



# COUNTRY FACTSHEET: CZECH REPUBLIC 2016

## EUROPEAN MIGRATION NETWORK

### 1. Introduction

This EMN Country Factsheet provides a factual overview of the main policy developments in migration and international protection in the Czech Republic during 2016, including latest statistics.

### 2. International Protection including Asylum

In 2016, the situation in the field of asylum was stable in the Czech Republic. Only minor policy developments were reported in 2016. These included, amongst others, the approval of the proposed **amendment of the Asylum Act** in December, which contains in particular **technical changes** in the proceedings.

Amendments to legislation on Asylum and on the Residence of Foreign Nationals in the Territory of the Czech Republic adopted at the end of 2015 have granted earlier access to the labour market for all those applying for asylum. After the first six months of the asylum procedure an applicant can apply for a work permit at the relevant Labour Office.

Regarding **relocation and resettlement** activities, based on Council Conclusions 2015/1523 and 2015/1601, 12 Syrian nationals (3 families) were relocated in 2016 from Greece to the Czech Republic.

Within the national **Humanitarian Admission Programme**, 57 Iraqi nationals from Kurdistan (Iraq) were admitted to the Czech Republic – 30 of these eventually withdrew their request and returned to Iraq.

In 2016, 32 Iraqi nationals were resettled from Lebanon to the Czech Republic in the framework of **the European Resettlement Scheme**. However, 25 of those being resettled absconded and left the Czech Republic for Germany less than two months after being granted international protection in the Czech Republic.

The Czech Republic also provided **financial assistance to Bulgaria and Greece to support their asylum systems**. The financial support which was donated to the Bulgarian government was aimed at strengthening the border management system (especially with Turkey

and Serbia), and its asylum and migration systems. Financial support for Greece was aimed at supporting the management of migration flows, the humanitarian situation as well as border protection.

On 6<sup>th</sup> May 2016, the Supreme Administrative Court decided in judgement 10 Azs 256 / 2015-55 that the detention of a foreigner for the purpose of his transfer to another EU Member State according to Art. 28 of Regulation No. 604/2013 is not possible if there is an absence of real assumption of achieving the purpose of detention. In other words, the detention of an individual is not possible if he/she will not be transferred to another EU Member State within the deadlines.

The judgment of the Supreme Administrative Court of the Czech Republic regarding systemic flaws in the asylum procedure in Hungary had a significant impact on national practice. No transfer to Hungary has taken place since.

In 2016, **the conditions in detention facilities for families with minors were further improved** beyond the necessary standards needed by law. For example, the bars in the windows and inner fences have been removed.

A new facility for detention of foreign nationals in Balková has been opened. Another facility in Drahonice was closed (opened in 2015).

### 3. Unaccompanied Minors and other Vulnerable Groups

In 2016, the **new working methodology with vulnerable groups within all types of facilities of the Refugee Facilities Administration** was developed and is expected to be implemented as of 2017.

The new care system concerning Unaccompanied Minors (UAMs) introduced in 2015 was elaborated and implemented in 2016. New workplaces which are dedicated for long-term care for UAMs were established under the methodological guidance of the Facility. **43 UAMs from third countries (41 boys and 2 girls) were received at the Facility during 2016.** Most of

these were older than 15 years and came from Afghanistan.

The **Programme of Humanitarian Evacuations of Inhabitants with Health Issues (MEDEVAC)** was continued in 2016. The programme was implemented in various countries including Jordan, the Iraqi Region of Kurdistan, Ukraine, Cambodia, Kenya, Morocco and Nepal- and included the deployment of medical teams, humanitarian evacuations and internship possibilities for medical staff from areas affected by humanitarian crisis.

## 4. Legal migration and mobility

### 4.1. ECONOMIC MIGRATION

Work on the **amendment to the Act on the Residence of Foreign Nationals in the Territory of the Czech Republic** implementing the Seasonal Workers ([2014/36/EU](#)) and the Intra-Corporate Transfers ([2014/66/EU](#)) Directives, was completed in 2016. The proposal was assessed and approved by the Government and submitted to Parliament at the end of 2016. Legal changes entered into force in 2017. The amendment also regulates the rules on the entry and residence of foreign nationals for business purposes, includes an adjustment aimed at strengthening the security features of the migration process and also specifies the arrangements for the residence of a family member of EU citizens in order to better comply with the Family Reunification Directive (2004/38/EC).

