



EMN ANNUAL POLICY REPORT **2015**
ON ASYLUM AND MIGRATION
CZECH REPUBLIC



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The European Migration Network (EMN) is an initiative of the European Commission responsible for collecting, exchanging and analysing data and information in the field of asylum and migration among the 27 EU Member States (Denmark is not involved in EMN activities) and Norway.

The objective of the European Migration Network is to meet the information needs of Community institutions and of Member States' authorities and organisations as well as of the general public on migration and asylum by collecting, exchanging and analysing objective, reliable and comparable information on asylum and migration to support policymaking of the European Union in the fields of asylum and migration.

The benefit of the European Migration Network lies mainly in the opportunity to secure and compare comprehensive findings about the situation, development and practice in the fields of asylum and migration in the 27 EU Member States and Norway. The EMN also serves as a platform for obtaining information not only from the state institutions, but it also allows for involving other players from the spheres of science and research and the non-governmental sector.

The Department for Asylum and Migration Policy of the Ministry of the Interior has been the EMN National Contact Point in the Czech Republic since 2004. More information on EMN activities in the Czech Republic can be found at www.emncz.eu.

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LIST OF ABBREVIATIONS

AC	Accommodation Centre
AIS	Alien Information System
ANACEN	Analytical Centre for Protection of State Borders and Migration, "Analytical Centre"
CR	Czech Republic
CRC	Czech Red Cross
CzDA	Czech Development Agency
ČSSD	Czech Social Democratic Party (Czech abbreviation)
DAMP	Department for Asylum and Migration Policy (Ministry of the Interior of the CR)
DAPS	Directorate of the Alien Police Service
DCAF	Geneva Centre for the Democratic Control of Armed Forces
EASO	European Asylum Support Office
EC	European Commission
EC	European Community
EEAS	European External Action Service
EMN	European Migration Network
EMPACT	European Multidisciplinary Platform against Criminal Threats
ERIS	Development of Joint Principles, Procedures and Standards on the Integration of Labour Immigrants between the Russian Federation and European partners
EU	European Union
FIRMM	Supporting the Republic of Moldova to implement the EU-Moldova Action Plan on Visa Liberalisation, Fighting Irregular Migration in Moldova
FRONTEX	European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the EU
GAMM	Global Approach to Migration and Mobility
HLWG	High-Level Working Group on Asylum and Migration
IAC	Integration Asylum Centre
ICMPD	International Centre for Migration Policy Development
IOM	International Organisation for Migration
JITs	Joint Investigation Teams

KDU-ČSL	Christian and Democratic Union – Czechoslovak People’s Party (Czech abbreviation)
MEDEVAC	Programme of Humanitarian Evacuations of Inhabitants with Health Issues (Medical Evacuation)
MfRD	Ministry of Regional Development
MoC	Ministry of Culture
MoD	Ministry of Defence
MoEYS	Ministry of Education, Youth and Sports
MoH	Ministry of Health
MoI	Ministry of the Interior
MoIT	Ministry of Industry and Trade
MoJ	Ministry of Justice
MoLSA	Ministry of Labour and Social Affairs
MoFA	Ministry of Foreign Affairs
NGO	Non-governmental organisation
OSCE	Organisation for Security and Co-operation in Europe
OSPOD	Social-legal child protection authority (Czech abbreviation)
PCR	Police of the Czech Republic
RC	Reception Centre
RDPP	Regional Development and Protection Programmes
SIP	State Integration Programme
SUZ	Refugee Facilities Administration of the Ministry of the Interior (Czech abbreviation)
UN	United Nations
UNHCR	United Nations High Commissioner for Refugees

SUMMARY

The 2015 European Migration Network (EMN) Annual Policy Report on Asylum and Migration provides a summary of the developments and most important changes in the fields of migration, asylum and integration during the year 2015.

MIGRATION POLICY STRATEGY OF THE CZECH REPUBLIC

On 29 July 2015, the Government of the Czech Republic approved a comprehensive ***Migration Policy Strategy of the Czech Republic*** in its resolution no. 621. Besides the national security, which is the main theme, the Strategy defines the priorities of the Czech Republic in the fields of integration of foreign nationals, illegal migration and return policy, international protection, external dimension of migration (including humanitarian aid), free movement of persons within the EU and the Schengen Area, legal migration and international obligations of the Czech Republic regarding migration. Based on the *Migration Policy Strategy*, the *Migration Communication Strategy of the Czech Republic* has been adopted.

LEGAL MIGRATION AND INTEGRATION

Same as in the previous years, the **upward trend in legal migration** into the Czech Republic continued in the year 2015. On a year-on-year basis, the highest increase of the number of foreign nationals has occurred since the year 2011, in which the economic crisis in the Czech Republic started to recede. As of 31 December 2015, **467,562 foreign nationals** were staying legally in the territory of the Czech Republic (for a period over 90 days). Thus, the total number increased by 3.5 % since the year 2014. Foreign nationals represented approximately **4.4 % of the population**. From among the total registered number of foreign nationals with residence permit in the Czech Republic, 55.9 % of them (261,553 foreign nationals) were staying in the CR permanently and 44.1 % of them (206,009 foreign nationals) temporarily. The citizens of Ukraine, Slovakia and Vietnam together accounted for approximately 57 % of the foreign nationals with residence permits in the territory of the Czech Republic.

Regarding the number of issued **Schengen visas**, the Russian Federation has remained the key country for the Czech Republic. At present, all Schengen visas issued by the

Czech Republic are biometric. The process of introducing biometric data at consulates and external borders (known as VIS roll-out) was completed in February 2016 after five years when the last region – the external Schengen border – was included. In April 2014, the Government of the CR adopted a *2014 National Schengen Plan for the Period of 2014–2020*. This plan is evaluated on an annual basis and the evaluation is presented in the form of *Report on Implementation of the National Schengen Plan*. In 2015, the new bill on the protection of the state borders of the CR was undergoing the legislative procedure.

In the field of **economic migration**, a new migration project titled ***Special Procedures for Highly Skilled Professionals from Ukraine*** was launched in November 2015. The focus of this project is on foreign nationals from Ukraine who will be performing highly qualified jobs in the fields of production, services or in the public sector in the territory of the Czech Republic. When the participants of this project file an application for an Employee Card or a Blue Card, they have preferential treatment at the embassies of the Czech Republic abroad and at Czech consulates.

Legal migration is closely connected to **integration policy**. The position of the Czech Republic on integration policy is defined in the *Policy for the Integration of Foreign Nationals in the Czech Republic*. In December 2015, the updated ***Policy for the Integration of Foreign Nationals – In Mutual Respect*** was presented to the government. As part of the foreign national integration policy, emphasis is placed on efficiency of the integration measures, on cooperation with regional and local public administration and on extending the range of entities supporting integration. Particularly the network of Centres to Support the Integration of Foreigners from the third countries is the tool for integration of foreign nationals at the regional level. During the year 2015, these centres operated in thirteen regions of the Czech Republic. At the local level, the projects of municipalities are the key tools for integration. Awareness of both foreign nationals and the majority population was supported by means of informational publications, websites and an info line. In cooperation with NGOs, assistance to foreign nationals was enhanced, including collaboration with intercultural assistants and interpreters from among foreign nationals.

On 1 January 2014, new legislation came into force, which completely abandoned the principle of a single citizenship and accepted the possibility of the existence of multiple citizenships. **Czech Republic citizenship** was granted to **2,620 foreign nationals** in 2015. Czech Republic citizenship was most frequently granted to citizens of Ukraine (1,052), the Russian Federation (317) and Vietnam (270).

INTERNATIONAL PROTECTION

Same as in the previous year, the number of applicants for international protection increased in 2015. This stopped the downward trend in the number of applicants seen during the last decade. **A total of 1,525 foreign nationals applied for international protection** in 2015, which represents an increase by 31.9 % as compared to the previous period. In spite of the fairly high year-on-year growth in the years 2014 and 2015, the situation regarding international protection can be deemed to be stable in the long-term perspective. The main source countries of applicants were Ukraine (45.5 %), Syria (8.8 %) and Cuba (8.4 %). **269 minors** (17.6 %) applied for international protection in 2015, i.e. 40 persons less than in the previous year.

The *State Integration Programme* was being implemented in the Czech Republic in 2015. This programme focuses on persons who have been granted international protection in the form of asylum or subsidiary protection. Similarly to previous years, the programme concentrated mainly on teaching the Czech language, arranging accommodation and providing assistance with entry into the labour market. In a resolution of the Government of the CR, **a new concept of the State Integration Programme** was approved on 20 November 2015. Consequently, the system was changed starting from 1 January 2016 to the effect that the general provider of services would be responsible for all integration services.

UNACCOMPANIED MINORS

As compared to the previous years, there has been an increase in the number of unaccompanied minors in the CR. In 2015, **151 children**, particularly at the age from 16 to 18 years, **were identified as unaccompanied minors**. There were only 23 such children in 2014. However, the figure of unaccompanied minors applying for international protection was only in number of units; **14 unaccompanied minors applied for international protection**. Most of these applications were filed by the citizens of Afghanistan, Syria and Ukraine. In 2015, extensive educational seminars with a focus on the topic of unaccompanied minors took place under cooperation between the Ministry of the Interior and the Organisation for Aid to Refugees, which trained approximately 470 employees of the authorities responsible for the social-legal protection of children. Methodological materials designed for the social-legal child protection authorities were also created regarding the issues of unaccompanied minors.

MEASURES TO COMBAT HUMAN TRAFFICKING

In comparison with the previous year, no major changes have been identified in the human trafficking criminal activities in the year 2015 as concerns the purpose of human trafficking and the modes of operation of the perpetrators of these crimes. In the Czech Republic, this involved particularly using the victims of human trafficking for prostitution and forced labour or some other forms of exploitation. In the long term, a decrease of victims coming from third countries has been registered; conversely, an increase of victims among the citizens of the European Union has been identified. The Police of the Czech Republic **prosecuted (investigated) 12 persons** during the year 2015 and **19 persons** were convicted of human trafficking in the same year. A total of **4 victims of human trafficking** were included in the *Programme of Support and Protection of Victims of Human Trafficking* in 2015.

INTERNATIONAL COOPERATION AND PROJECTS

In 2015, the Czech Republic continued implementing the activities it had commenced during previous years. It continued to cooperate with the Frontex agency and the European Asylum Support Office (EASO). It also focused on strengthening the practical and operational cooperation in all aspects of migration, asylum and the protection of state borders.

Cooperation with the main transit and source countries of immigration into the Czech Republic was being developed, particularly with the countries adjacent to the European Union. At the level of the European Union, the Czech Republic continued to develop and implement the tools of *Global Approach to Migration and Mobility* (GAMM) representing the strategic framework of external migration policy of the European Union.

The Czech Republic also implemented **humanitarian projects**. In response to deterioration of the security and humanitarian situation in the immediate surroundings of the European Union, associated particularly with the ongoing armed conflict in Syria, the Government of the Czech Republic approved the creation of the permanent *Programme for Assistance to Refugees in Regions of Origin and for Prevention of Migration Flows of the Ministry of the Interior* in January 2015. In 2015, 100 million CZK were earmarked for help to countries affected by the massive inflow of Syrian refugees. The CR also continued the implementation of the *Programme of Humanitarian Evacuations of Inhabitants with Health Issues* – MEDEVAC. In 2015, this programme was implemented by sending medical teams to the countries of origin, by carrying out humanitarian evacuations of medically disabled inhabitants to the Czech Republic for medical treatment

and by organising professional internships for physicians from the regions affected by a humanitarian crisis.

Last year, the Czech Republic also voluntarily participated in the **resettlement** project, specifically the joint resettlement scheme of the European Union. As part of this scheme, the CR agreed to resettle 400 refugees from third countries, with a focus on Syrian refugees in the region of the Near East. Thus, the Czech Republic resettled the first 20 persons – 4 families of Syrian refugees with seriously ill children – during the year 2015. Implementation of the aforementioned voluntary commitment of the Czech Republic will also continue in 2016.

In addition to that, the Czech Republic started to implement the programme for **providing assistance to Czech compatriots with resettlement** during the year 2015. Consequently, a total of 225 compatriots, members of Czech compatriot communities in Ukraine, arrived to the CR during the year 2015.

ILLEGAL MIGRATION, HUMAN SMUGGLING

In 2015, a total of **8,563 persons** were identified as perpetrators of **illegal migration** in the territory of the Czech Republic. As compared with the previous year, this represented an increase by 3,741 persons (i.e. by 77.6 %). This number included 8,323 persons exposed as illegally staying persons. Another 240 were caught during illegal migration across the external Schengen border of the Czech Republic. Third-country nationals accounted for 98.1 % of the total number of persons who were found to be perpetrators of illegal migration in the reference year. The highest number of persons identified as illegally staying persons was from Syria (2,016 persons). As regards the nationality, Russian foreign nationals (47 persons) represented the highest number of persons intercepted when illegally migrating across the external Schengen border (i.e. an international airport). There were **168 persons** registered¹ in connection with **facilitation of an illegal stay or the illegal crossing of borders** in 2015. **84 persons** were convicted of organising and allowing for unauthorised crossing of the state border or of the crime of facilitating unauthorised stay in the territory of the Czech Republic.

¹ They were registered by the regional directorates of the Police of the Czech Republic.

RETURNS

In 2015, **2,630 decisions imposing the obligation to leave the territory of the CR were issued**. In 2015, a total of **3,009 foreign nationals with an issued effective decision on administrative expulsion** were registered. The citizens of Ukraine – a total of 1,243 persons – were the largest group among them. There were 3,063 effective decisions on administrative expulsion registered in 2015 (there can be multiple decisions for 1 person). Based on an effective and enforceable decision on administrative expulsion, such decision was **executed** in case of **172 foreign nationals** in 2015. During the year 2015, a total of **377 voluntary returns** of third-country nationals, on whom the obligation to leave the territory of the Czech Republic was imposed, were registered. These returnees most often included the citizens of Ukraine (153), Kosovo (73), Vietnam (24) and Iraq (23).

1 INTRODUCTION

This Annual Policy Report on Asylum and Migration in the Czech Republic provides a summary of the most important political and legislative changes and the basic statistical data regarding asylum and migration in the territory of the Czech Republic for the year 2015.

The report was prepared by the National Contact Point of the European Migration Network in the Czech Republic. According to Article 9(1) of Council Decision 2008/381/EC establishing the European Migration Network, each EMN Contact Point prepares a report on developments regarding asylum and migration in the given country on an annual basis.

The report consists of nine chapters and three annexes. The chapters describe the developments in legal migration and international protection; one chapter is concerned with the issues of unaccompanied minors. The report also contains information on measures against human trafficking and measures against illegal migration. The report also provides an overview of international cooperation and projects and describes the developments regarding returns of foreign nationals to their countries of origin. Each chapter also contains the basic statistical data on the given area. The structure of the report complies with the recommended structure of national reports of separate EMN Contact Points so that it is possible to compare the separate documents and to maintain continuity with the reports prepared in previous years.

The presented report was prepared mainly using the source materials of the Department for Asylum and Migration Policy of the Ministry of the Interior, which is responsible for the fields of migration, asylum and integration. Other source materials used in preparation of the report included source materials from the Directorate of the Alien Police Service; the Police Presidium; the Department of Security Policy and Crime Prevention of the Ministry of the Interior; the Ministry of Education, Youth and Sports; the Ministry of Labour and Social Affairs; the Ministry of Foreign Affairs; the Ministry of Finance; the Ministry of Justice; the Refugee Facilities Administration of the Ministry of the Interior; the Unit for Combating Organised Crime; and Facilities for Children of Foreign Nationals. More detailed information on the methodology is contained in Annex 1. Annex 2 contains a list of sources and literature; Annex 3 contains a list of tables and charts.

1.1 ORGANISATION OF ASYLUM AND MIGRATION POLICY

MINISTRY OF THE INTERIOR (MoI)

The Ministry of the Interior is the main body responsible for the asylum and migration policy in the Czech Republic on a legislative as well as a strategic level.

DEPARTMENT FOR ASYLUM AND MIGRATION POLICY (DAMP)

The Department for Asylum and Migration Policy is a unit of the Ministry of the Interior responsible for exercising the powers assigned to the Ministry in the fields international protection, refugees, entry and residence of foreign nationals, the policy of integration of foreign nationals, the State Integration Programme and Schengen cooperation. This department is a unit of the Ministry for managing the governmental organisation of the Refugee Facilities Administration of the Ministry of the Interior (SUZ). It submits proposals for establishing or modifying the nature of asylum facilities or facilities for detention of foreign nationals.

COORDINATION BODY FOR MANAGING THE PROTECTION OF STATE BORDERS AND MIGRATION

The coordination body for managing the protection of state borders and migration is an interdepartmental body consisting of the Deputy Ministers of the Ministries responsible for migration-related issues², which have the authority to take the necessary measures in the fields of migration and the protection of state borders. The Ministry of the Interior leads the activities of the Coordination Body. The First Deputy Minister of the Interior for Internal Security holds the position of the chairman. Cooperation among institutions within the terms of the Coordination Body enables the government bodies to respond flexibly to the current migration situation and contributes to greater flexibility when dealing with specific issues falling within the terms of reference of multiple Ministries. The Coordination Body also serves as a platform for discussion of the future direction of the migration policy. The Coordination Body also manages the activities of the Analytical Centre for the Protection of State Borders and Migration, the permanent office of the Ministry of the Interior with a focus on interdepartmental cooperation at the expert level.

