data in "exceptional circumstances", and cloud switching are all among the issues set to be hotly debated. Importantly, the French Presidency [progress report](#) does not mention the article dealing with international data access and transfer.

The European Commission's proposal seeks to place various measures, including contractual arrangements, on providers of data processing services to prevent international transfer and government access to non-personal data which would conflict with EU law. This is an issue of contention with third country cloud service providers, particularly US providers subject to the CLOUD Act. The Czechs, who in their response to the Data Act consultation take a much more liberal approach than France on data localisation, will be tasked with finding consensus among Member States on this sensitive issue during their Presidency.

On the [Artificial Intelligence Act](#), progress in the Council has been relatively slow, with the examination of the proposal starting under the Portuguese Presidency in H1 2020. However, after the French Presidency completed the process of drafting the first full compromise text, the expectation is that the Czech Presidency will finalise the Council's general approach, paving the way for trilogues to begin under the Swedish Presidency. In its [progress report](#), the French Presidency set out that the main outstanding issues to be resolved, including the classification of high risk AI systems and concerns related to decentralised enforcement. According to Czech Minister for EU Affairs Mikuláš Bek, finding a consensus between the Member States over the AI Act will be one of the indicators of a successful Presidency.

With disinformation representing a powerful political tool, one of the key files on the Czech table is a proposal for a Regulation on Transparency and Targeting of Political Advertising, which complements the Digital Services Act. The Presidency will be picking up from the French to seek to form a general approach, as it is a priority for adoption before the European election in 2024.

Next to political organisations, the Regulation is likely to impact ad-tech players who can expect mandatory content moderation as well as transparency and reporting obligations. According to the Czech Minister of Foreign Affairs, Tomáš Petříček, rather than holding a dialogue with businesses and big-tech companies who profit from it, legislators will need to dive deep into the core of platforms' mechanism, figure out how exactly their algorithms work and how to design the regulation in a way that both puts a stop to disinformation and does not harm the EU competition.

## Connectivity

Reports indicate that the European Commission is set to propose the so-called Connectivity Infrastructure Act in September or October this year, meaning that the Czech Presidency may begin discussions in the Council on this potentially controversial proposal. In essence, the Act is intended to oblige online platform services to contribute to the costs of network infrastructure development and 5G rollout, as well as outline measures to lower the costs of broadband deployment.

Given the attention that this proposal is already receiving, it has the potential to draw a great deal of political and media attention in the technology and telecommunications space away from other files.

## Encoded Defence

Hybrid threats and cyber-attacks have become a regular part of any conflict and have the potential to cause severe damage at the administrative level. In March 2022, the Council of the EU, under French leadership, adopted conclusions on a “[Framework for a coordinated EU response to hybrid campaigns](#)”, preparing the ground for presentation of the so-called [EU Hybrid Toolbox](#), which shall be implemented during the Czech Presidency.

The Toolbox will bring the means for rapid defence to cyber-threats, as well as against disinformation. It can be expected that stakeholders from the field of ICT and space technology will be invited to develop the best approach to this challenge. As the Presidency outlines in its programme, particular attention will be paid to the cyber-security and digital resilience of the EU institutions.

Contributing to a resilient economy and functioning market, a [proposal on the Cyber Resilience Act \(CRA\)](#) shall be published in Q3 2022. Complementing the upcoming [Directive on a Common Level of Cybersecurity \(NIS 2\)](#), CRA will establish standards for connected devices, reflecting the Internet of Things (IoT) and AI capabilities of the cybersecurity products on the market. The desired effect is a safeguarding functionality of digitally interconnected value chains in the event of a cybersecurity incident. The existing lack of such rules makes the dossier urgent and accelerating the work on CRA will be among the key tasks within the Digital Agenda.

## Fintech

The interest in better regulating cryptocurrencies comes from the ambition to safeguard a resilient economy and democratic values through achieving higher transparency and preventing the misuse of virtual assets. The need for higher transparency security of transactions, emerging from the challenges linked to sanctioning activities financing not only Russian leaders engaged in the war, follows the European Parliament’s call for harmonising the terminology (and some requirements) in the area of digital finance with anti-money laundering and financing terrorism policies.

Market in Crypto-Assets (MiCA) is a basic piece of legislation setting industry standards and investor safeguards for crypto assets and companies that service them, with the ultimate goal of “democratising finance.” It comes with disclosure obligations and a set of rules for trading decentralised finance (DeFi) and non-fungible tokens (NFTs). As the three EU legislative bodies achieved their consensus on July 30, it is now up to the Czech presidency to safeguard the next steps towards finalisation and implementation of the Regulation to make it enter into force by 2024.

Among other files of this package that will land on the Czech table is the [proposal](#) for a Regulation on information accompanying transfers of funds to include transfers of crypto-assets, which will introduce extended know-your-customer (KYC) requirements. It is complementary to the existing legislation against money laundering and terrorist financing, and in line with MiCA. It will extend and adapt the rules on digital currencies and goods.



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# Annex I

## Highlights from the Presidency's Calendar

The Presidency also sets, ahead of its term, a calendar with official and cultural events. This sets the work of the Presidency and helps identify the key legislative moments throughout the semester.

### Institutional Meetings

●	July 25 - Brussels	›	Poss. Meeting <u>Economic and Financial Affairs Council</u>
●	September 20 - Brussels	›	Meeting of the <u>General Affairs Council</u>
●	September 29 - Brussels	›	Meeting of the <u>Competitiveness Council</u> (Internal Market/Industry)
●	October 4 - Luxembourg	›	Meeting of the <u>Economic and Financial Affairs Council</u>
●	October 6 - Luxembourg	›	Poss. Meeting of the <u>Transport, Telecommunications and Energy Council</u> (Transport)
●	October 18 - Luxembourg	›	Meeting of the <u>General Affairs Council</u>
●	October 20-21 - Brussels	›	Meeting of the <u>European Council</u>
●	October 24 - Luxembourg	›	Meeting of the <u>Environment Council</u>
●	October 25 - Luxembourg	›	Poss. Meeting of the <u>Transport, Telecommunications and Energy Council</u> (Energy)
●	October 26 - Luxembourg	›	Poss. Meeting of the <u>Transport, Telecommunications and Energy Council</u> (Telecommunications)
●	November 8 - Brussels	›	Meeting of the <u>Economic and Financial Affairs Council</u>
●	November 18 - Brussels	›	Meeting of the <u>General Affairs Council</u>
●	November 25 - Brussels	›	Meeting of the <u>Foreign Affairs Council</u> (Trade)
●	December 1 - Brussels	›	Meeting of the <u>Competitiveness Council</u> (Internal Market/Industry)
●	December 5 - Brussels	›	Meeting of the <u>Transport, Telecommunications and Energy Council</u> (Transport)
●	December 6 - Brussels	›	Meeting of the <u>Transport, Telecommunications and Energy Council</u> (Telecommunications)
●	December 6 - Brussels	›	Meeting of the <u>Economic and Financial Affairs Council</u>
●	December 13 - Brussels	›	Meeting of the <u>General Affairs Council</u>
●	December 15-16 - Brussels	›	Meeting of the <u>European Council</u>
●	December 19 - Brussels	›	Meeting of the <u>Transport, Telecommunications and Energy Council</u> (Energy)
●	December 20 - Brussels	›	Meeting of the Environment Council

# Annex II

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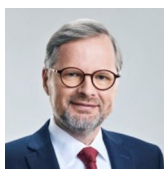
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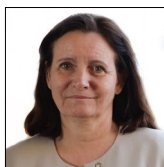


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