Among others, the new legislation defines covert brokering of employment (temporary assignment of workers to other companies for remuneration which is done outside the legal framework of employment brokering) and introduces the concept of “unreliable employer” who would not be allowed to employ third-country nationals. Inter alia, it also allows the suspension of the residence permit procedure if the foreign national does not show up at the procedure without a serious reason, tells lies, or submits forged documents.

The project **“Special Regime for Qualified Employees from Ukraine”** was launched in August 2016. It aimed to tackle labour market shortages by increasing the number of applicants for an Employee Card (long-term residence permit) admitted monthly to the Consulate General in Lviv, Ukraine – approximately three times. The Ukrainian applicants in the scheme are a targeted selection of employees of specific Czech employers (national commerce chambers and associations). Such companies are required to meet criteria which were set in order to prevent potential misuse or abuse of the scheme and mismatch of vacancies and migrants.

### 4.2. FAMILY REUNIFICATION

No developments were reported in 2016.

### 4.3. MANAGING MIGRATION AND MOBILITY<sup>1</sup>

During 2016, the abuse of visa-free travel of citizens of Republic of Moldova was detected. The phenomenon will be further investigated.

In 2016, the Visa Information System fully functioned in all CZ visa-issuing consulates. The System was launched in October 2011 in countries of northern Africa and since then has been expanded in other world regions. All the embassies of the Czech Republic/Schengen area issuing visas are involved in the Visa Information System. In 2016 the process of expansion was finished by launching it at the external borders.

On 17<sup>th</sup> June, the **new Act on Control of the State Border of the Czech Republic** (No. 191/2016) was published in the Collection of Laws of the Czech Republic. The Act came into force on 1<sup>st</sup> August 2016 aiming at making the legal regulation more intelligible, modern and fully adapted to the stable and long-term involvement of the Czech Republic and the neighbouring states in the Schengen cooperation.

## 5. Integration

On 1<sup>st</sup> January 2016, a new **“State Integration Programme” (SIP) for persons with granted international protection** came into force. In February 2016, the Interior Ministry concluded a one-year contract with a general provider of integration services responsible for the provision of integration services to authorised persons within the Programme in the field of housing, employment, health and education including enhancement of the language skills.

As it was defined in the **Government Resolution “Policy for the Integration of Foreign Nationals - In Mutual Respect”** (updated and valid since 2016), some integration measures focused on the groups of foreigners with specific needs (female, children and seniors).

With the aim of focusing on ‘local’ integration, the Ministry supported the regional **Foreign Nationals Integration Support Centres** which are operating in 13 out of 14 regions of the Czech Republic. **In 2016, the Centres were the hubs of integration activities** in each region, they were providing information for immigrants and the majority, incl. the public administration authorities.

The Ministry of the Interior also provided support through financing **projects of the municipalities to support the integration of foreign nationals**. The goal of these projects is to support and encourage the

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<sup>1</sup> “Managing migration and mobility” refers to the following themes: visa policy, Schengen governance and border monitoring.

municipalities to create their own integration strategy based on their knowledge of the local environment. In 2016, these projects were implemented in 15 municipalities (5 more than in 2015).

In 2016, the Ministry of the Interior, in cooperation with other responsible departments, academia and experts developed the **'National Security Audit'** which analyses and evaluates real preparedness of the Czech Republic to face both traditional and emerging security threats. **The unsuccessful integration of migrants was identified as one such threat.**

## 6. External Dimension of EU Migration Policy

In 2016, the Government increased assistance under the Ministry of the Interior's Programme to assist refugees in regions of origin and prevent large migratory movements to CZK 150 million (approx. 5.8 million EUR). Complementary to providing humanitarian aid abroad, aid and support under the authority of the Ministry of Foreign Affairs is directed mainly to third countries with a view to providing direct support to refugees on the one hand and supporting capacity building in the area of refugee and migrant host countries on the other.

With regard to **remittances, an amendment to the Act on Payments**, which transposes the **Payment Account Directive (PAD)** became law in 2016. This foresees that credit institutions in the Czech Republic are obliged to offer basic payment account and enable transfer of payment accounts from one payment service provider to another.

## 7. Irregular Migration and Return

### 7.1. THE FIGHT AGAINST FACILITATION OF IRREGULAR MIGRATION

The **"National Centre for Checking Documents"** was established on **1<sup>st</sup> January 2016** under the responsibility of the Directorate of Alien Police Service. The new centre focuses on the field of forged documents, but also on irregular migration. Thus its aim is to centrally compile fake, forged, found and sent documents of all types, but also to analyse the database, disseminate the information, follow and discuss the current trends, cooperate with other police units in the Member State and at international level, as well as propose legal amendments concerning travel documents.