² The members of the Coordination Body are the delegated representatives of the Ministry of the Interior; the Ministry of Foreign Affairs; the Ministry of Labour and Social Affairs; the Ministry of Industry and Trade; the Ministry of Education, Youth and Sports; the Ministry of Finance (the General Directorate of Customs); the Ministry of Justice; the Ministry of Transport; the Ministry of Health; and the Police President.

In the second half of the year 2015, the Coordination Body was fully engaged in evaluating the impacts of the migration crisis and in implementing the EU relocation and resettlement mechanisms and the subsequent intensive preparation of the necessary systemic measures responding to the current situation and the presumed further developments. **Due to the migration situation, the main focus of the activities of the Coordination Body shifted mostly to the governmental level.**

ANALYTICAL CENTRE FOR THE PROTECTION OF STATE BORDERS AND MIGRATION (ANACEN)

The Analytical Centre for the Protection of State Borders and Migration is a permanent analytical body controlled by the Ministry of the Interior. ANACEN operates at an expert level; its activities are managed by the Coordination Body for Managing the Protection of State Borders and Migration. The activities of ANACEN take place in several topic-specific fora (Strategy; Migration; Visa; Operations and Security). As part of its activities, it concentrates on monitoring and analysing migration as a comprehensive phenomenon. In this sense, its interdepartmental nature is important because all the bodies involved in the system for managing the protection of state borders and international migration participate in the activities of the Analytical Centre through close cooperation and information exchange³, which allows for a flexible and quick response to any problems that arise.

In 2015, the Analytical Centre concentrated primarily on monitoring and evaluating the migration flows heading into the territory of the European Union (EU) along what is referred to as the "Balkan Route". In this context, the activities of the Operations and Security forum were expanded; this forum started to hold meetings at the directorial level every week in addition to the meetings at the expert level.

REFUGEE FACILITIES ADMINISTRATION (SUZ)

The Refugee Facilities Administration of the Ministry of the Interior is an operator of the reception, accommodation and integration asylum centres. In these facilities, SUZ provides particularly accommodation, boarding, psychological, social, educational and consulting services and also provides opportunities for leisure-time activities. Most of these activities also take place in the facilities for detention of foreign nationals, which are also operated by SUZ. SUZ also provides services in the Centres to Support the Integration of Foreigners.

³ The members of the Analytical Centre are delegated representatives of the Ministry of the Interior; the Ministry of Foreign Affairs; the Ministry of Labour and Social Affairs; the Ministry of Industry and Trade; the Ministry of Education, Youth and Sports; the Ministry of Finance (the General Directorate of Customs); the Police of the Czech Republic and the intelligence services and security forces.

ALIEN POLICE SERVICE AND DIRECTORATE OF THE ALIEN POLICE SERVICE (DAPS)

The Alien Police Service is a highly specialised unit of the Police of the Czech Republic, which performs tasks related to detection of illegal migration, application of repressive measures against illegally staying foreign nationals according to Act No. 326/1999 Coll., on the Residence of Foreign Nationals in the Territory of the Czech Republic, fulfilment of the obligations arising from international treaties and directly applicable legal regulations of the European Community and which addresses the crimes committed in connection with the crossing of state borders and cross-border criminal activities. Besides other tasks, it also carries out residence checks and ensures the protection of external borders. In relation to the territorial units of the Alien Police, the Directorate of the Alien Police Service serves the functions of a specialised central methodological, managing, expert and analytical and monitoring authority and is also an executive unit of the Police of the Czech Republic with a national scope of operation.

MINISTRY OF FOREIGN AFFAIRS (MoFA)

The Ministry of Foreign Affairs is a central administrative body of the Czech Republic for foreign policy, which creates concepts and coordinates foreign development aid. It carries out public administration in the matters of permitting the residence of foreign nationals in the territory of the CR who enjoy the privileges and immunities defined by the international law. Through embassies, it carries out public administration in the matters of granting visas pursuant to the Act on the Residence of Foreign Nationals.

MINISTRY OF LABOUR AND SOCIAL AFFAIRS (MoLSA)

The Ministry of Labour and Social Affairs is responsible for the policy in the field of employment of foreign nationals. Among other things, it defines the group of entities playing the role of an employer and, in relation to foreign nationals, it defines the criteria governing the entry of separate categories of foreign nationals into the labour market. According to the situation on the labour market, it defines the terms and conditions for permitting employment and is responsible for the legislation governing the employment of foreign nationals in relation to the applicable legal regulations of the European Union and concluded intergovernmental agreements.

Other institutions, which have their defined terms of reference in the field of asylum and migration, are: the Ministry of Industry and Trade (MoIT); the Ministry of Justice (MoJ); the Ministry of Finance (MoF); the Ministry of Health (MoH); the Ministry of Education, Youth and Sports (MoEYS); the Ministry of Finance (the General Directo-

rate of Customs); the Ministry of Culture (MoC); and the Ministry of Regional Development (MfRD).

1.2 ASYLUM AND MIGRATION LEGISLATION

Asylum and migration is governed particularly by the following legislation:

- Act No. 326/1999 Coll., **on the Residence of Foreign Nationals in the Territory of the Czech Republic** and on amendments to some Acts, as amended

This Act defines the conditions for the entry of a foreign national into the territory of the Czech Republic and the departure of a foreign national from the country; it defines the conditions of the stay of a foreign national in the country and defines the powers of the Police of the Czech Republic, the Ministry of the Interior and the Ministry of Foreign Affairs in this field of public administration.

- Act No. 216/2002 Coll., **on the Protection of the State Borders of the Czech Republic** and on amendments to some Acts, as amended.

This Act governs the protection of the state borders of the Czech Republic against their unauthorised crossing and the fulfilment of certain obligations arising from the international agreement on the abolition of checks at common borders ("Schengen Agreement"), the authority of the Police of the Czech Republic in providing the protection of borders and the administrative offences concerning the protection of borders.

- Act No. 325/1999 Coll., **on Asylum**, as amended.

This Act defines the conditions for the entry and residence of a foreign national who applies for international protection in the territory of the Czech Republic and governs the residence of a recognised refugee or a person enjoying subsidiary protection in the country; the proceedings on the granting of international protection in the form of asylum or subsidiary protection and the proceedings on withdrawal of asylum or subsidiary protection; the rights and obligations of an applicant for international protection, a recognised refugee and a person enjoying subsidiary protection in the country; the terms of reference of the Ministry of the Interior, the Ministry of Education, Youth and Sports and the Police of the Czech Republic in this area of the public administration; the State Integration Programme and asylum facilities.

- Act No. 221/2003 Coll., **on the Temporary Protection of Foreign Nationals**, as amended

This Act defines the conditions for the entry and residence of a foreign national in the territory of the Czech Republic for the purpose of provision of temporary protection and the conditions for their departure from the country, and governs the proceedings on the granting and withdrawal of a residence permit for the purpose of provision of temporary protection in the country; the legal status of a foreign national who applies for a residence permit for the purpose of temporary protection and a foreign national who has been granted a residence permit for the purpose of temporary protection, and defines the terms of reference of the Ministry of the Interior and the Police of the Czech Republic in this area of the public administration.

- Act No. 435/2004 Coll., **on Employment**, as amended.

In accordance with the EU legislation, this Act governs the governmental employment policy the purpose of which is to achieve full employment and to protect from unemployment. Among other things, it also governs the employment of employees from abroad.

- Act No. 186/2013 Coll., **on the Citizenship of the Czech Republic** and on amendments to some Acts

This Act defines the ways of acquiring and losing the citizenship of the Czech Republic, the ways proving and ascertaining the citizenship of the Czech Republic and the ways of issuing certificates on the citizenship of the Czech Republic; it governs the maintenance of the register of natural persons who acquired or lost the citizenship of the Czech Republic and it governs the offences relating to citizenship.

2

DEVELOPMENTS IN ASYLUM AND MIGRATION POLICY

- In February 2015, a **Subcommittee for Migration and Asylum Policy** was formed in the Chamber of Deputies as part of the Committee for European Affairs.
- In December 2015, **the amendments to the Asylum Act**, to the Act on the Temporary Protection of Foreign Nationals, to the Act on the Residence of Foreign Nationals and other related Acts came into force. The legislation particularly contains the transposition of two asylum Directives, referred to as the "Procedure Directive" and the "Reception Directive", into the national legislation.
- On 29 July 2015, the Government of the Czech Republic adopted the **Migration Policy Strategy of the Czech Republic**. This Strategy summarises the principles and priorities on which the migration policy of the Czech Republic is based in accordance with its international legal obligations.

2.1 POLITICAL DEVELOPMENTS

In the year 2015, there were no elections to the Chamber of Deputies or to the Senate of the Parliament of the Czech Republic or local government elections.

The government coalition, which was formed by the winning Czech Social Democratic Party (ČSSD), the ANO 2011 movement and the Christian and Democratic Union – Czechoslovak People's Party (KDU-ČSL), has been in power since the October elections in 2013 throughout the year 2015. In February 2014, this government won the vote of confidence in the Chamber of Deputies of the Parliament of the CR. Since then, Mr. Bohuslav Sobotka from ČSSD was the Prime Minister of the Czech Republic.

In February 2015, a Subcommittee for Migration and Asylum Policy was established in the Chamber of Deputies as part of the Committee for European Affairs.⁴ The first meeting

⁴ The committees are specialised taskforces of the Chamber of Deputies, which are responsible for legislative and monitoring activities. The Act on the Rules of Procedure of the Chamber of Deputies permits committees to set up subcommittees to address specific issues.

of the Subcommittee for Migration and Asylum Policy was held on 17 March 2015. The newly established subcommittee addresses, among other things, the strengthening of the position of intelligence services, which should gain a right of veto in the process of permitting the residence of migrants, if they find out that the migrants are a security risk for the Czech Republic, and the exchange of information within the Schengen visa system. Member of Parliament Ms Helena Langšádlová (TOP 09) has become the chairperson of the subcommittee.

2.2 DEVELOPMENTS IN ASYLUM AND MIGRATION POLICY

LEGISLATIVE DEVELOPMENTS IN 2015

In 2015, **legislative activities** were concentrated on amendments to the Acts listed below:

- **The Act on the Residence of Foreign Nationals** – during the year 2015, a total of four amendments to the Act on the Residence of Foreign Nationals were enacted, and the most important changes were made by the amendment to the Asylum Act, the Act on the Temporary Protection of Foreign Nationals, the Act on the Residence of Foreign Nationals and other related Acts, which came into force on 18 December 2015. For example, in the Act on the Residence of Foreign Nationals, the possible period of validity of long-term visas was extended to up to one year; the time limits for filing an application for a long-term residence permit were extended and the definition of a family member of an EU citizen was made more accurate. The requirements for taking an examination in the Czech language for the purpose of issuing a permanent residence permit have been newly defined (previously, they were defined in an implementing ordinance; now, they are defined in a government regulation).
- **Asylum Act** – in 2015, two amendments to the Asylum Act were enacted and the most extensive changes were made by the amendment to the Asylum act, the Act on the Residence of Foreign Nationals, the Act on the Temporary Protection of Foreign Nationals and other related Acts, which came into force on 18 December 2015. The legislation contains particularly the transposition of two asylum Directives into the national legislation; these Directives are referred to as the “Procedure Directive” and the “Reception Directive”.

- **Ordinance No. 328/2015 Coll.**, which defines the lists of countries, which the Czech Republic considers to be safe countries of origin, safe third countries and safe European third countries, has also come into force. This ordinance also defines the designs of the identity cards of applicants for international protection and of applicants for temporary protection.
- **Act on the Temporary Protection of Foreign Nationals** – in 2015, a fairly extensive amendment to the Act on the Temporary Protection of Foreign Nationals was also enacted. The changes in this Act reflect the efforts to bring its possible workings closer to some of the mechanisms in the Asylum Act. It needs to be reminded that the use of what is referred to as “temporary protection” under this Act is only activated by the decision of the Council of the European Union and this instrument has not ever been applied to date.
- The year 2015 was the launch of the legislative process related to the **draft amendment to the Act on the Residence of Foreign Nationals** and other related Acts, which is supposed to ensure the transposition of two Union directives into the national legislation – Directive 2014/36/EU on seasonal workers and Directive 2014/66/EU on intra-corporate transferees.⁵ The amendment also defines new rules for the entry and residence of foreign nationals for the purpose of business; it contains a provision aiming to strengthen the security elements of the migration process (particularly the definition of deviations from the Code of Administrative Procedure) and it also defines more accurately the rules for the residence of a family member of a citizen of the European Union in such a way so that the rules better correspond to Directive 2004/38/EC. At the turn of the years 2015 and 2016, the amendment was at the stage of interdepartmental review procedure.
- **Employment Act** – with Act No. 203/2015 Coll., the Employment Act and the Act on the Residence of Foreign Nationals were amended with effect as of 17 August 2015. The aforementioned Act introduced, among other things, the legal fiction of the right of a foreign national to perform a job at a time when the validity of their Employee Card expired but a procedure on extension of its validity is under way. Other changes in the Asylum Act and related regulations take into account the evolution of the practices in the given field in the territory of the Czech Republic.

⁵ Directive 2014/36/EU of the European Parliament and of the Council of 26 February 2014 on the conditions of entry and stay of third-country nationals for the purpose of employment as seasonal workers and Directive 2014/66/EU of the European Parliament and of the Council of 15 May 2014 on the conditions of entry and residence of third-country nationals in the framework of an intra-corporate transfer.

A new Act on the Protection of the State Borders of the CR was undergoing a legislative procedure in 2015.

On 29 July 2015, the Government of the Czech Republic adopted a comprehensive **Migration Policy Strategy of the Czech Republic** in its Resolution No. 621. This Strategy summarises the principles on which the migration policy of the Czech Republic is based in accordance with its international legal obligations. These principles are as follows:

- to ensure peaceful coexistence of its citizens with foreign nationals and to prevent occurrence of negative social phenomena through effective integration;
- to ensure the safety of its citizens and to enforce laws effectively in the fields of illegal migration, return policy and organised crime associated with human smuggling and trafficking;
- to meet its asylum-related obligations;
- to assist refugees abroad in order to prevent further escalation of the migration crisis;
- to maintain the benefits of free movement of persons within the EU and the Schengen Area;
- to support legal migration in connection with the needs of the labour market;
- to meet its international and European obligations and to participate actively in seeking joint solutions.

The Strategy formulates the priorities of the Czech Republic in the fields of integration of foreign nationals, illegal migration and return policy, international protection, external dimension of migration (incl. humanitarian aid), free movement of persons within the EU and the Schengen Area, legal migration and the international obligations of the Czech Republic regarding migration.

DEBATES IN THE MEDIA

As concerns the nature and structure of immigration into European countries and the measures taken in the fields of migration and integration, the year 2015 was a year of

key changes. The topics of immigration and integration of migrants into the majority society has become one of the topics that received the biggest media coverage and that were most discussed in the Czech Republic, too.

In the media and public debates, attention was paid (to a varying degree) particularly to the following topics:

- the number of refugees coming (arriving by sea) to Europe;
- reception of Syrian refugees;
- quotas for mandatory reception of refugees (relocation and resettlement mechanism);
- the borders of the Schengen Area and restoration of border checks;
- the security aspects of migration;
- sites referred to as hotspots;
- worries about Islam and migration;
- demonstrations against/in favour of migration;
- illegal migration;
- Christian refugees from Iraq;
- detention of migrants and accommodation of their children in the territory of the CR;
- creation of joint border and coast guards at the external borders of the Schengen Area;
- sending Czech police officers to Macedonia, Hungary, Slovenia and Greece;
- the Balkan route;
- the situation in Germany and the policy towards migrants in that country;
- liberalisation of visa requirements and re-opening of the accession process for Turkey;

- the Valletta summit; the trust fund for Africa;
- the Mediterranean region and drowned refugees;
- the terrorism and radicalism of the Islamic State.

During the year 2015, there were a lot of conferences, roundtable events, discussions, debates, lectures, commented tours, concerts, festivals, demonstrations, etc. held in connection with the topic of migration (refugees, legislative changes, public opinion, the issues of Islam, medical insurance of foreign nationals, integration measures, etc.), which were organised by non-governmental organisations (NGOs), think-tanks, universities, scientific institutions, political parties and governmental institutions. The importance of the topic of migration grew in 2015, which was indicated by the number and scope of the events mentioned above.

3 LEGAL MIGRATION AND MOBILITY

- In the year 2015, a total of **467,562 foreign nationals** were staying in the territory of the CR on a long-term basis. Thus, foreign nationals accounted for 4.4 % of the population of the CR. Citizens of Ukraine, Slovakia and Vietnam accounted for approximately 57 % of foreign nationals with residence permits in the territory of the CR.
- In November 2015, the Czech Republic launched a new project titled ***Special Procedures for Highly Skilled Professionals from Ukraine***, which focuses on employees and specialists from Ukraine who will be performing highly qualified work in the territory of the Czech Republic in production, services or the public sector.
- In 2015, a special scholarship programme of the Government of the Czech Republic was approved, titled ***New Elites for Syria***. This programme allows Syrian refugees from Jordan to study at Czech public universities in the years 2015–2021.
- **A new Act on the Protection of the State Borders of the CR** was undergoing the legislative procedure in 2015.
- During the year 2015, the Ministry of the Interior prepared an updated ***Policy for the Integration of Foreign Nationals – In Mutual Respect***, defining the goals of the country's integration policy from a long-term perspective.
- **4,917 foreign nationals** acquired the **citizenship** of the Czech Republic in 2015; most of them were from Ukraine, the Russian Federation and Vietnam.

3.1 FOREIGN NATIONALS WITH RESIDENCE PERMITS IN THE TERRITORY OF THE CR – STATISTICS

NUMBERS OF FOREIGN NATIONALS WITH RESIDENCE PERMITS IN THE TERRITORY OF THE CR

As of 31 December 2015, a **total of 467,562 foreign nationals were legally staying in the territory of the CR (for a period longer than 90 days)**⁶, which represents a 3.5 % increase in comparison with the end of the year 2014.⁷ Foreign nationals accounted for approximately **4.4 %** of the population of the CR.

As a result of the economic crisis and its impacts on the situation on the Czech labour market, there was a partial decrease in the total number of foreign nationals legally staying in the territory of the CR in the period of 2009–2010. Since 2011, the number of foreign nationals has been moderately growing once again. Since 2011, the highest increase occurred in the years 2014 and 2015.

Table 1: History of the numbers of foreign nationals with residence permits (for a period longer than 90 days) in the territory of the CR in the period of 2005–2015

Year (situation as of 31 December)	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015
Number of foreign nationals	278,312	321,456	392,087	438,301	433,305	425,301	436,389	438,213	441,536	451,923	467,562
Year- on-year change	9.4 %	15.5 %	22.0 %	11.8 %	-1.1 %	-1.8 %	2.6 %	0.4 %	0.7 %	2.4 %	3.5 %

Source: DAMP, DAPS

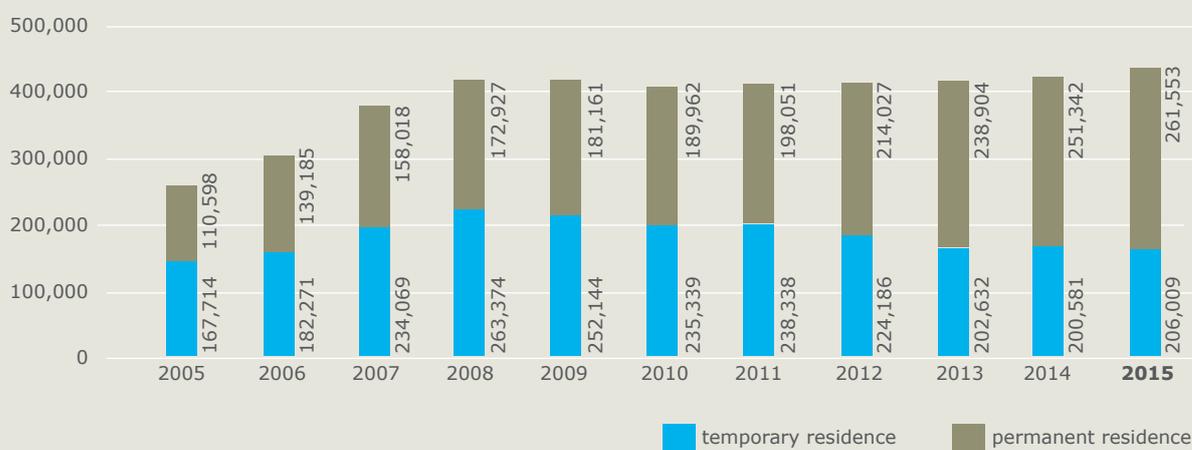
⁶ This figure includes foreign nationals with residence permits in the CR, registered in the Alien Information System (AIS). Nevertheless, the actual numbers of foreign nationals legally staying in the territory of the CR may be different because the registered number of foreign nationals does not include the citizens of other EU Member States staying in the CR. The statistical statements only register those citizens of the EU who applied for or who were issued a temporary residence certificate. Those who just exercise their right are not statistically recorded.

⁷ 451,923 foreign nationals with residence permits in the CR were registered as of 31 December 2014.

PERMANENT AND TEMPORARY RESIDENCE

At the end of the year 2015, from among the total registered number of foreign nationals with residence permits in the CR, **55.9 % of them were staying in the country permanently** (261,553 foreign nationals) and **44.1 % of them were staying temporarily**⁸ (206,009 foreign nationals).

Chart 1: History of the numbers of foreign nationals with temporary residence permits and permanent residence permits in the CR (as of 31 December 2015)



Source: DAMP, DAPS

Unlike the previous years, there has been a change in the trend of the residence categories. The number of foreign nationals with permanent residence has been continuously growing for more than 10 years – there was a year-on-year growth by 4.1 % (i.e. by 10,211 persons) in the year 2015. However, the number of foreign nationals with temporary residence has once again started to rise after several years of continuous decline – a year-on-year increase by 2.7 % (i.e. by 5,428 persons) was registered in the year 2015. This new trend is probably caused by the continuously declining rate of unemployment in the Czech Republic during the year 2015 and the related growing demand for new labour force.

In the category of temporary residence, foreign nationals from the EU Member States have predominated over third-country nationals since 2013. At the end of the year 2015, EU

⁸ This concerns foreign nationals with long-term visas, long-term residence permits, certificate on temporary residence of a citizen of the European Union or a temporary residence permit of a family member of a citizen of the European Union.

citizens⁹ accounted for 62 % of foreign nationals with temporary residence. The situation is the opposite in the category of permanent residence – this category is dominated by third-country nationals who account for 69 %. It is still true that foreign nationals from the EU countries most often reside in the Czech Republic on a temporary basis while two thirds of third-country nationals reside in the Czech Republic on a permanent basis.

CITIZENSHIP OF FOREIGN NATIONALS

In the historical trends concerning the total numbers of foreign nationals, it is necessary to distinguish between the citizens of the EU Member States¹⁰ and the third-country nationals (foreign nationals from non-EU countries). The **third-country nationals** who accounted for **58 % of foreign nationals residing in the Czech Republic** at the end of the year 2015 are more numerous. Until the economic crisis, a high increase of third-country nationals was registered. However, a decline in their numbers was seen subsequently. In 2015, in connection with the fading repercussions of the economic crisis, the upward trend in the number of third-country nationals reappeared. However, there has been a **continuous increase of the number of EU citizens**, which has not been impacted by the economic crisis.

The structure of foreign nationals residing in the CR has remained almost unchanged on a long-term basis as concerns their citizenship. **Citizens from one of these three countries – Ukraine** (106,019 persons), **Slovakia** (101,589) and **Vietnam** (56,958) – **accounted for approximately 57 % of foreign nationals with residence permits in the territory of the CR.**¹¹ The other citizenships follow after a large gap.

⁹ The term "citizens of the European Union" means the citizens of the states comprising the European Union as well as the citizens of the states, which are bound by the Agreement on the European Economic Area (i.e. Iceland, Lichtenstein, Norway and Switzerland). According to the Act on the Residence of Foreign Nationals, these persons have the same status as the citizens of the Member States of the European Union.

¹⁰ See the footnote above.

¹¹ Data as of 31 December 2015.

Table 2: TOP 10 citizenships of foreign nationals with residence permits in the CR by residence category (as of 31 December 2015)

Type of residence	Number	Percentage (%)	Year-on-year change (%)	Of which			
				Permanent residence	i.e. %	Temporary residence	i.e. %
Foreign nationals in total	467,562	100.0	3.5	261,553	55.9	206,009	44.1
among whom the highest numbers of citizens are from:							
Ukraine	106,019	22.7	1.5	77,603	73.2	28,416	26.8
Slovakia	101,589	21.7	5.5	41,739	41.1	59,850	58.9
Vietnam	56,958	12.2	0.5	47,019	82.6	9,939	17.4
Russian Federation	34,972	7.5	0.8	19,703	56.3	15,269	43.7
Germany	20,464	4.4	3.9	4,465	21.8	15,999	78.2
Poland	19,840	4.2	1.0	10,686	53.9	9,154	46.1
Bulgaria	10,984	2.3	9.2	4,175	38.0	6,809	62.0
Romania	9,116	1.9	17.8	2,688	29.5	6,428	70.5
United States of America	6,478	1.4	0.0	3,195	49.3	3,283	50.7
Mongolia	5,990	1.3	9.6	4,884	81.5	1,106	18.5
EU citizens	196,378	42.0	5.9	75,088	38.2	121,290	61.8
Third-country nationals	271,184	57.9	1.7	186,465	68.8	84,719	31.2

Source: DAMP, DAPS

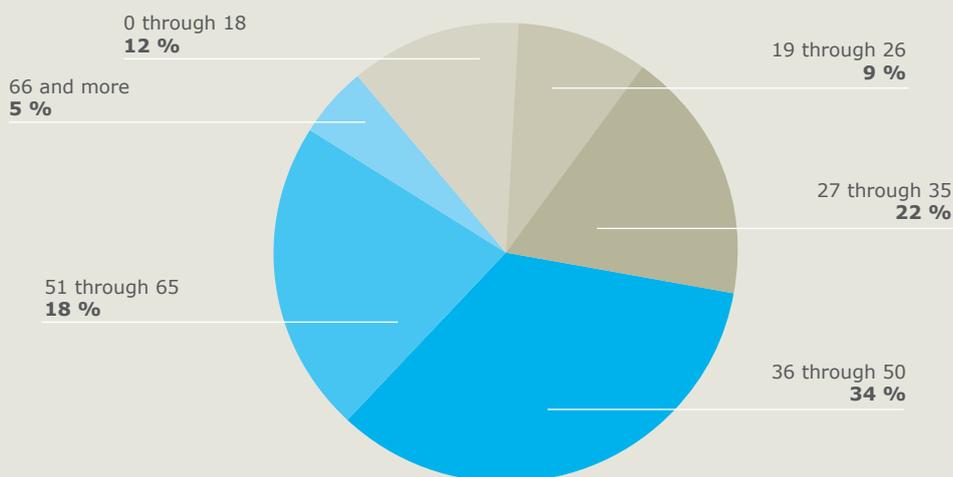
In 2015, the year-on-year growth of the number of foreign nationals with residence permits in CR was registered with persons with citizenships of most of the EU countries. The highest absolute increase was monitored with the citizens of Slovakia (+5,367 persons), Romania (+1,375) and Bulgaria (+926). For third-country nationals, the highest absolute increase was seen with the citizens of Ukraine (+1,631 persons), Mongolia (+526) and Vietnam (+292). Mongolia has become one of TOP 10 countries with the highest representation of its citizens in the Czech Republic and has pushed the United Kingdom to the eleventh position.

FOREIGN NATIONALS BY GENDER AND AGE

Among the foreign nationals with residence permits in the territory of the CR, men continued to predominate in 2015 (263,882 persons, i.e. 56.4 %). However, in the long run, a slightly increasing share of women can be seen (while the share of women among foreign nationals with residence permits amounted to 39.6 % at the end of the year 2007, it reached 43.6 % at the end of the year 2015).

As of 31 December 2015, persons at an economically active age clearly predominated among foreign nationals with residence permits in the territory of the CR. **These foreign nationals at the age of 19–65 years who numbered 387,655 accounted for 82.9 % of the total number of foreign nationals.** On a year-on-year basis, the share of persons in this age range slightly decreased. 57,132 persons younger than 18 years with residence permits in the country were registered at the end of the year 2015, which accounted for 12.2 %.

Chart 2: Age structure of foreign nationals with residence permits in the CR (as of 31 December 2015)



Source: DAMP, DAPS

3.2 ECONOMIC MIGRATION

In 2015, work on **amending Act No. 435/2004 Coll., on Employment**, continued. The amendment aims to thoroughly separate **mediation of employment and agency employment**. Emphasis is also placed on improving the quality of agency employment (referred to as “loaning to a user”) and on defining stricter penalties for irregularities in this form of employment. The goal of legislative changes in agency employment is to protect the temporarily assigned employees as well as to define clearer rules applicable to the user (to introduce the user’s partial responsibility towards the agency employees).

Act No. 136/2014 Coll., amending the Employment Act, has governed the issues of **business trips of foreign nationals** since 1 January 2015 when the Act came into force. The right of foreign nationals to carry out business trips was explicitly declared in the provision of Section 93 of the Employment Act: "A foreign national who is a holder of a Blue Card, an Employee Card or was issued with a work permit can be sent by their employer to a business trip according to the provision of Section 42 of Act No. 262/2006 Coll., the Labour Code, as amended, if it corresponds to the nature of the work performed by the foreign national for which the Blue Card, the Employee Card or the work permit was issued."

Act No. 203/2015 Coll., amending the Employment Act, came into force on 1 October 2015 and has reduced the period for which **a vacant job position with an employer will not be included by the MoLSA** in or will be excluded by the MoLSA from the central register of vacant job positions that can be filled with holders of an Employee Card or the central register of vacant job positions that can be filled with holders of a Blue Card, if an enforceable penalty is imposed on the employer for allowing performance of illegal work; this period was reduced **from 12 months to 4 months**.

Act No. 314/2015 Coll. (which came into force on 18 December 2015) **reduced the previously applicable period of 12 months during which an applicant for international protection had no access to the labour market to 6 months**.

Act No. 203/2015 Coll. (which came into force on 17 August 2015) introduced, among other things, the fiction of a foreign national's right to perform a job during the time after the validity of their Employee Card expired, if proceedings on extension of its validity are under way; and provisions governing some other related matters were also enacted.

During the year 2015, **the lowest limit for a penalty for the administrative offence of allowing performance of illegal work was set at 50,000 CZK**.

In 2015, the amendment to the Act on the Residence of Foreign Nationals (which became effective on 18 December 2015) brought, among other things, **changes in the time limits for filing an application for long-term residence and for its extension**. An application for extension of an Employee Card must be filed no sooner than 120 days and no later than 30 days before expiration of the validity of the existing Employee Card.

Another change in the field of employment concerns approval of a **change of employer or a job position in connection with Employee Cards**: if a holder of an Employee Card applies for an approval of a change of their employer or job position within the time limit of 120–30 days before expiration of the existing Employee Card, such application will be processed simultaneously also as an application for extension of the Employee Card. This course of action will not be taken only if the applicant explicitly expresses their disagreement or if the duration of employment with the new employer or in the new job position does not exceed the period of validity of the existing Employee Card.

PROJECTS

Migration projects, which are created and implemented as part of the interdepartmental cooperation of the central governmental authorities, represent an effective tool for supporting migration of selected target groups of third-country nationals, in whose entry into and residence in the territory of the Czech Republic the Czech state is interested to an increased degree. The goal of migration projects is to fast-track the migration procedure by way of processing the applications of the foreign nationals for residence permits and possible work permits on a preferential basis. Foreign nationals are included in the projects by the decision of the relevant authority in charge and according to compliance with the defined criteria.

In November 2015, the Czech Republic launched a new project titled ***Special Procedures for Highly Skilled Professionals from Ukraine***, which is focused on highly qualified employees and specialists from Ukraine who will be performing highly qualified jobs in the territory of the Czech Republic in the field of production or services or in the public sector. The participants of this project enjoy preferential treatment when they file an application for an Employee Card or a Blue Card with the embassies of the CR abroad and at Czech consulates because they are not obliged to use the online booking system like other applicants. The quota for this project was set at 500 persons per year but more people can be included in the project in the future, if it is evaluated favourably. The administrator of this project is the Ministry of Foreign Affairs (the co-administrators are the Ministry of the Interior, the Ministry of Labour and Social Affairs and the Ministry of Industry and Trade).

Since 2012, another two migration projects concerning economic migration have been under way. These projects are intended for foreign nationals entering the territory of the Czech Republic for the purposes of employment or business; they are titled *Fast Track* and *Welcome Package for Investors*. The administrator in charge of these projects is the Ministry of Industry and Trade (the co-administrators are the MoI, the MoLSA and the MoFA).

In 2015, the ***Fast Track Project: A Fast Track Procedure for Intra-corporate Transferees and Localised Employees and Statutory Bodies of Foreign Investors*** was used by a total of 100 workers from third countries; these particularly included specialists (83) and managers (16) from the field of industry and information technologies. The project was most often used by the citizens of Ukraine (24), India (23), the Russian Federation (9) and the United States of America (8).

The project ***Welcome Package for Investors*** largely focuses on the statutory bodies of newcomer companies which are starting to invest in the Czech Republic. Managers who will be the employees of a newly incorporated Czech company and key specialists temporarily sent from the foreign parent company to the unit based in the Czech Republic can also be included in the project. In 2015, there were 31 participants included in the project who were mostly specialists (17) and managers (8), most often from the United States of America (15), Republic of Korea (4), Japan (3) and China (3). The most frequent type of economic activity was industry (15), logistics (8) and information and communication technology (7).