**2016 saw an increase of 15.8% in the number of persons using false travel documents** (271 cases in total) compared to 2015. The persons identified were

mostly Ukrainians followed by Moldovans. There has been a decrease in the number of false Albanian documents and Syrian passports.

Overall in 2016, a total of **51 passengers used a false travel document** while crossing the external Schengen border. This represents a 27.1% decrease in comparison to 2015.

The Czech Republic took part in the "Operational Action Plan (OAP) 2016" by means of the European multidisciplinary platform against criminal threats (EMPACT) project of illegal migration as well as by the EMPACT project of Trafficking in Human Beings (THB)

**In 2016, the Police of the Czech Republic deployed a total of 339 police officers to Hungary, Slovenia, FYROM and Serbia.** The main tasks of the Police contingents in these countries were border surveillance, public order surveillance, and security and vehicle checks.

### 7.2. RETURN OF IRREGULAR MIGRANTS

During 2016, a **Voluntary Return Unit** was established within the Department for Asylum and Migration Policy of the Ministry of the Interior. The Unit is now responsible for the harmonisation of the common return policy in the area of voluntary returns.

In 2016, the Czech Republic supported the operational activities of Frontex through the deployment 23 team members to Italy and 87 to Greece. Furthermore, 11 team members were deployed to Serbia and 29 to Bulgaria.

## 8. Actions against Trafficking in Human Beings

The 2016-2019 **National strategy to combat THB in the Czech Republic** was approved by the Government in April 2016. An increased effort will be directed to children, migrants and people from socially excluded localities.

In 2016, an increase in cases of exploitative sham marriages was reported by the Police. As in the previous years, the numbers of victims being EU citizens are increasing compared to third country nationals.

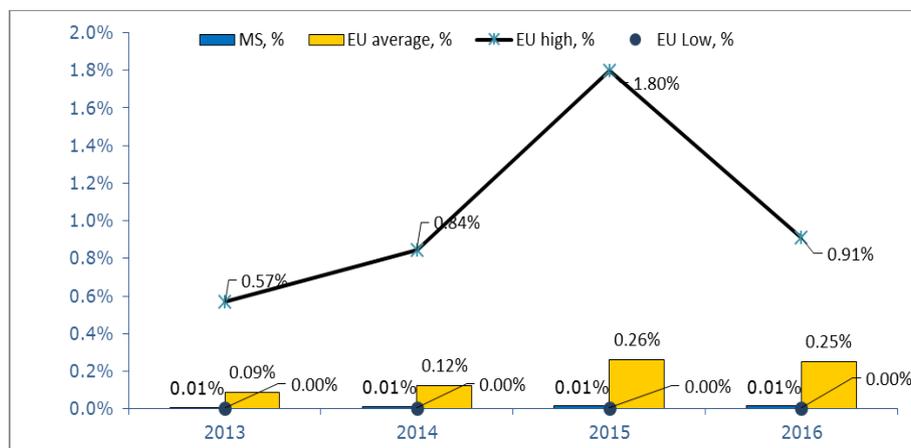
### STATISTICAL ANNEX

The Statistical Annex provides an overview of the latest available statistics for the Czech Republic on aspects of migration and asylum (2013-2016), including residence, asylum, unaccompanied minors, irregular migration, return and visas. Where statistics are not yet available, this is indicated in the Annex as "N/A".