Since September 2014, a migration project titled ***Facilitation of Procedures for Entry and Stay of Economically Significant Partners*** has been implemented, in whose entry and stay in the territory of the CR the Czech state is interested to an increased degree. The administrator in charge of the project is the Ministry of Industry and Trade, too.

3.3 FAMILY REUNIFICATION

There were no major changes in this field in 2015. The percentage of third-country nationals who are staying in the Czech Republic for the purpose of family reunification continued to grow.

The third-country nationals who are coming to the Czech Republic for the purpose of family reunification can take advantage of a number of integration measures provided by the regional Centres to Support the Integration of Foreigners, NGOs and other partners. Foreign nationals have the opportunity to attend free language courses or adaptation integration welcome courses.

3.4 STUDENTS AND SCIENTISTS

In Government Resolution No. 621 of 29 July 2015 on the *Migration Policy Strategy of the Czech Republic* and on the *Migration Communication Strategy of the Czech Republic*, the Ministry of Education, Youth and Sports was tasked with creating a *Strategic Document on Entry and Residence of Third-Country Nationals in the Territory of the Czech Republic for the Purpose of Studies and Other Educational Activities*. For this purpose, a taskforce was set up, composed of representatives of the MoEYS, the MoI and the MoFA; the authority in charge of this taskforce is the MoEYS. This taskforce held two meetings during the year 2015.

Since 2013, the Czech Republic has been implementing a project titled ***Fast Track Procedure for Granting Residence Permits to Foreigners – Foreign Students from Third Countries***, which focuses on student migration of foreign scholarship holders. The Ministry of Education, Youth and Sports is the administrator of this project. The project's primary goal is to simplify the entry procedure for students who have been admitted to studies in the Czech Republic as participants of selected scholarship programmes under international agreements or decisions by the Government of the Czech Republic. Within the terms of this project, these people are issued a long-term visa or a long-term residence permit for the purpose of studies in a fast track procedure.

In the Czech Republic, there are special programmes focused on scholarship holders admitted to studies in the CR under effective bilateral international agreements, the resolutions of the Government of the CR (development countries and compatriots) or multilateral international agreements. These are long-term study stays. In 2015, a special scholarship programme of the Government of the CR titled ***New Elites for Syria*** was approved. This programme allows twenty Syrian refugees from Jordan to study at Czech public universities in the years 2015–2021.

3.5 VISA POLICY AND SCHENGEN COOPERATION

VISA POLICY

Stays of up to 90 days within the Schengen Area are part of the common EU visa policy. Thus, Member States are involved in formulating this policy, which most notably concerns the determination of the third countries whose citizens must have a visa to enter a Schengen state and the countries whose citizens are exempt from this duty. The option to negotiate such agreements on a bilateral basis for holders of diplomatic, service and special passports was left within the national terms of reference.

One of the **goals of the visa policy** is to have the highest possible coverage by consulates in third countries. The option to enter into an agreement with another Member State on representation for issue of short-term Schengen visas serves to this purpose. Since 2015, the Czech Republic has been newly represented in the following destinations: Grodno (Belarus), Cape Town (Republic of South Africa), Khartoum (Republic of Sudan), Abidjan (Republic of Côte d'Ivoire), Bishkek (Kyrgyz Republic) and Lubumbashi (Democratic Republic of Congo)

Regarding the number of issued visas, the Russian Federation has remained the key country for the Czech Republic. However, the number of applications filed by Russian citizens continued to decrease in the year 2015, too. Conversely, increase in the number of applications was registered at the consulates in Ukraine, China and India. The situation has been steadier at other consulates.

An important part of visa policy is the effort to **prevent the possibility to forge visas**. Biometric data (fingerprints), which are submitted in the process of applying for visa and subsequently checked during entry across the external border of any Schengen Area Member State, were chosen as one of the tools for this. The process of implementing biometric data at consulates and external borders is called VIS roll-out and was completed after five years in February 2016 when the last region – the external Schengen border – was included. At present, all Schengen visas issued by the Czech Republic are biometric.

In 2014, discussion was opened about the proposed amended text of the **Visa Code** (the crucial legal framework for implementation of the visa policy in the field of short-term Schengen visas), the purpose of which is particularly to improve the effectiveness of the process of issuing Schengen visas, while maintaining security criteria. In 2015, the problematic parts of the amendment in preparation were discussed. The Czech Republic was involved in amending the Visa Code through its representatives in the forum of the Council's taskforce for visas.

SCHENGEN COOPERATION

In April 2014, the Government of the CR adopted the *2014 National Schengen Plan for the Period 2014–2020*. This is a basic strategic document for Schengen cooperation and the protection of borders. The plan is evaluated every year and the evaluation is presented in the form of a *Report on Implementation of the National Schengen Plan* alternately to the Coordination Authority for Management of the Protection of the State Borders of the Czech Republic and Migration (in the years 2015, 2017 and 2019) and

to the government (in the years 2016, 2018 and 2020). This is a continuous process of monitoring compliance with the Schengen standards. In April 2015, the *First Report on Implementation* was presented, which contained the evaluation of performance of separate tasks, and the preparation of the *Second Report on Implementation* was started, which will be presented to the government in 2016.

A new Act on the Protection of the State Borders of the CR was undergoing the legislative procedure in 2015. This new Act should replace the existing Act with the aim of ensuring its improved comprehensibility (it should remove provisions, which are not applicable or which are duplicate) in the context of the CR's membership within the Schengen cooperation. The new Act should also specify the obligations of carriers and airport operators arising from European legislative and non-legislative documents.

3.6 INTEGRATION, CITIZENSHIP

INTEGRATION

The nature of immigration into the Czech Republic is constantly evolving, as well as the integration needs of migrants are. **The share of third-country nationals** in the total number of foreign nationals in the Czech Republic slightly decreased to **58.2 %** in 2015; their **percentage of the total population of the country thus amounted to 2.5 %**. The number of third-country nationals permanently residing in the Czech Republic has been growing on a long-term basis (their share was 68.5 % in 2015), while the number of the temporarily residing ones has been declining (31.5 %). The share of the citizens of the European Union in the total number of foreign nationals in the Czech Republic has been growing.

The migration developments in Europe made the Czech Republic face new challenges, which have gradually become the basis for changes in the priorities of the country's integration policy. During the year 2015, the Ministry of the Interior intensively worked on the new governmental document defining the goals of the country's integration policy from the long-term perspective, that is, on the updated ***Policy for the Integration of Foreign Nationals – In Mutual Respect***¹², which should reflect the current trends and needs in the field of integration to a greater degree. The updated policy will bring several major changes. The target group of the integration policy will be extended to

¹² The updated documents titled *Policy for the Integration of Foreign Nationals – In Mutual Respect and Procedure for Implementing the Updated Policy for the Integration of Foreign Nationals in 2016* were adopted in Resolution No. 26 of the Government of the Czech Republic of 18 January 2016.

include beneficiaries of international protection beyond the framework of the *State Integration Programme* for persons who were granted international protection. One of the priorities will be to create a comprehensive system for providing foreign nationals and professional community as well as the general public with information¹³ because sufficient awareness is significant prevention against feels of insecurity and threat and formation and dissemination of negative sentiments in the society, etc.

As concerns the specific activities of the year 2015, the Ministry of the Interior largely concentrated on supporting the awareness of foreign nationals and the majority society in accordance with the Policy.¹⁴ A three-tier information system for foreign nationals was created. Pre-departure information (the materials titled *Next Stop – the Czech Republic*) are available to foreign nationals in the **pre-migration stage**.¹⁵ To help the **newcomer foreign nationals** with getting to know the new environment, introductory integration-adaptation courses titled *Welcome to the Czech Republic*¹⁶ were organised and an instruction informational leaflet and a video titled *How to Go about It* were presented. **Foreigners with long-term residence** in the Czech Republic are offered integration courses in social-cultural orientation. The Ministry extensively supported the provision of assistance to foreign nationals when they were taking care of their residence-related formalities in the offices of DAMP. Other priorities in 2015 for example included support of intercultural dialogue, education of experts working with foreign nationals, etc. Third-country nationals who are staying legally in the territory of the Czech Republic on a long-term basis remained the target group, too. Attention was paid to the integration of vulnerable foreign nationals – particularly to female migrants and children and young people from among migrants. The goal of the separate integration measures and activities is to support mutually beneficial harmonic coexistence of communities of foreign nationals with the majority society and to support the process of getting to know each other and mutual understanding and respect. The Ministry of the Interior continuously monitors and subsequently evaluates the situation and the status of foreign nationals in the Czech Republic as well as the mutual relationships

¹³ Provision of information for foreign nationals will take place particularly through the well-proven adaptation-integration courses, Czech language lessons and assistance to foreign nationals in the offices of DAMP of the Ministry of the Interior, at schools, in governmental bureaus, etc.

¹⁴ In 2015, integration measures were implemented in accordance with the *Policy for the Integration of Foreign Nationals – Coexistence from the Year 2011*, which was in effect at that time, and in accordance with the *Procedure for Implementing the Policy for the Integration of Foreign Nationals in 2015*.

¹⁵ An informational brochure, a DVD and a check-list, titled *Next Stop – the Czech Republic*, are disseminated through consular offices of the Ministry of Foreign Affairs, the embassies of the Czech Republic in the countries of origin of foreign nationals and on the websites of the Ministry of the Interior and the Ministry of Foreign Affairs.

¹⁶ A website at Vitejtevcr.cz was created for these courses. This website offers information on the courses, including the list of adaptation integration courses currently available.

between foreign nationals and the majority society. If any problems are identified, this is an impulse to address problems in direct cooperation with local governments as well as possibly with governmental employment offices, employers and NGOs.

The Ministry of the Interior is the coordinator of the integration policy; nevertheless, a number of ministries are involved in implementing the *Policy for the Integration of Foreign Nationals*. Each Ministry is responsible for implementation of the integration policy within its terms of reference. Interdepartmental meetings are held by a board consisting of representatives of the Ministries on a regular basis. Other important partners in implementation of integration measures are the **regional Centres to Support the Integration of Foreigners** operating in 13 regions of the Czech Republic and **non-governmental organisations**. The advantage of these entities is that they are in direct contact with foreign nationals. In 2015, regular communication was taking place and several meetings were held by the officials of DAMP of the Ministry of the Interior and NGO representatives and the representatives of the regional Centres to Support the Integration of Foreigners. In 2015, the Ministry of the Interior supported NGO projects with the amount of 12.5 million CZK.¹⁷ Particularly projects focusing on direct assistance to foreign nationals in the DAMP Foreigners' Residence Unit, on street work, on awareness, on research activities or on projects supporting the foreign nationals' own activities.

Institutions of regional and local public administration are also important partners of the Ministry in the field of integration because transferring the integration policy to the level of regions and municipalities where the integration process actually takes place has been a priority of DAMP for some time now. The Ministry of the Interior organises numerous meetings with newly involved municipalities or with the ones that are already involved (towns or town districts) to discuss the options of using finances to implement projects of the municipalities to support the integration of foreign nationals. The goal of these projects is to provide the local governments of the municipalities an impulse and support to create their own integration strategy based on their knowledge of the local environment. Conferences of statutory cities, which are organised on an annual basis, are an important part of the projects of municipalities. The number of municipalities, which apply for this subsidy, grows every year. In 2015, projects were implemented in ten municipalities; the total amount provided by the Ministry of the Interior was 7.2 million CZK.¹⁸

¹⁷ These were projects supported under the 2015 *Integration of Foreign Nationals* subsidy programme. Subsidies were provided up to the maximum amount of 70 % of the total project costs.

¹⁸ The subsidy from the Ministry of the Interior can be provided in an amount of up to 90 % of the costs; the share of project costs financed by the municipalities is 10 %.

For the year 2015, the Government of the Czech Republic **earmarked an amount of 25 million CZK** for implementation of measures supporting the integration of foreign nationals. The integration was partially financed from the budgets of individual ministries or from the sources of the European Union (the European Social Fund; the Asylum, Migration and Integration Fund; and implementation of projects financed from the European Fund for the Integration of Third-Country Nationals was finalised).

CITIZENSHIP

On 1 January 2014, Act No. 186/2013 Coll., on Czech Citizenship and on amendments to some Acts (the Czech Republic Citizenship Act) came into force, which governs the acquisition, losing, proving and ascertaining the citizenship of the Czech Republic.

The new legislation has fully abandoned the principle of single citizenship and, conversely, completely allows the existence of double (or multiple) citizenship. This Act has also simplified the ways of acquiring citizenship for those persons who have been staying in the territory of the Czech Republic from the age of ten years and who are referred to as the "second generation of foreign nationals". In this case, it is possible to make a declaration on acquisition of the citizenship of the Czech Republic at the age between 18 and 21 years. On the other hand, the list of conditions for granting citizenship has been extended; for example, proving one's knowledge of the Czech cultural background is newly required.

The Czech Republic Citizenship Act explicitly provides that there is no legal claim to the citizenship of the Czech Republic. The Ministry of the Interior decides on applications for citizenship.

In 2015, a total of **4,917 foreign nationals** acquired the citizenship of the Czech Republic. This includes **2,620 persons who were granted citizenship** (in 28 cases, these were persons who were granted protection in the form of asylum in the Czech Republic); **the remaining foreign nationals acquired citizenship through declaration.**

Table 3: The number of foreign nationals who were granted the citizenship of the CR in the period 2005–2015

Year	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015
Number of foreign nationals who were granted the citizenship of the CR	1,177	1,355	1,027	1,087	1,017	947	1,414	1,565	2,210	4,915	2,620

Note: The figures for the years 2004 through 2013 do not include the citizens of the Slovak Republic.

Source: MoI

The citizenship of the Czech Republic was most often granted to the citizens of Ukraine: 1,052 persons (2,077 in 2014); Russian Federation: 317 persons (481 in 2014); Vietnam: 270 persons (298 in 2014); Romania: 111 persons (311 in 2014) and Slovakia: 110 persons (396 in 2014).

In 2015, the MoI issued 361 rejection decisions (there were 238 rejection decisions in 2014). A remedy (an appeal) was filed against a rejection decision by 208 applicants, from among whom the decision was overturned by the Ministry of the Interior for 38 applicants.

2,297 foreign nationals acquired the citizenship of the Czech Republic based on one of the **declarations**, which are laid down in the Czech Republic Citizenship Act.

4

INTERNATIONAL PROTECTION

- In 2015, a total of **1,525 foreign nationals** applied for international protection, i.e. 32 % more persons than in the previous year. In spite of the relatively high year-on-year increase in the years 2014 and 2015, the situation in the field of international protection can be regarded as stable from the long-term perspective.
- The largest group of applicants were the citizens of Ukraine, Syria and Cuba. International protection in the form of **asylum** was granted to **71 applicants** (most often to citizens of Syria), **subsidiary protection** was granted in **399 cases** (most often to citizens of Ukraine).
- In 2015, the Czech Republic registered a total of **2,358 cases referred to as “Dublin Cases”**, which represented a twofold increase in comparison with the year 2014. The most frequently represented citizenships were the citizenships of Syria, Afghanistan and Kosovo.
- The integration of persons who were granted international protection is governed by the **State Integration Programme**. In a government resolution, its new concept was approved in November 2015. Starting from 1 January 2016, it will bring a change in the system of teaching the Czech language, a change concerning a stay in an integration asylum centre, accommodation and integration of clients at the level of municipalities and towns.

4.1 APPLICANTS FOR INTERNATIONAL PROTECTION IN THE CZECH REPUBLIC

In 2015, a total of **1,525 foreign nationals** applied for international protection. That represents an increase by 369 (31.9 %) in comparison with the year 2014. **In spite of the relatively high year-on-year increase in the years 2014 and 2015, the situation regarding international protection can be deemed to be stable from a longer-term perspective.** In previous years – since 2004 when the Czech Republic acceded to the European Union and when the Dublin Regulation was applied in the country¹⁹ –

the numbers of applicants were gradually and significantly decreasing. In 2013, there were 707 applicants, which was the lowest recorded number since the formation of the Czech Republic (1993). The situation started to change at the beginning of the year 2014 in connection with the Ukrainian crisis. At the end of the year 2014, there were 1,156 registered applicants for international protection (a year-on-year increase by 63.5 %).

APPLICATIONS FOR INTERNATIONAL PROTECTION

In comparison with other EU Member States, the numbers of applicants for international protection in the Czech Republic are still below the average. The Czech Republic has registered significantly less applicants for international protection than the neighbouring countries Germany, Austria and Poland. Nevertheless, an overall increase of migration of Syrian refugees and irregular migrants was seen in 2015 in the Czech Republic as compared to the year 2014. However, for example, in comparison with Germany or Austria, the Czech Republic was only marginally affected by this migration because in the overwhelming majority of cases, the migration was transit migration across the territory of the Czech Republic to Germany (and possibly further), which was reflected in the number of applications for international protection filed by Syrian citizens only to a smaller degree. In comparison with the other Member States of the European Union, the Czech Republic is not a country preferred by applicants for international protection.

In 2015, **a total of 1,525 foreign nationals applied for international protection**, i.e. 369 persons more (an increase by 31.9 %) than in the previous period. However, it can be said that the situation in the Czech Republic was stable in this regard.

Table 4: The numbers of applicants for international protection in the Czech Republic in the period 2005–2015

Year	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015
Number of applicants	4,021	3,016	1,878	1,656	1,258	833	756	753	707	1,156	1,525
Year-on-year change in %	-26.3	-25.0	-37.7	-11.8	-24.0	-33.8	-9.2	-0.4	-6.1	+63.5	+31.9

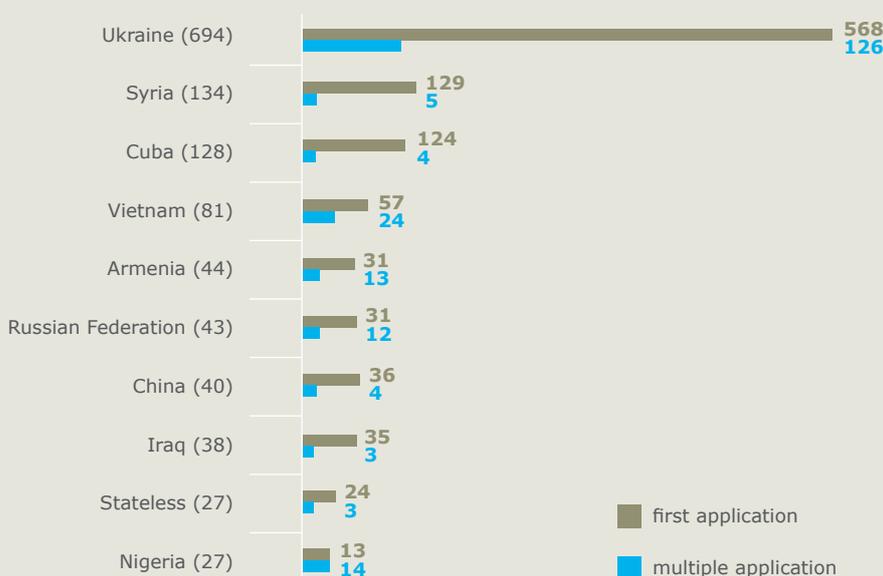
Source: DAMP

¹⁹ This regulation defines the criteria for determination of the Member State responsible for examining an application for international protection.

From among the total number of 1,525 applications for international protection lodged in 2015, **1,239** (i.e. 81.3 %) **applications were filed for the first time** and **285** (i.e. 18.7 %) **were filed multiple times**²⁰.

In total, citizens from 54 countries applied for international protection in the Czech Republic in 2015. The main source countries of applicants for international protection remained almost the same in 2015 as compared with the year 2014 but there were changes in the order among the TOP 10 ones and Nigeria was replaced by China in the TOP 10 in 2015. In 2015, the largest group of applicants remained the citizens of **Ukraine who filed nearly one half of all applications (45.5 %)**. After a fairly large gap, applicants from **Syria** represented the second largest group and accounted for **8.8 %** of the total number of filed applications. The third most frequent citizenship among applicants was the citizenship of **Cuba (8.4 %)**; these applicants pushed the applicants from Vietnam to the fourth position. Combined, the holders of these three citizenships filed more than one half (62.7 %) of all applications for international protection last year. The TOP 10 of the citizenships of applicants for international protection in 2015 is shown in the following chart.

Chart 3: TOP 10 citizenships of applicants for international protection in 2015



Source: DAMP

²⁰ The number of applications filed multiple times has been monitored since the implementation of what is referred to as the "EU Procedure Directive" in the Asylum Act (the amendment to the Act that came into force on 21 December 2007). This is the *Council Directive 2005/85/EC of 1 December 2005 on minimum standards on procedures in Member States for granting and withdrawing refugee status*, under which the formerly mandatory two-year time limit for repeated filing of an application for international protection is no longer applied. Thus, foreign nationals can file new applications immediately after a decision not to grant international protection based on the previous application becomes effective.

The citizens of **Ukraine** have been **the largest group of applicants for international protection** since 2004. In 2015, citizens of Ukraine filed a total of **694 applications**, which represents an increase by 34.8 % based on a year-on-year comparison.

Same as in the years 2014 and 2013, citizens of Syria were the second largest group of applicants in 2015; they filed a total of **134 applications**, which represents a year-on-year increase by 24.1 % (26 applications). It needs to be emphasised that in the context of the entire Europe, these are very low numbers of applicants from this country. In this respect, the Czech Republic is not the preferred destination country.

Citizens of **Cuba** filed the third highest number of applications during the year 2015; the total was **128** (86 applications more, which meant an increase by 204.8 %).

Men predominated among the applicants for international protection in the year 2015, too. Their number reached 67.5 % (1,030 persons). Women accounted for 32.5 % (495 persons).

In 2015, **269 minors** (17.6 %) applied for international protection. This was 40 persons less than in the previous year by it was a moderate year-on-year increase with respect to the percentage of the total number of applications. These were mostly citizens of Ukraine and Syria. During the same year, **14 applications filed by unaccompanied minors** were registered. Most of these applications were filed by persons from Afghanistan, Syria and Ukraine. Three applicants were younger than 15 years at the time when they filed their applications.

PROCEEDINGS ON GRANTING INTERNATIONAL PROTECTION

In 2015, a total of 1,386 decisions were issued by the Ministry of the Interior in proceedings on granting international protection and 333 decisions were issued in proceedings to extend subsidiary protection.

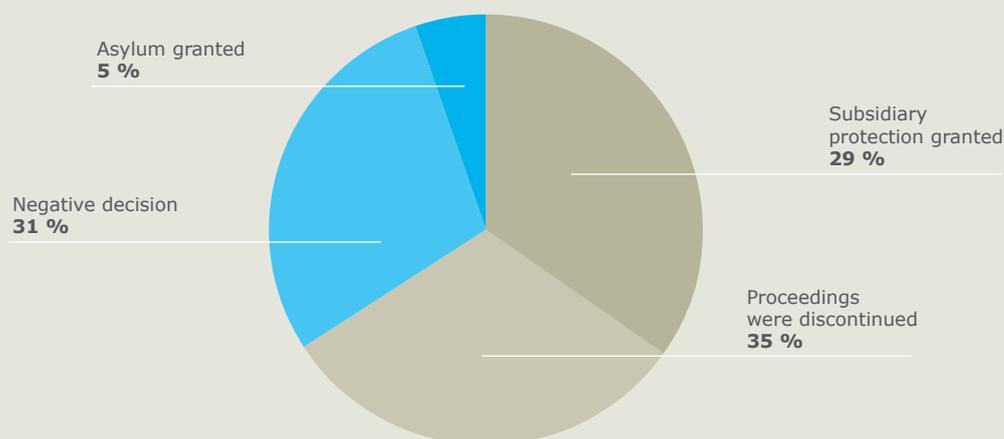
International protection in the form of asylum or subsidiary protection was granted by the Ministry of the Interior to **470 foreign nationals**. Subsidiary protection was extended for another **329 persons**.

International protection in the form of asylum was granted to **71 applicants**; this represented a year-on-year decrease by 13.4 %. Most often, asylum was granted to citizens of Syria (29 persons), Ukraine (7) and Moldova (6). In the same year, **subsidiary protection** was granted in **399 cases**. This represented a year-on-year increase by

35.7 %. This form of protection was most often granted to citizens of Ukraine (174 persons), Syria (101 persons) and Cuba (53 persons).

During the year 2015, **a total of 435 negative decisions** (i.e. 31.4 %) were issued in proceedings on granting international protection, in which it was decided not to grant international protection or in which an application was rejected as clearly unfounded. Proceedings were discontinued in 481 cases (i.e. 34.8 %).

Chart 4: Proceedings on granting international protection in 2015



Source: The MoI of the CR

APPLICATION OF THE DUBLIN REGULATION

The Dublin Regulation, Council Regulation (EU) No. 604/2013, establishes the criteria for determining the Member State responsible for examining an application for international protection. These criteria include, for example, an issued visa or residence permit, the first application for international protection in the territory of the Member State or family ties.

In 2015, the Czech Republic registered a total of **2,358 cases referred to as "Dublin Cases"**, which represents an increase by **219.6 % in comparison with the year 2014**. In this period, **the most frequently represented citizenship was Syria** (420 persons), followed by **Afghanistan** (246 persons) and **Kosovo** (244 persons).

Chart 5: History of Dublin Cases in the period from May 2004 to December 2015

Note: In the years 2012 and 2015, applications for information were not included in the statistics of Dublin Cases

Source: DAMP

In 2015, a total of 78 transfers (a decrease by more than 10 %) were carried out in the territory of the Czech Republic. Most persons were transferred to the territory of the Czech Republic from **Sweden** (23), **Germany** (17) and **Austria** (15).

During the same period a total of 178 transfers (an increase by more than 52 %) were carried out from the territory of the Czech Republic to another Member State. Most persons were transferred from the territory of the Czech Republic to **Hungary** (115), **Austria** (22) and **Bulgaria** (10).

Chart 6: Transfers carried out from and to the territory of the Czech Republic in the period 2004–2015



Note: In the years 2012 and 2015, applications for information were not included in the statistics of Dublin Cases

Source: DAMP

4.2 ASYLUM FACILITIES IN THE CZECH REPUBLIC

The **Refugee Facilities Administration of the Ministry of the Interior** is the operator of reception, accommodation and integration asylum centres. These facilities provide particularly accommodation, boarding, psychological, social, educational and consulting services and they also provide opportunities for leisure time activities. In 2015, the Refugee Facilities Administration of the Ministry of the Interior provided applicants for international protection and foreign nationals who have been granted international protection with services in a total of seven asylum facilities of three types:

A reception centre (RC) serves particularly to accommodate the newly arrived applicants for international protection until the basic initial procedures are completed: establishing identity; commencing proceedings on granting international protection; the initial interview; and the required initial medical examination.

It is not possible to freely leave an RC. An RC provides accommodation, food, basic hygiene necessities and medical care. There are social and psychological services available to applicants and applicants can participate in leisure time activities, attend

fine arts workshops, etc. RCs are situated in the transit area at the Václav Havel International Airport and in the municipality of Zastávka (South-Moravian Region).

An accommodation centre (AC) serves particularly to accommodate those applicants who have undergone the required entry procedures in an RC while the proceedings on their application for international protection are under way. Applicants can freely leave the centres or can take advantage of the option to find private accommodation. The services provided are similar to those in an RC. Emphasis is placed on social work combined with leisure time activities. Children's centres, fine arts workshops, libraries, tea rooms, playgrounds and sports equipment are available here and clients can participate in various cultural events and trips. Special attention is paid to vulnerable groups, which include unaccompanied minor applicants; single women with children; seniors; physically, mentally or socially handicapped persons and victims of physical or psychological violence. ACs are situated in Kostelec nad Orlicí (Region of Hradec Králové) and Havířov (Moravian-Silesian Region).

As of 31 December 2015, **the total capacity of the reception and accommodation centres was 607 beds.**

An integration centre (IAC) serves to those persons who were granted international protection and who entered the *State Integration Programme* and applied for temporary accommodation in an IAC. The purpose of the period spent in an IAC (a maximum of 18 months) is particularly to learn the Czech language and to obtain one's own housing and employment. Money is charged for accommodation in an IAC. The rights and obligations of persons who were granted international protection on the labour market and in the field of social security and medical care are the same as the rights and obligations of the citizens of the CR. Employees of the centres, along with workers of NGOs, can provide the clients of IACs, if they are interested, with the necessary consultancy and assistance. IACs are situated in Jaroměř (Region of Hradec Králové), Předlice (Region of Ústí nad Labem), Brno (South-Moravian Region) and Havířov (Moravian-Silesian Region).

As of 31 December 2015, SUZ operated **a total of four integration asylum centres** in which a total of 43 accommodation units are available to recognised refugees (these are filled according to the size and nature of the accommodated families) **with the maximum capacity of 152 beds.**

USE OF THE ACCOMMODATION CAPACITIES IN 2015

In 2015, a total of **1,440 newly arrived foreign nationals** – applicants for international protection (including newborns born while the mother was staying in an asylum facility) – came to asylum facilities. The citizens of **Ukraine** (678 persons, i.e. 47.1 %), **Cuba** (122 persons, i.e. 8.5 %) and **Syria** (115 persons, i.e. 8.0 %) most often came to asylum facilities.

On the average, 31 % of the capacity of reception centres was used. On the average, the extent to which the capacity of the accommodation centres was used was 56 %; these data include only the persons physically staying in these facilities.²¹ In total, the occupancy of the reception and accommodation centres by the clients physically staying there was 46 %.

Applicants for international protection accommodated in an accommodation centre have the option to leave the centre on a long-term basis, if they file an application to this effect. In 2015, on the average, this option was used by 49 % of the registered applicants for international protection.

SUZ also transformed the capacity of the integration asylum centres. During the year, the accommodation units in the integration asylum centre in Havířov were being transformed back into an accommodation centre one by one; at the same time, also a new integration asylum centre was created in Havířov-Šumbark.

4.3 INTEGRATION OF RECOGNISED REFUGEES AND PERSONS GRANTED SUBSIDIARY PROTECTION

The integration of persons who were granted international protection is governed by the *State Integration Programme*. With minor changes, the SIP has existed since 1993 and its basic goals have remained unchanged. The programme concentrates on providing persons who were granted international protection in the form of asylum or subsidiary protection with assistance in their integration into the society, particularly as concerns housing, removal of the language barrier and assistance with entry into the labour market.

²¹ If both the persons staying physically in accommodation centres and foreign nationals who are registered in these facilities (and who leave to live outside the accommodation centres) were taken into account, then the average extent, to which the capacity of the accommodation centres is used, would be 113 %.

In a Government Resolution No. 954 of 20 November 2015, **a new concept of the SIP was approved**. Starting from 1 January 2016, there will be changes made to the system of teaching the Czech language, to accommodation in an integration asylum centre and in ensuring the housing and integration of clients at the level of municipalities and towns.²² This integration programme builds on the existing assistance to eligible persons.²³ The programme responds to the expected increase in the number of eligible persons in the programme, that is, the spontaneously arriving refugees and the persons who will come to the CR under resettlement and relocation programmes.

Foreign nationals can be included in the SIP only at their own request. They enter the programme by filling out an application when international protection is granted to them (or, as the case may be, within one year from the granting of international protection). Participation in the programme is voluntary but its rules are binding on the persons who join the programme.

²² However, the old system will be retained for those cases, in which accommodation was provided until the end of the year 2015 (an obligation valid for three years, that is, until the end of the year 2018 at the latest).

²³ A person who was granted international protection in the form of asylum or subsidiary protection and who joined the *State Integration Programme*.

5 UNACCOMPANIED MINORS AND OTHER VULNERABLE GROUPS

- In 2015, **151 children**, particularly at the age of 16 through 18 years, were identified as unaccompanied minors. **14 unaccompanied minors** applied for international protection. Most of these applications were filed by the citizens of Afghanistan, Syria and Ukraine.
- In 2015, extensive **educational seminars** focused on the topic of unaccompanied minors took place and approximately 470 workers of the social-legal child protection authorities were trained at these seminars.
- The facility for detention of foreign nationals in Bělá-Jezová has been newly reserved solely for families with minor children and for other vulnerable groups.

5.1 UNACCOMPANIED MINORS

In this field, the Czech Republic follows the *Policy of Protection and Care of Unaccompanied Minors, Including Applicants for International Protection*, which was adopted in 2012. This policy defined the rules for treatment of minor foreign nationals who arrive in the territory of the Czech Republic without a legal representative and also defined the system of care and the conditions for the integration of this group.

In 2015, extensive educational seminars focused on unaccompanied minors took place under cooperation between the Ministry of the Interior and the Organisation for Aid to Refugees with a focus on unaccompanied minors. Approximately 470 workers of the social-legal child protection authorities (OSPOD) were trained there. Methodological materials for OSPOD were created for this field, specifically *Methodological Guide for Specifics of Work with Migrant Children, Unaccompanied Minors and Children in contact with the Police and Methodological Recommendation of the MoLSA for Procedures to be Followed by Municipal Offices of the Municipalities with Extended Scope of Authority in Provision of Social-Legal Protection for Unaccompanied Minors*; it is expected that both these documents will be published in the first quarter of the year 2016.

Same as in previous years, special projects (co-financed from the state budget or EU funds) were taking places in 2015; these projects were focused on unaccompanied minors staying in institutionalised school facilities (they were particularly focused on long-term support of the integration of these persons into the Czech society and their integration into the labour market).

STATISTICS

In 2015, **151 children**, mainly at the age of 16 through 18 years, were identified as unaccompanied minors. There were only 23 such children in 2014.