## Statistical Annex: Migration and Asylum in Czech Republic (2013-2016)

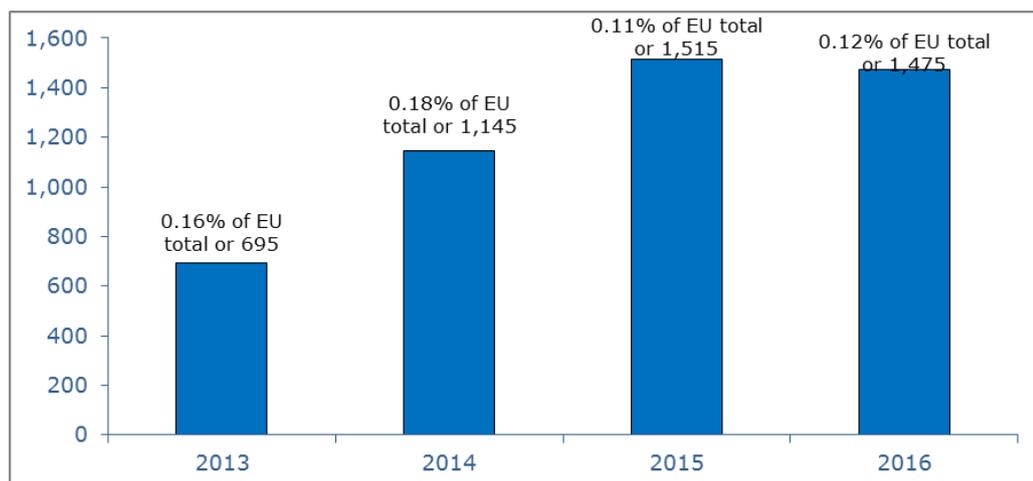
### 1. INTERNATIONAL PROTECTION AND ASYLUM

Figure 1: Asylum applications as a share of the total population in Czech Republic, EU average and EU high and low (2013-2016)



Source: Eurostat migration statistics ([migr\\_asyappctza](#))<sup>2</sup>, data extracted 28/07/2017

Figure 2: Number of asylum applications and as a share of the total number of applications in the EU (2013-2016)



Source: Eurostat migration statistics ([migr\\_asyappctza](#)), data extracted 28/07/2017

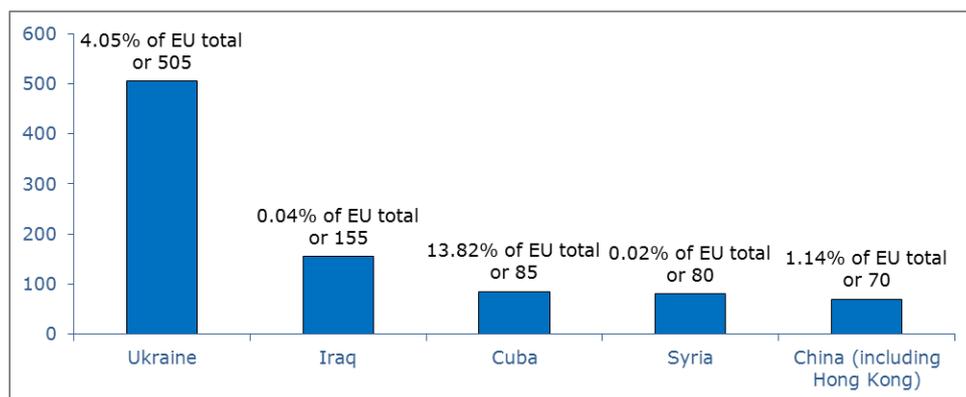
Table 1: Asylum applications: Top five third-country nationalities (2013–2016)

2013			2014			2015			2016		
Nationality	No.	% of total	Nationality	No.	% of total	Nationality	No.	% of total	Nationality	No.	% of total
Ukraine	145	21%	Ukraine	515	45%	Ukraine	695	46%	Ukraine	505	34%
Syria	70	10%	Syria	110	10%	Syria	135	9%	Iraq	155	10%
Russia Vietnam	50	7%	Vietnam	65	6%	Cuba	130	9%	Cuba	85	6%
Cuba Armenia	40	6%	Russia Cuba Stateless	40	3%	Vietnam	80	5%	Syria	80	5%
Stateless	30	4%	Belarus Armenia	30	3%	Russia	45	3%	China (including Hong Kong)	70	5%

Source: Eurostat migration statistics ([migr\\_asyappctza](#)), data extracted 28/07/2017

<sup>2</sup> Figures regarding the total population were extracted from Eurostat ([demo\\_gind](#))

**Figure 3: Asylum applications: Top five third-country nationalities as a share of EU total per given nationality (2016)**



Source: Eurostat migration statistics ([migr\\_asyappctza](#)), data extracted 28/07/2017