14 unaccompanied minors applied for international protection in 2015. Most of these applications were filed by the citizens of Afghanistan, Syria and Ukraine. Three applicants were younger than 15 years at the time when they filed their applications. The aforementioned number represents an increase in comparison with the previous year 2014 in which 6 unaccompanied minors applied for international protection.

Table 5: The number of unaccompanied minors who applied for international protection in the period of 2005–2015

Year	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015
Number of unaccompanied minors applying for international protection	106	92	56	36	9	4	8	5	2	6	14

Source: DAMP

5.2 OTHER VULNERABLE GROUPS OF PERSONS

As concerns proceedings on granting international protection, the groups referred to as “vulnerable groups” according to the Directive 2013/33/EU of the European Parliament and of the Council of 26 June 2013 laying down standards for reception of applicants for international protection (the Reception Directive) include not only unaccompanied minors and victims of human trafficking but they also include disabled, seniors, pregnant women, single parents with a minor child, persons with mental health problems and persons who were exposed to abuse, rape or any other severe form of psychological, physical or sexual violence. The Czech Republic has always paid much attention to the vulnerable groups in proceedings on granting international protection as well as in other procedures.

The Czech Republic also concentrates on persons who are at risk of human trafficking and focuses on prevention in this field. Attention is particularly focused on the risks to which persons with mental health problems or physical disability are exposed. For victims of human trafficking younger than 18 years, the Czech Republic has a special system of assistance in place, which is within the terms of reference of the Ministry of Education, Youth and Sports. The topic of human trafficking is covered in greater detail in Chapter 6.

During the migration wave in summer 2015 when a larger number of families with unaccompanied children were arriving irregularly in the territory of the CR, the facility for detention of foreign nationals in Bělá-Jezová was newly reserved solely for families with minor children and other vulnerable groups. Outdoor and indoor equipment and furnishing was adapted to the special needs of these foreign nationals. Other migrants then could be placed in two newly opened detention facilities.

Same as in the previous periods, the *Programme of Humanitarian Evacuations of Inhabitants with Health Issues* (MEDEVAC) was being implemented in the year 2015, too. For more information about this programme, see Chapter 7.2.

6 MEASURES AGAINST HUMAN TRAFFICKING

- In 2015, **12 persons were prosecuted (investigated)** for human trafficking and **19 persons** were convicted in the same year. In the long-term, CR has witnessed a decrease in the number of victims coming from third countries and an increase in the number of EU citizens.
- In 2015, the preparation of the ***National Strategy of Combatting Human Trafficking*** in the Czech Republic for the period of 2016-2019 was under way. This document set two priority topics for the forthcoming period, specifically the combat against trafficking in children and the combat against labour exploitation.
- In 2015, a total of 4 victims of human trafficking were included in the special ***Programme for Support and Protection of Victims of Human Trafficking*** operated by the Ministry of the Interior.

The Czech Republic is aware of the importance of combat against human trafficking. It follows what is referred to as **4 P: prevention, providing support for victims, prosecution of perpetrators and partnership**. These are the main elements of the *National Strategies of Combatting Human Trafficking* in the Czech Republic (in 2015, the *National Strategy of Combatting Human Trafficking in the Czech Republic for the Period of 2012–2015* was in effect). The *National Strategy of Combatting Human Trafficking in the Czech Republic for the Period of 2016–2019*, which is the fifth strategic document in this field, will be presented to the government for discussion in April 2016. This document, which also contains evaluation of the previous National Strategy, set two priority topics for the forthcoming period, specifically the combat against trafficking in children and the combat against labour exploitation. In its measures, the 2016–2019 National Strategy will concentrate particularly on developing the mechanisms aiming to identify victims and to subsequently prosecute the perpetrators of crimes of human trafficking.

In the context of the priorities mentioned above, several key tools for their achievement were identified, particularly the following ones: 1) To increase the sensitivity of the involved actors and the general public to the issue of human trafficking and the related improved identification of victims; 2) to systematically educate and increase general awareness of this crime, its forms and the system for assisting victims. In the context of the occurrence of the forms of human trafficking, which only occur sporadically in the territory of the Czech Republic, and the forms, for which there is no working experience with interpretation of the laws, another tool is to 3) coordinate the course of action in the combat against these "new" forms of human trafficking. Last but not the least, one of the tools is 4) to strengthen cooperation not only on a multidisciplinary level but on all levels (with special focus on strengthening the regional level).

According to the Act on Victims of Crimes (No. 45/2013 Coll.), victims of human trafficking are considered to be an especially vulnerable group of persons, which need to be treated in a sensitive and special manner. The National Reference Mechanism is configured accordingly.

In 2003, the Czech Republic proposed a special ***Programme of the Ministry of the Interior of the Czech Republic for Support and Protection of Victims of Human Trafficking***. Since 2008, the Programme was changed several times due to implementation of updated internal regulations. Thanks to the updates, the process of legalisation of the stays of potential victims was speeded up. The Department of Security Policy and Crime Prevention of the MoI continued to implement this Programme in 2015. The Programme is a measure created to provide victims of human trafficking with support and appropriate protection based on individual risk assessment. It is intended for victims of human trafficking older than 18 years and not only for third-country nationals. The victims included in the Programme are automatically given a 60-day period for reflection (referred to as the "reflection period"), during which cooperation with the law enforcement authorities is not required. During this period, steps are taken to motivate the victim and support cooperation with the victim in exposing and punishing the perpetrators. Victims in the Programme are guaranteed suitable and adequate accommodation, medical care, legal assistance, lawyer services, psychological-social services and retraining. The Programme properly protects victims in the procedural position of witnesses who cooperate with the law enforcement authorities. The main partners of the Programme are a specialised NGO and the Police of the Czech Republic. The Programme also includes voluntary (free of charge) returns of the victims to their countries of origin, which are ensured through the International Organisation for Migration (IOM). Besides the social services provided by the Ministry of Labour and Social Affairs, this Programme is the most significant tool for helping and protecting victims. In 2015,

a total of **4 victims of human trafficking** were included in the Programme. They were women whose countries of origin were the Czech Republic, the Slovak Republic and Ukraine. **Since 2003, a total of 190 victims of human trafficking were included in the Programme.** For victims of human trafficking who are younger than 18 years, the Czech Republic has a specialised assistance system in place, which is within the terms of reference of the Ministry of Education, Youth and Sports.

During the year 2015, no major changes occurred regarding the extent of support and protection provided for these persons. The Ministry of the Interior financially supports NGOs and their preventive campaigns as well as street work. In 2015, a new campaign of the **La Strada CR** (NGO) was launched, which targeted the general public and which was financially supported by the Ministry of the Interior.

In 2015, La Strada together with the Ministry of the Interior and other partners evaluated the provision of social services and multidisciplinary cooperation in prevention of human trafficking. The results of these surveys can be found on the website of the La Strada organisation.²⁴

During the year 2015, the Ministry of the Interior also organised **a series of 8 roundtables** at the regional State Labour Inspection Offices. The purpose of these meetings was to raise awareness of the phenomenon of human trafficking and labour exploitation among labour inspectors, to support cooperation between the regional State Labour Inspection Offices and the Police of the Czech Republic and, last but not the least, to map the parts of labour law, which are systematically breached by employers and which may contribute to creating an exploitative work environment. As part of this activity, 140 labour inspectors received training and regional partnerships were established.

Cooperation of the involved entities contributes to effective combat against human trafficking. Two meetings of the **Interdepartmental Coordination Taskforce for Combatting Human Trafficking** were held in 2015. This taskforce was set up by a government resolution in 2008. It serves as a platform for exchange of information among the members of the interdepartmental taskforce and for coordination of activities in the combat against human trafficking at the national level. The members of this taskforce, which include governmental as well as non-governmental organisations, provide input for the annual report on the situation of human trafficking in the CR.²⁵

²⁴ <http://www.strada.cz/publikace-a-vystupy-la-strada-cr>

²⁵ <http://www.mvcr.cz/clanek/obchod-s-lidmi-dokumenty-924305.aspx>

The Czech Republic also participates in implementation of several international projects and cooperates with significant source countries and international organisations (OSCE²⁶, ICMPD²⁷, DCAF²⁸, etc.). It also actively participates in the sessions of the platform of National Rapporteurs and Equivalent Mechanisms, which are organised by the European Commission and the EU Member State holding the presidency twice a year. In the field of police cooperation, Joint Investigation Teams (JITs) are used abundantly and there is also cooperation within the established platforms such as EMPACT²⁹/ETUTU³⁰.

STATISTICS

In the long-term, there has been a decrease in the number of victims coming from third countries and, conversely, there has been an increase in the number of EU citizens, which can be observed in the Czech Republic as well as across the European Union.

From January to December 2015, 12 persons were **prosecuted** (investigated) by the Policy of the Czech Republic and 19 persons were **convicted** of human trafficking in the same year.

Table 6: The number of persons prosecuted (investigated) for and convicted of human trafficking in the period of 2012–2015

Year	2012	2013	2014	2015
Number of persons prosecuted for human trafficking*	31	25	16	12
Number of persons convicted of human trafficking**	11	20	6	19

Source: * The Police Presidium; ** The Ministry of Justice

CRIME OF HUMAN TRAFFICKING IN RELATION TO FOREIGN NATIONALS

The crime of human trafficking did not see any major changes in 2015 as compared with the previous year as regards the purpose of human trafficking and the operational modes of the perpetrators of these crimes. In the Czech Republic, these cases involved

²⁶ *Organisation for Security and Co-operation in Europe*

²⁷ *International Centre for Migration Policy Development*

²⁸ *The Geneva Centre for the Democratic Control of Armed Forces*

²⁹ *European Multidisciplinary Platform against Criminal Threats*

³⁰ ETUTU was created as a sub-project of EMPACT in 2012 and its goal is to combat human trafficking in connection with the citizens of Nigeria. The leading state of this project is Germany.

mainly forcing the victims of human trafficking to prostitution and to forced labour or to some other forms of exploitation or exploiting such actions. Thus, the situation, structure and dynamics of the crime of human trafficking were comparable with the year 2014.

7 INTERNATIONAL COOPERATION AND PROJECTS CONCERNING MIGRATION AND ASYLUM

- The Government of the Czech Republic approved the creation of a permanent ***Programme for Assistance to Refugees in Regions of Origin and for Prevention of Migration Flows of the Ministry of the Interior*** in January 2015 and its more general concept in autumn. The assistance and support targets particularly third countries with the purpose of providing refugees with direct support as well as providing support for building capacities regarding the issues of refugees and migration of host states.
- A resolution to continue the ***Programme of Humanitarian Evacuations of Inhabitants with Health Issues (MEDEVAC)*** was approved in a framework agreement. In 2015, a total of 20 projects in the total value of just below 32 million CZK were implemented. In 2015, the Programme was implemented in 5 countries, specifically in Jordan, Cambodia, Kenya, the Republic of Iraq – the Region of Iraqi Kurdistan and in Ukraine.
- In 2015, the Czech Republic decided to voluntarily participate in the common resettlement scheme of the EU, within which it pledged to resettle 400 refugees from third countries, with a focus on Syrian refugees in the region of Near East. As a result, the Czech Republic resettled the first 20 persons during the year 2015. In order to ensure smooth course of the selection, relocation and integration of the refugees, the Prime Minister Mr. Bohuslav Sobotka set up a ***Working Group for Resettlement and Relocation***.
- During the year 2015, a total of 225 members of Czech compatriot communities in Ukraine arrived in the CR under the Programme for ***Providing Assistance to Czech Compatriots***.

7.1 INTERNATIONAL COOPERATION AND PROJECTS

The international cooperation in migration issues in 2015 was building on the activities commenced in previous years.

Within the relations with the Member States of the European Union and the Schengen Area, the Czech Republic cooperated at the level of bodies of the European Union, including their agencies such as Frontex and the European Asylum Support Office (EASO). It also concentrated on strengthening the practical and operational cooperation in all aspects of migration, asylum and the protection of state borders.

Cooperation with the main transit and source countries of immigration into the Czech Republic was being developed, particularly with the countries adjacent to the European Union. At the level of the European Union, the Czech Republic continued its participation in the development and implementation of the instruments of the *Global Approach to Migration and Mobility* (GAMM) representing a strategic framework of the external migration policy of the European Union. The development of the eastern and south-eastern dimension of the Global Approach to Migration was of fundamental importance to the Czech Republic; this was carried out primarily through the *Prague Process*, which represents the main multilateral migration dialogue.

The dialogues with eastern partners within the Eastern Partnership and participation in the bilateral *Partnerships for Mobility with Moldova, Georgia, Azerbaijan and Armenia* are also of key importance to the Czech Republic. The preparation of the EU's position for negotiations within the EU-China migration dialogue was also an important milestone.

In order to implement its priorities regarding asylum and migration, the Czech Republic closely cooperated with international organisations, particularly with the International Centre for Migration Policy Development (ICMPD) and the United Nations High Commissioner for Refugees (UNHCR). The Czech Republic cooperated with the ICMPD within the *Prague Process* and in implementation of the projects within the *Partnership for Mobility with Moldova*. The cooperation with the UNHCR is oriented on assistance to refugees in their countries and regions of origin and resettlement.

PRAGUE PROCESS

The *Prague Process* represents a political initiative that arose from the ministerial conference titled *Building Migration Partnerships*, which was held in Prague on 28 April 2009. This is an intergovernmental, state-controlled dialogue on migration, the participants of which are 50 states, institutions of the European Union and selected international organisations. During this conference, the attending states adopted a “common declaration on migration” regarding the principles and measures supporting close cooperation in the field of migration.

The *Action Plan of the Prague Process for the Period of 2012–2016* was adopted during the second ministerial conference of the *Prague Process* in Poznan, Poland, on 4 November 2011. This Action Plan outlines 22 specific activities in 6 topic-specific areas, which are to be implemented during the given period. During the years 2012–2016, the Czech Republic and another six leading states will implement an initiative co-financed by the European Union and titled *Support of the Implementation of the Prague Process and Its Action Plan*, also known as the *Targeted Initiative of the Prague Process*. The project is led by Poland together with the Czech Republic, Germany, Hungary, Romania, Slovakia and Sweden. The steering group of the *Targeted Initiative of the Prague Process*, which also includes representatives of the European Commission (EC) and the European External Action Service (EEAS), holds regular meetings, particularly in Brussels in connection with the meetings of the High-Level Working Group on Asylum and Migration (HLWG). In the years 2012–2016, there were seven pilot projects implemented, which had been prepared in accordance with GAMM, with focus on combat against illegal migration (exchange of experience with entering into readmission agreements; establishing identity and nationality of irregular migrants), support of legal migration and migration and development (work-related and circular migration; international mobility of students) and asylum and international protection (assuring the quality of asylum procedure; using the judiciary in asylum procedure). The Czech Republic, along with Hungary, leads the projects concerning legal migration (specifically focused on work-related and circular migration as well as on student mobility).

Since its beginnings, the *Prague Process* has been working to create a knowledge database of migration issues and the priorities of the participating states. For this purpose, a set of migration profiles was created (and an interactive online map of migration flows). At the meetings of the executive officials of all the participating countries held in Berlin (October 2014), Budapest (July 2015) and Prague (December 2015), a decision was made, based on the favourable results of the evaluation of the implementation of the Action Plan, to continue the *Prague Process* and to set goals

for its implementation for the forthcoming years (2017–2021). To this end, the third ministerial conference of the *Prague Process* will be held in Bratislava on 19 and 20 September 2016 during the Slovak presidency of the EU. The purpose of this conference at the level of ministers responsible for migration issues will be to approve procedures and priorities for future periods.

The Czech Republic supports the Slovak Republic in its preparations of the ministerial conference and is the initiator and promoter of the idea of creating a Training and Analytical Centre within the Prague Process. Its goal will be to provide educational programmes for the employees of migration offices of the participating Member States and Non-member States of the EU (Training Academy) as well as to extend and improve the collection of migration data and their analysis for the purposes of the states at the national and international level within the centre (Migration Observatory).

ERIS PROJECT

As part of the *Thematic Programme for Cooperation with Third Countries in the Areas of Asylum and Migration* of the European Commission, the Czech Republic leads a project focused on the issues of the integration of foreign nationals in the Russian Federation titled *Development of Joint Principles, Procedures and Standards on the Integration of Labour Immigrants between the Russian Federation and European Partners* (ERIS). This is a project of cooperation of migration authorities of the CR, the Russian Federation and Austria in the integration of foreign nationals, the implementation of which started in February 2013 and was ended in June 2015. The overall goal of the project was to contribute to further development of the systems for managing migration in the Russian Federation, the CR and Austria with a focus on integration policies for work immigrants.

PROJECT FOR STRENGTHENING CAPACITIES TO HANDLE WORK-RELATED AND RETURN MIGRATION WITHIN THE PARTNERSHIP FOR MOBILITY WITH THE EU

The project focused on strengthening the capacities of Moldovan governmental employment offices with the aim of improving the opportunities for occupational reintegration of returned Moldovan migrants. This flagship project titled *Partnership for Mobility with Moldova* was led by Sweden and the Czech Republic (the MoI and the MoLSA) participated as a partner. The project was ended in 2015.

FIRMM PROJECT IN MOLDOVA

In 2013, the project titled *Supporting the Republic of Moldova to Implement the EU-Moldova Action Plan on Visa Liberalisation*, FIRMM³²) was launched in Moldova and was ended in June 2015. The overall goal of the project was to contribute to the successful implementation of the visa liberalisation action plan, particularly to the creation of a set of measures combatting illegal migration. The project specifically focused on creating and implementing a methodology of combat against illegal migration; on improving the Moldovan legislation regarding migration; on training the employees of the Moldovan migration office and on purchasing the technical equipment needed for combat against illegal migration. The project was created due to the needs of the Moldovan MoI within the *Partnership for Mobility between the EU and Moldova* with a duration of 2.5 years and a budget of 1.2 million EUR (80 % was financed from the European funds). The project was implemented by the ICMPD and the Czech Republic was among the partners of the project besides other Member States.

EUROPEAN ASYLUM SUPPORTING OFFICE (EASO)

In 2015, the key activities of the EASO included particularly the operational and specific support of the asylum systems in selected EU Member States in connection with the *European Programme for Migration* (see below), which was issued by the EC in May 2015. The *European Programme for Migration* also assigned many operational tasks to the EASO, which involve seeking solutions to the migration crisis in the EU, and thus fundamentally determined the tasks of this office in the second half of the year 2015. This involved particularly increasing the capacities of Italy and Greece for registration of the arriving migrants through the concept of registration centres referred to as hotspots; supporting Member States in implementation of newly established common relocation and resettlement schemes; supporting Member States in implementation of the Dublin Regulation; collecting and analysing data; and increasing the reception capacities of Member States.

The EASO also carried out its duties regarding the support of Member States in harmonising the common European asylum system, particularly in implementing a common training system in the area of asylum, improving the quality of asylum facilities or harmonising the information on countries of origin.

³¹ *Fighting Irregular Migration in Moldova*

The Czech Republic participated in the activities of the EASO not only by attending the meetings of the Board and many expert meetings concerning the aforementioned partial activities of the office but also by sending experts, which the Czech Republic nominated and sent to Italy and Greece in 2015 in connection with the implementation of the aforementioned concept of hotspots. In 2015, the Czech Republic provided 6 experts for these activities.

7.2 HUMANITARIAN PROJECTS AND RESETTLEMENT

PROVIDING ASSISTANCE FOR COUNTRIES AFFECTED BY THE MASS INFLOW OF SYRIAN REFUGEES IN 2015

The Czech Republic is not among the destination countries of Syrian asylum seekers. In spite of that, it monitored the critical situation in Syria and related migration movements with grave concerns because it is obvious that it is a humanitarian tragedy, which has very serious impacts on the migration and asylum situation in the European Union. The Czech Republic's priority was primarily to stabilise the situation of Syrian refugees on the site of their current stay.

In connection with further destabilisation of the situation in the region of the Near East in 2014 and in response to deterioration of the security and humanitarian situation in the immediate surroundings of the EU, related particularly to the ongoing armed conflict in Syria, the Government of the Czech Republic approved the creation of a permanent ***Programme for Assistance to Refugees in Regions of Origin and for Prevention of Migration Flows of the Ministry of the Interior*** in January 2015. In autumn of the same year, the government approved the more general *Concept of the Ministry of the Interior for Assistance to Refugees and States under Strong Migration Pressure*, which formulates the general framework within which the MoI is carrying out and will carry out its future activities relating to the external dimension of migration, particularly providing the assistance to refugees and the states, which are under strong migration pressure.

Assistance and support is oriented particularly on third countries with the aim of providing direct support for refugees as well as providing support focused on building capacities for refugee management and migration in the host states.

Thus, implementation of the activities based on this Concept enables the Czech Republic to get involved more actively in the solidary joint activities of the EU aimed to provide direct assistance to refugees in their countries of origin or in the adjacent regions, which host large refugee populations, as well as direct assistance to the affected states. Such solution has subsequent positive impact on the migration flows heading to the EU, provides the necessary protection and livelihoods for refugees who, at the same time, do not lose contact with their homes during the conflict or the catastrophe and do not have to undertake the risky and exhausting trip to safety in Europe.

The budget of the aforementioned Programme for the year 2015 was 100 million CZK. In 2015, the following activities were financed under this Programme:

- **Support of the Office of the UN High Commissioner for Refugees in the amount of 45 million CZK aiming to improve the infrastructure of the Zatari refugee camp in Jordan.** This financial contribution from the Czech Republic enabled the UNHCR to build a safe electric grid, which provides regular and stable supply of electric power to all the inhabitants of the Zatari refugee camp. With the population of 83,000, the Zatari refugee camp is one of the largest refugee camps in the world.
- **Support of an UNHCR project in the amount of 20 million CZK aiming to improve the infrastructure of the Ashti refugee camp** in the Iraqi Kurdistan. This financial contribution from the Czech Republic enabled the UNHCR to build a new part of the camp (dignified accommodation capacities) for internally displaced refugees from other parts of Iraq.
- **Involvement of the Czech Republic in the joint European programmes for development and protection in third countries (RDPP³²).** In 2015, the Czech Republic increased its financial contribution by 5 million CZK for implementation of this programme for the Near East (Jordan, Lebanon and Iraq) to a total of 15 million CZK. The CR supported the new RDPP for North Africa with a financial contribution of 10 million CZK.
- **A financial donation to Turkey (10 million CZK) and Serbia (10 million CZK) to support the activities aiming to strengthen the local asylum and migration infrastructure and capacity building,** that is, to support the tools contributing to higher capability of Turkey and Serbia to take measures to protect and stabilise refugees in these states.

³² *Regional Development and Protection Programmes*

For the year 2016, the amount of the assistance was increased to 150 million CZK according to a decision of the Government of the Czech Republic.

THE PROGRAMME OF HUMANITARIAN EVACUATIONS OF INHABITANTS WITH HEALTH ISSUES – MEDEVAC PROGRAMME³³

The intensity of local armed conflicts has been increasing in recent years and has had consequences of a global scope. The amount of active conflicts in the world and the increase of their internal intensity have dramatic impacts on the global community. The goals of the parties involved in these conflicts are diverse but the means used to achieve them are basically the same – terrorising civil population in the form of directly threatening the civilians' lives or forcibly imposing their own values on the population (concerning religion, the way of thinking, the way of dressing, etc.). Consequently, the civilian population has been increasingly the primary target of persecution and terror in various conflicts. Medical care for the civilians at such risk, whether in war-affected areas or in areas with other needs (the areas of humanitarian or natural catastrophes) is basically difficult to access or is not able to adequately meet the needs of the affected civilian population.

The Ministry of the Interior proposed continuation of the ***Programme of Humanitarian Evacuations of Inhabitants with Health Issues (MEDEVAC)*** for the year 2015 in a general format, which responds to the arising needs more flexibly because the programme has a stable annual format and allows for more comprehensive planning. The Government of the Czech Republic approved a resolution to continue the MEDEVAC programme for the year 2015 on 19 January 2015. The priority areas of activation of the MEDEVAC programme for the year 2015 were determined by the MoI after mutual consultation with the MoFA, the MoH and possibly with the MoD. In 2015, the MEDEVAC programme was also implemented in those areas where the programme was already successfully implemented in the past.

The MEDEVAC programme is primarily intended for vulnerable groups of population – civilians (women, children and the elderly) who have a serious medical condition (traumatic injuries – war injuries or injuries caused by natural catastrophes; chronic treatable diseases threatening the life of the patient – such as heart diseases, burns, etc.) and it is not possible to provide them with treatment in the local environment.

³³ Medical Evacuation

In 2015, the programme was implemented in 5 countries, specifically in Jordan, Cambodia, Kenya, the Republic of Iraq – Region of Iraqi Kurdistan and Ukraine. It was implemented as follows:

- a) Medical teams were sent to the countries of origin** – specifically 9 missions to **Jordan, Cambodia and Kenya** were carried out, during which more than 200 children and adults were operated on. Medical teams from the General University Hospital in Prague, the Motol University Hospital, the Bulovka Hospital, the Olomouc University Hospital and the Hradec Králové University Hospital were involved in the programme.
- b) Humanitarian evacuations of medically disabled inhabitants to provide them with treatment in the Czech Republic** – these were mostly internally displaced persons, war-affected inhabitants of Ukraine.
- c) On-the-job training of physicians from areas affected by a humanitarian crisis** (war, armed conflicts, natural catastrophe, etc.) or from areas where the MEDEVAC programme has already been successfully implemented in the past; these physicians were receiving on-the-job training in Czech medical facilities established and managed by the Ministry of Health. A total of 5 physicians from **Kurdistan** and one physician from Ukraine were trained.

In 2015, a total of 20 projects worth just below 32 million CZK were implemented under the MEDEVAC programme.

RESETTLEMENT

Resettlement is a tool for providing assistance to refugees who have found themselves in a highly vulnerable position in the country of first displacement as a result of involuntary displacement. This involves selecting persons and transferring them from the state of their first asylum to a third country, which is ready to receive them, provide them with international protection and guarantee their access to all fundamental human and civil rights. Besides granting international protection to spontaneously arriving refugees, resettlement is thus considered to be a tool complementary to the system for the protection of refugees in the developed world. The basic goal of a resettlement programme is of a humanitarian nature, that is, the goal is to provide the necessary assistance and protection for the most vulnerable groups of refugees who do not have any prospects of safe and dignified life other than resettlement and who would be at risk of persecution or degrading and inhuman treatment if they returned to their home country.

The Czech Republic pledged to implement a resettlement programme in 2008 by adopting the *Concept of the National Resettlement Programme*³⁵, thus confirming its readiness to participate in resolving global refugee-related problems through this humanitarian instrument and to help refugees within the jointly shared burden in refugee management alongside with other developed countries.

In 2015, the Czech Republic decided to voluntarily participate in the European Resettlement Scheme in which it **committed to resettle 400 refugees** from third countries, with a focus on Syrian refugees in the region of the Near East. **During the year 2015, the Czech Republic thus resettled the first 20 persons** – 4 families of Syrian refugees with seriously ill children. The fulfilment of the aforementioned voluntary commitment of the Czech Republic will continue in 2016.

Within two years, that is, by the year 2017, the Czech Republic should relocate a total of **2,691 persons** from Greece and Italy according to its commitments from the year 2015.

In 2015, the **Working Group for Resettlement and Relocation** was set up, which is responsible for preparing and carrying out the resettlement and relocation of refugees. The goal of the group set up by the Prime Minister Bohuslav Sobotka is to ensure a smooth course of the selection, transfer and integration of refugees, which the Government of the CR agreed to receive in the following two years under the negotiated pan-European agreement. The Working Group also discussed the new *State Integration Programme for Persons Who Were Granted International Protection*. This new programme responds to the expected increased numbers of applicants for international protection, that is, the increasing numbers of recognised refugees in the Czech Republic, whether they will be spontaneous applicants for international protection or persons received as part of resettlement and relocation. The SIP concerns persons who were granted international protection with the aim of facilitating their integration into the Czech society particularly as regards learning the Czech language and obtaining accommodation and employment.

Activities of the working group are managed by the Ministry of the Interior. Representatives of the Ministry of Finance, the Ministry of Labour and Social Affairs and the Ministry of Industry and Trade, the Office of the Government, the Association of Regions, the Union of Towns and Municipalities, the trade unions, employers, the Ecumenical Council of Churches and the Czech Bishop Conference are participating in the activities of the working group.

³⁴ Government Resolution No. 745/2008 of 27 June 2008.

7.3 ASSISTANCE TO COMPATRIOTS

During the year 2015, the Czech Republic started to implement the programme for providing assistance with the resettlement of Czech compatriots. The implementation of this programme was made possible by adoption of the Government Resolution of 8 December 2014³⁵, in which the government approved new governmental policies for relocating persons with proven Czech origin (compatriots) living abroad. A total of 66 million CZK, which were to cover the costs of complete resettlement of approximately 350 compatriots, were earmarked from the state budget by a Government Resolution³⁶ for implementation of this programme.

As part of the programme, special consular days in Odessa and Kiev were held in cooperation with the Ministry of Foreign Affairs to make it easier for the interested persons from the areas endangered by the ongoing anti-terrorist operations in the east of Ukraine to file an application for permanent residence. These special measures enabled nearly 200 compatriots to obtain permanent residence in a fast-track procedure. Applicants of other interested persons from areas, which were not directly endangered, were being processed on an ongoing basis.

Participation in the programme does not mean that its participants will automatically receive permanent residence permits. However, the programme simplifies the whole procedure because the state assumes responsibility for ensuring accommodation and finances for the stay. However, these benefits are only provided for persons, in whose case such assistance is substantiated, that is, for persons from endangered areas or for those members of Czech compatriot communities who are disadvantaged medically, socially, economically or in some other way.

A total of 225 persons, solely members of Czech compatriot communities in Ukraine, were resettled to the Czech Republic during the year 2015. They were mainly members of the compatriot communities from the areas affected by the anti-terrorist operations in the **Doneck and Luhansk Regions** and from the **Zaporozhye and Odessa Regions**. By the end of the year 2015, more than half of the people from this group found a permanent place of residence and job in the Czech Republic and became completely self-sufficient, whereby the purpose of this programme was accomplished. The highest number of compatriots settled in the territory of the Pilsen Region, in Prague and in the

³⁵ No. 1014

³⁶ No. 32/2015

Central Bohemian Region and South-Moravian Region. The Caritas of Archdiocese of Prague which ensures direct work with clients is a partner of the MoI in implementation of this programme.

In accordance with the aforementioned government Resolution, the programme is open to members of Czech compatriot communities regardless of their countries of origin; nevertheless, only the citizens of Ukraine expressed their interest in participating in the programme by the end of the year 2015.

8 ILLEGAL MIGRATION, HUMAN SMUGGLING

- In 2015, there were **8,563 persons** identified as perpetrators of illegal migration into the territory of the Czech Republic, which represents an increase by 78 % in comparison with the previous year. Among them, 2.8 % of foreign nationals were exposed when they were perpetrating illegal migration across the external Schengen border of the Czech Republic (airport) and 97.2 % during illegal stay. Most of them came from Syria, Ukraine and Kuwait.
- In connection with facilitation of illegal stay or the crossing of border, 168 persons were registered in 2015. There were 84 persons convicted of organising and facilitating the illegal crossing of the state border and of the crime of facilitating illegal stay in the country.
- In 2015, there was predominantly transit illegal migration. The persons who illegally entered our country intended to continue to travel to other Schengen countries.

An important role in monitoring the migration in the territory of the Czech Republic, including all the related phenomena, is played by the Analytical Centre for the Protection of State Borders and Migration (for more information, see Chapter 1.1). In 2015, this Centre concentrated particularly on monitoring and evaluating the migration flows heading to the territory of the EU along what is referred to as the "Balkan Route". In this context, the activity of the Operation and Security forum was increased; in addition to expert meetings, this forum started to hold meetings at the directorial level every week.

8.1 ILLEGAL MIGRATION INTO THE TERRITORY OF THE CR

Since 2008 (after accession to the Schengen Area in December 2007), two basic categories of illegal migration into the territory of the Czech Republic have been monitored:

1. Illegal crossing of the external Schengen border in the CR – in this category, foreign nationals who illegally crossed or attempted to illegally cross the external Schengen border (airport) of the Czech Republic are monitored.³⁷

2. Illegal stay – this category registers those foreign nationals who are identified in the territory of the Czech Republic, including the transit area at airports, as persons violating the conditions for the stay of a foreign national defined by the law.

In the evaluation of the long-term trend in illegal migration after the accession of the Czech Republic to the Schengen Area, the year 2015 saw the historically highest annual number of irregular immigrants. In spite of the fact that the trend in recent years has shown that the Czech Republic is becoming the destination country for some foreign nationals, it is still used primarily for illegal migration to other European countries.

STATISTICS

In 2015, there were **8,563 persons** identified as perpetrators of **illegal migration into the territory of the Czech Republic**, which represents an increase by 3,741 persons (i.e. by 77.6 %) as compared with the previous year. From among them, **240 persons** (i.e. 2.8 %) were identified as perpetrators when they were **illegal migrating across the external Schengen border of the Czech Republic** and **8,323 persons** (i.e. 97.2 %) were identified during their **illegal stay**.

There were 582 persons repeatedly exposed as perpetrators of illegal migration in the Czech Republic. This represented a moderate decrease by 51 persons (i.e. -8.1 %) in comparison with the year 2014.

During illegal migration across the external Schengen border, the detained persons were most often the citizens of the Russian Federation (47), refugees according to the Convention of 1951 (38) and the citizens of Ukraine (32). During illegal stay, the highest number of exposed perpetrators were among the citizens of Syria (2,016), followed by the citizens of Ukraine (1,224) and Kuwait (588).

³⁷ The external Schengen border only consists of an air border.

Third-country nationals accounted for 98.1 % of the total number of persons who were identified as perpetrators of illegal migration in the reference year (in absolute numbers, there were 8,163 third-country nationals illegally staying in the country, and 236 persons who perpetrated an illegal crossing across the external Schengen border). The share of the **citizens of the European Union** was 1.9 % (in absolute numbers, there were 160 citizens of the European Union illegally staying in the country and 4 persons identified as perpetrators of an illegal crossing of the Schengen border).