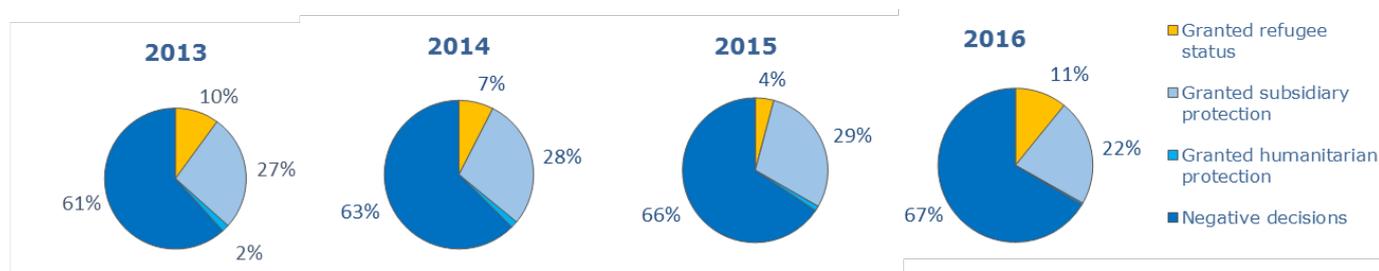
Note: the figure reads as: Czech Republic received 505 asylum applications from Ukraine or 4.05% of all asylum applications from Ukraine launched in EU in 2016.

**Table 2: Asylum applications - First instance decisions by outcome (2013-2016)**

Year	Total decisions	Positive decisions	Of which:		Humanitarian reasons	Negative decisions
			Refugee status	Subsidiary protection		
2013	900	345	90	240	15	555
2014	1,000	375	75	285	15	625
2015	1,335	460	55	390	15	875
2016	1,300	435	140	290	5	860

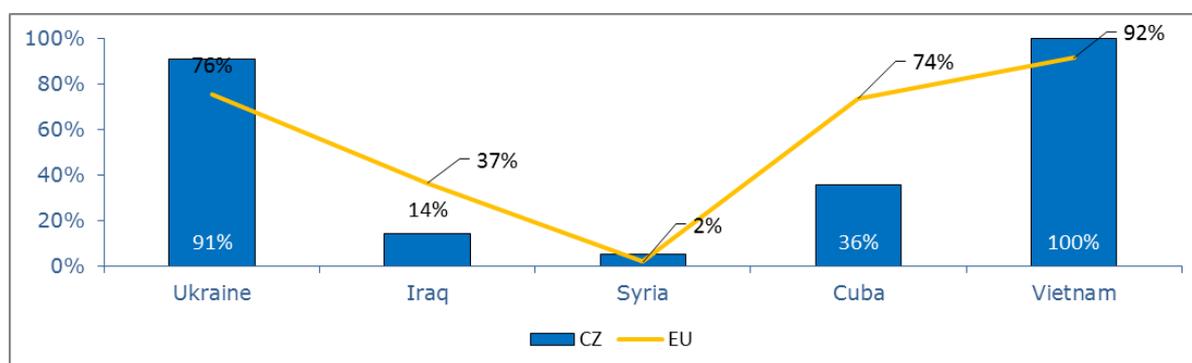
Source: Eurostat migration statistics ([migr\\_asydcfsta](#)), data extracted 28/07/2017

**Figures 4-7: Asylum applications - First instance decisions by outcome (2013-2016)**



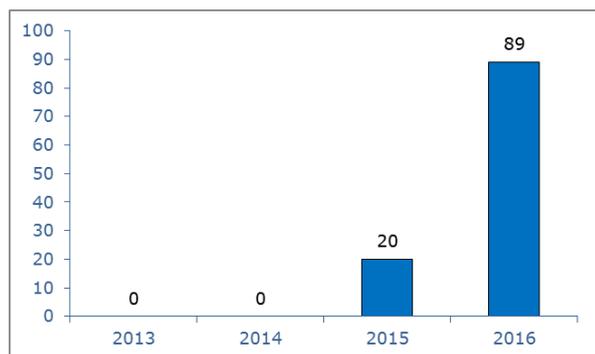
Source: Eurostat migration statistics ([migr\\_asydcfsta](#)), data extracted 28/07/2017

**Figure 8: Negative decision rate for the top five nationalities of applicants at the first instance in comparison with EU for the same given nationality (2016)**



Source: Eurostat migration statistics ([migr\\_asydcfsta](#)), data extracted 28/07/2017

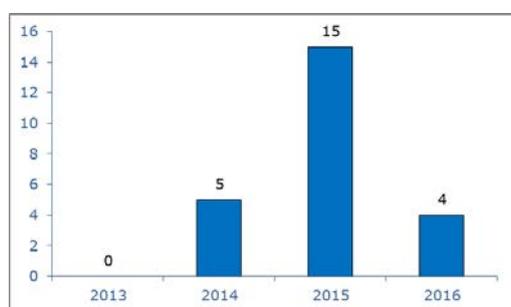
**Figure 9: Third-country nationals resettled (2013-2016)**



Source: EMN National Contact Point<sup>3</sup>

## 2. UNACCOMPANIED MINORS

**Figure 10: Unaccompanied minors applying for asylum (2013-2016)**



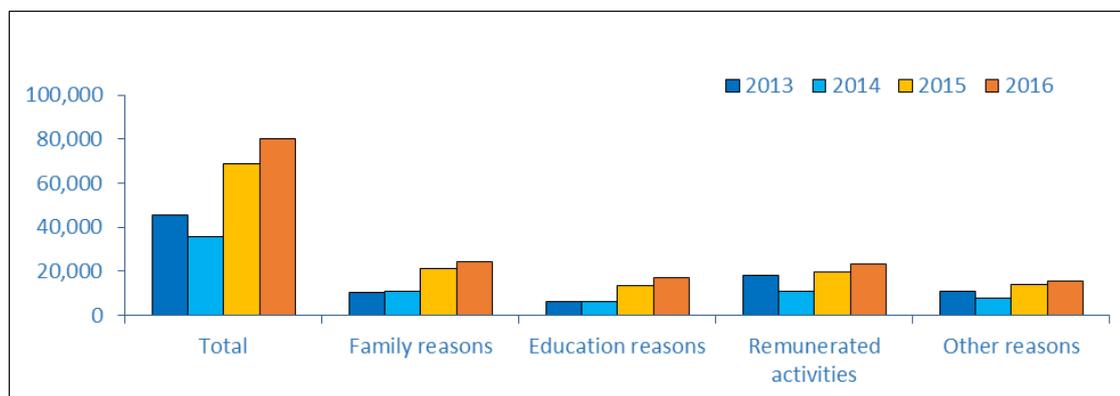
Source: Eurostat *Asylum applicants considered to be unaccompanied minors by citizenship, age and sex Annual data (rounded)* ([migr\\_asyunaa](#)), data extracted 17/04/2017; EMN NCPs

**Table 3: Unaccompanied minors (2013-2016)**

	2013	2014	2015	2016
Unaccompanied minors (total) <sup>4</sup>	N/A	N/A	79	43
Unaccompanied minor asylum applicants	0	5	15	4

## 3. LEGAL MIGRATION AND MOBILITY

**Figure 11: First residence permits, by reason (2013-2016)**



Source: Eurostat ([migr\\_resfirst](#)), data extracted 17/04/2017; EMN NCPs

<sup>3</sup> In 2016: 32 persons were resettled under the European Resettlement Scheme and 57 persons were admitted under the national humanitarian admission programme (without UNHCR referral) - in total 89 persons resettled.

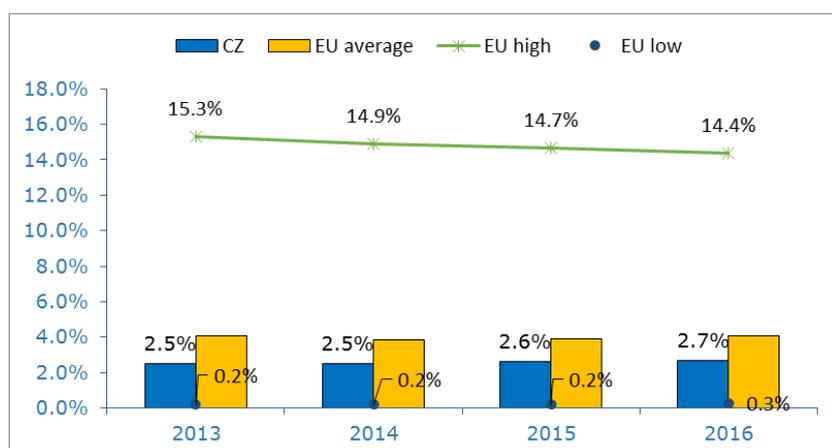
<sup>4</sup> Source: Facility for Children-foreigners of the Ministry of Education, Youth and Sports (The total number of 43 UAMs from third countries came to this specialized Facility during 2016. This number of UAMs might not be total because there might be cases which are not included in this figure.

**Table 4: First residence permits: Top five third-country nationalities (2013–2016)**

2013		2014		2015		2016	
Nationality	Number	Nationality	Number	Nationality	Number	Nationality	Number
Ukraine	18,622	Ukraine	12,867	Ukraine	23,207	Ukraine	24,223
Russia	7,146	Russia	6,040	Russia	11,289	Russia	12,122
Vietnam	4,915	Vietnam	3,995	Vietnam	7,543	Vietnam	8,160
United States	2,539	United States	1,780	United States	4,195	United States	5,633
Kazakhstan	1,137	Kazakhstan	1,051	Kazakhstan	2,164	Kazakhstan	2,524

Source: Eurostat migration statistics ([migr\\_resfirst](#)), data extracted 17/04/2017

**Figure 12: Resident population of third-country nationals as a share of total population in Czech Republic, EU average, EU high and low (2013–2016)**



Source: Eurostat migration statistics ([migr\\_pop1ctz](#)), data extracted 17/04/2017

#### 4. IRREGULAR MIGRATION AND RETURN

**Table 5: Number of third-country nationals refused entry at external borders (2013–2016)**

Third country nationals:	2013	2014	2015	2016
Refused entry at external borders	310	330	465	365
Found to be illegally present	3,695	4,430	8,165	4,885
Ordered to leave	2,405	2,460	4,510	3,760
Returned following an order to leave	330	320	1,715	530

Source: Eurostat migration statistics ([migr\\_eirfs](#))([migr\\_eipre](#))([migr\\_eiord](#)),([migr\\_eirtn](#)) data extracted 09/05/2017

**Table 6: Third-country nationals returned (2013–2016)**

Year	Returned as part of forced return measures	Returned voluntarily	Returned through an Assisted Voluntary Return Programme
2013	195	109	174
2014	187	144	170
2015	151	120	257
2016	126	93	238

Source: EMN NCPs

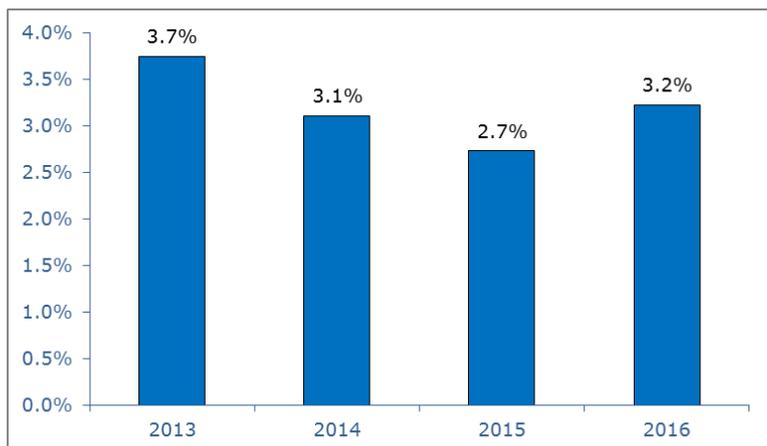
#### 5. SECURING EUROPE'S EXTERNAL BORDERS

**Table 7: Number of Schengen visas applications (2013–2016)**

	2013	2014	2015	2016
Uniform visas (short-stay visas)	646,719	519,819	421,355	489,920

Source: DG Migration and Home – Complete statistics on short-stay visas issued by the Schengen States

**Figure 13: Uniform visa applications received in MS as a share of the total number of uniform visa applications in all Schengen states consulates (2013-2016)**



Source: DG Migration and Home affairs – Complete statistics on short-stay visas issued by the Schengen States

**Table 8: Top five countries in which the highest number of visa applications for MS was lodged (2013-2016)**

2013		2014		2015		2016	
Countries	Number	Countries	Number	Countries	Number	Countries	Number
<b>Russia</b>	426,065	<b>Russia</b>	325,621	<b>Russian Federation</b>	203,131	<b>Russian Federation</b>	197,379
<b>Ukraine</b>	79,343	<b>Ukraine</b>	59,607	<b>Ukraine</b>	65,729	<b>Ukraine</b>	88,796
<b>Turkey</b>	20,498	<b>China</b>	18,158	<b>China</b>	28,760	<b>China</b>	62,705
<b>Belarus</b>	16,557	<b>Belarus</b>	18,045	<b>Turkey</b>	15,604	<b>Turkey</b>	21,416
<b>China</b>	14,681	<b>Turkey</b>	15,849	<b>India</b>	12,744	<b>India</b>	13,076

Source: DG Migration and Home affairs