Table 7: Illegal migration in the CR – the year 2015 – TOP 10 by category

Illegal migration in the Czech Republic from 1 January to 31 December 2015					
Illegal stay	Persons identified	i.e. %	Illegal migration across the external Schengen border	Persons identified	i.e. %
Total	8,323	100.0	Total	240	100.0
of which EU citizens	160	1.9	of which EU citizens	4	1.7
Third-country nationals	8,163	98.1	Third-country nationals	236	98.3
of which top 10 citizenships			of which top 10 citizenships		
Syria	2,016	24.2	Russian Federation	47	19.6
Ukraine	1,224	14.7	1951 Convention refugee	38	15.8
Kuwait	588	7.1	Ukraine	32	13.3
Afghanistan	583	7.0	Albania	21	8.8
Iraq	403	4.8	Turkey	11	4.6
Russian Federation	358	4.3	China	9	3.8
Pakistan	276	3.3	Pakistan	6	2.5
Kosovo	264	3.2	Saudi Arabia	4	1.7
Saudi Arabia	258	3.1	Kazakhstan	4	1.7
Vietnam	229	2.8	United States of America	4	1.7

Source: DAPS

As regards citizenship, the citizens of Ukraine have been steadily the largest group of persons exposed as perpetrators of illegal migration since 2008; however, they no longer took the first position in the statistics on illegal migration in 2015. The citizens of **Ukraine** (1,256, i.e. 14.7 %) were pushed from the first position by the citizens of **Syria** (2,016 persons, i.e. 23.5 %). The citizens of Syria illegally transited across our country; thus, the Czech Republic was not the destination country for them. However, this does not apply to most citizens of Ukraine for whom the Czech Republic is the destination country.

According to a year-on-year comparison, the share of children (less than 18 years old) identified as irregular immigrants increased. While the share of children in the total number was 10.8 % in 2014, it was 17.4 % in 2015. This higher share corresponds to the situation, in which entire families (parents with multiple children, too) were exposed while perpetrating transit illegal migration. Unaccompanied minors were also identified more often in 2015 (151 minors in 2015 while there were only 23 such minors in 2014).

8.2 FACILITATION OF ILLEGAL MIGRATION

In 2015, facilitation of illegal migration across the state border was predominant in the context of illegal migration. In most cases, the illegal migration was transit illegal migration. The persons who illegally entered our country intended to continue to travel to other Schengen countries. Thus, the trend that facilitation of illegal stay in the Czech Republic (through sham marriages, misuse of the declaration of mutual consent of parents on determination of paternity, production of forgeries of various certificates necessary for the stay, etc.) predominated over facilitation of illegal migration across the state border ended in 2015.

Irregular migrations are smuggled in passenger vehicles, vans or taxi vehicles with the help of persons of the same nationality who already have a legal residence status in the countries of Western Europe. In recent years, the role of communication technologies such as website or online communication portals has been increasing. This allows for faster and easier contact between migrants and the persons who facilitate their illegal migration in a certain way.

Some foreign nationals try to legalise their stay in the territory of the Czech Republic by circumventing the immigration legislation. In 2015, the information was once again confirmed that foreign-language crime groups operate in the territory of the Czech Republic, which participate in the production and distribution of forged or altered personal documents designed to legalise the residence of migrants who are already found in the territory of the Czech Republic and other European states. The documents concerned are sent via messengers or forwarding companies to third countries, from which irregular migrants try to get to Europe with these documents. In some cases, authentic Czech documents are sent abroad where they are altered and further distributed by crime groups. This takes place particularly in connection with the current migration wave. The activity described above is particularly dominated by Arabian, Bulgarian and Armenian communities.

STATISTICS

In connection with facilitation of illegal stay or crossing of border, there were **168 persons** registered in 2015.³⁸ In comparison with last year, there was an increase by 37 persons (i.e. +28.2 %). In 2015, there were **84 persons** convicted of organising and facilitating an illegal crossing of the state border and of the crime of facilitating unauthorised stay in the territory of the Czech Republic.³⁹

Table 8: Facilitation of unauthorised stay or a crossing of border – comparison between the years 2014 and 2015

Annual period	1.1.–31.12. 2014		1.1.–31.12. 2015		Change as compared with the previous period	
		i.e. %		i.e. %	in [%]	absolute number
Total number of persons*	131	100.0	168	100.0	28.2	37
by method of facilitating illegal migration						
sham marriage and organisation thereof	28	21.4	15	8.9	-46.4	-13
sham paternity and organisation thereof	15	11.5	9	5.4	-40.0	-6
sham invitation and organisation thereof	24	18.3	4	2.4	-83.3	-20
facilitation of an illegal crossing of the state border	14	10.7	118	70.2	742.9	104
other facilitation of illegal stay**	50	38.2	22	13.1	-56.0	-28

Source: DAPS

Explanatory note: * The persons registered by the Regional Directorates of the Police of the Czech Republic; this includes the persons who have been criminally prosecuted as well as the persons who only filed an explanation regarding the case and the case was dismissed

** for example, procurement of visas or forged documents

³⁸ Source: Alien Police Departments of the Regional Directorates of the Police of the Czech Republic. The persons who facilitate illegal state and their activity contains an element of organisation are investigated by the Unit for Combating Organised Crime.

³⁹ Source: The Ministry of Justice of the CR

9 RETURNS

- In 2015, a total of 5,693 administrative return decisions were issued. This included **2,630 decisions on imposition of the obligation to leave the country**. According to a year-on-year comparison, there was an increase by 700 %. In addition to that, a total of **3,063 effective decisions on administrative expulsion** were registered, which represents an increase by 40 % in comparison with the previous year.
- The largest groups of foreign nationals who were issued an enforceable decision on administrative expulsion were the citizens of Ukraine, Syria and Vietnam. Administrative expulsion was executed for 172 foreign nationals.
- In the area of voluntary returns, **the International Organisation for Migration and Refugee Facilities Administration of the Ministry of the Interior** implement their **programmes of assisted voluntary returns**. During the year 2015, a total of 377 voluntary returns of third-country nationals were registered.

The return policy also forms an integral part of the migration policy. Like the other EU countries, the Czech Republic always prefers the option of a voluntary return to a forced return, that is, an expulsion.

9.1 ADMINISTRATIVE DECISION ON RETURN

In 2015, a total of **5,693 administrative return decisions were issued**. An administrative return decision may have the form of a decision on an obligation to leave the country or a decision on administrative expulsion.

DECISION ON AN OBLIGATION TO LEAVE THE COUNTRY

In the past, foreign nationals who were found to be irregular migrants were usually punished by a decision on administrative expulsion. In December 2010, the legislation

transposing what is referred to as the “**Return Directive**”⁴⁰ became effective. This Directive governs the procedures of the EU Member States for returns and overwhelmingly prefers returning third-country nationals on a voluntary basis. A decision on an obligation to leave the country is always issued when no grounds for issuing a decision on administrative expulsion are found. If this decision is issued to a foreign national, then expulsion by a governmental authority should take place only if the foreign national fails to comply with his obligation to leave the country voluntarily. In 2015, **a total of 2,630 decisions on imposition of an obligation to leave the country were issued**. According to a year-on-year comparison, there was a marked increase by 2,301 decisions (i.e. nearly by 700 %). This increase in numbers resulted particularly from the increase in the identified transit illegal migration.

DECISION ON ADMINISTRATIVE EXPULSION

Administrative expulsion is an administrative decision by which the stay of the foreign national in the country is terminated, the time limit for leaving the country is set and the period of time for which the foreign national cannot be permitted to enter the territories of the European Union Member States is defined. The period for which the foreign national cannot be permitted to enter the territories of the European Union Member States is set by the Police of the CR according to precise conditions defined by the law.

In 2015, a total of **3,009 foreign nationals who were issued with an enforceable decision on administrative expulsion** were registered, which represents an increase by 860 persons (i.e. +40 %) in comparison with the previous year. Same as in 2014, the largest group of foreign nationals who were issued with an enforceable decision on administrative expulsion consisted of the citizens of Ukraine (1,243 persons; i.e. 41.3 %). After a large gap, they were followed by the citizens of Syria (237 persons, i.e. 7.9 %), Vietnam (135 persons, i.e. 4.5 %), Kuwait (115 persons, i.e. 3.8 %) and the Russian Federation (114 persons, i.e. 3.8 %). In total, these TOP 5 citizenships accounted for approximately 60 % of the total number of persons for whom an enforceable decision on administrative expulsion was issued in 2015.

In 2015, **3,063 enforceable decisions on administrative expulsion** were registered (multiple decisions can be issued to a single person over the given period of time).

Same as last year, **breach of the residence conditions** was the main reason for issuing decisions on administrative expulsions in 2015 (2,961 cases, i.e. 70.9 % of the

⁴⁰ Directive No. 2008/115/EC of the European Parliament and of the Council of 16 December on common standards and procedures in Member States for returning irregularly staying third-country nationals

total number of reasons) and there was a year-on-year increase by 45.4 %. After a large gap, this was followed by violations of the Employment Act (684 reasons, i.e. 16.4 %), where an increase by 76.7 % occurred in comparison with the year 2014. This was followed by a failure to comply with a decision on administrative expulsion (227 reasons, i.e. 5.4 %) and reasons related to an illegal crossing of the state border (115 reasons, i.e. 2.8 %).

9.2 EXECUTION OF A DECISION ON RETURN

VOLUNTARY RETURNS

At the national level, voluntary returns are currently governed by the Act on the Residence of Foreign Nationals in the Territory of the Czech Republic where Sections 123a et seq. provide for the possibility of a foreign national (a third-country national) to apply for a voluntary return. Voluntary repatriation is also governed by the Asylum Act; pursuant to its Section 54a, the Ministry of the Interior may bear the costs associated with a voluntary return, if it is in the public interest.

As concerns voluntary returns, the International Organisation for Migration (IOM) and the Refugee Facilities Administration of the Ministry of the Interior (SUZ) implement their separate **programmes of assisted voluntary returns**. In its programme implemented from the finances of the MoI of the CR (the state budget), the IOM focuses particularly on those foreign nationals to whom a decision on administrative expulsion was issued. Under its programme, SUZ provides assistance with voluntary departure for the country of origin for failed applicants for international protection.

Besides the possibility to use one of the working programmes of assisted voluntary returns, former applicants for international protection or foreign nationals on whom administrative expulsion was imposed can leave the country spontaneously at their own expense. In this category, only those cases are statistically monitored, which concern foreign nationals who asked the Police of the Czech Republic for help with obtaining a permit to transit across the territories of other Schengen states – particularly Poland – as part of their return.

During the year 2015, there were a total of **377 voluntary returns** of third-country nationals who had to leave the territory of the Czech Republic. In this category of foreign nationals, a total of 147 assisted voluntary returns of foreign nationals on whom administrative or judicial expulsion was imposed were carried out (with the assistance

of DAPS or the IOM); a total of 110 assisted voluntary returns of persons who applied for international protection in the past were carried out (with the assistance of SUZ or possibly under cooperation between SUZ and the IOM). 120 foreign nationals who had the obligation to leave the territory of the Czech Republic applied for assistance with their spontaneous departure. Among these returnees, the largest groups were the citizens of Ukraine (153), Kosovo (73), Vietnam (24) and Iraq (23).

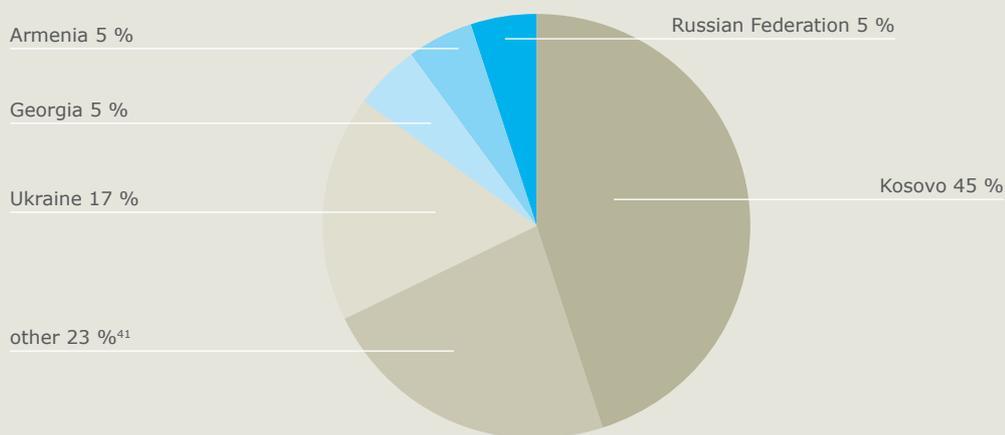
a) Voluntary returns of applicants (after withdrawal of application)/failed applicants for international protection, which were carried out by the Refugee Facilities Administration of the MoI of the CR

The time limit (after final termination of proceedings on international protection or after withdrawal of an application for international protection), within which it is possible to apply for repatriation – a voluntary, dignified and safe return to the country of origin or a third country, paid from the state budget, is precisely defined in the provision of 54a of Act No. 325/1999 Coll., the Asylum Act. However, the claim to a voluntary return does not arise automatically. Each application is examined individually. The Refugee Facilities Administration of the Ministry of the Interior bears the costs of repatriation, taking into account whether the foreign national meets the conditions defined in Section 54a of the aforementioned Act, taking into account the opinion of the Department for Asylum and Migration Policy, the applicant's financial standing, the degree of cooperation provided by the foreign national, and also takes into account the medical and mental condition, family and social situation and other factors regarding the implementation of the return.

When carrying out a voluntary return, SUZ provides applicants with a free air ticket or another type of ticket to the destination country, direct assistance with the departure, consultancy and, if it is not possible to ensure transportation of the client to the destination chosen by the client, a financial contribution for transport to the requested destination can be paid to the client. The Refugee Facilities Administration of the Ministry of the Interior can also provide other necessary assistance, which will result in a successful return of the foreign national.

If necessary, SUZ cooperates with the IOM when carrying out repatriations. For the sake of the protection of the personal data of applicants for international protection, SUZ does not come into direct contact with the foreign authorities of the country of origin.

In 2015, SUZ processed a total of **126 applications** for voluntary return, of which **110 returns** (61 men, 26 women and 23 children) were **carried out** and clients returned to their requested destination countries.

Chart 7: Repatriations carried out in 2015 by country of return (TOP 5)

Source: SUZ

b) Voluntary returns of third-country nationals to whom a decision on return was issued, carried out by the International Organisation for Migration

In the area of voluntary returns, the Ministry of the Interior has had a long-term cooperation with the IOM, which ensures, under a contract, not only the actual implementation of a voluntary return but also all the related consultancy and assistance, which is necessary for successful implementation of a return. The services provided by the IOM include providing the foreign nationals held in facilities for detention of foreign nationals with information on voluntary returns and, more importantly, providing foreign nationals who are under the obligation to leave the territory of the Czech Republic and who have not been detained with consultancy regarding returns. In connection with consultancy regarding returns, the foreign nationals concerned are also provided with assistance in communication with the embassies of their countries of origin, most often in connection with obtaining a substitute travel document. If necessary, the foreign nationals who are being returned are also provided with transit and post-arrival assistance.

The IOM carried out voluntary returns of 146 foreign nationals in cooperation with the Directorate of the Alien Police Service. In addition to this, one person was returned as part of a joint project organised by Austria. Thus, a total of 147 persons were returned.⁴²

⁴¹ Cuba, Lebanon (4 % each), Serbia, Vietnam (3 % each), Azerbaijan, Mongolia (2 % each), Afghanistan, BiH, China, Haiti, India, Iraq, Tunisia, Turkey (1 % each)

⁴² Source: DAPS

FORCED RETURNS

Based on a final and enforceable **decision on administrative expulsion**, there were **172 foreign nationals expelled** in 2015, which represents a slight decrease (by 3 persons) in comparison with the same period of the previous year. The largest group in which administrative expulsion was executed consisted of the citizens of **Ukraine** (34 persons) who accounted for 20 % of the total number of foreign nationals who were administratively expelled. The statistics of executed administrative expulsions were also dominated by the citizens of **Iraq** (24 persons), **Vietnam** (22 persons) and **Mongolia** (10 persons).

One of the tools for effective implementation of a forced return of a person to their country of origin is a transfer under a readmission agreement. The Czech Republic is engaged in negotiating bilateral readmission agreements and also participates in the work of the European Commission in the negotiations of EU readmission agreements with selected third countries.

As regards **bilateral readmission agreements**, the Czech Republic was a party to such agreements with the following 15 states as of 31 December 2015: Germany, Poland, Austria, Slovakia, Slovenia, Hungary, Bulgaria, Romania, Croatia, Moldova, Vietnam, Canada, Armenia, Switzerland and Kosovo. During the year 2015, no new readmission agreement was concluded. As of the end of 2015, readmission agreements between the Czech Republic and Mongolia, Uzbekistan and Kazakhstan were under negotiation.

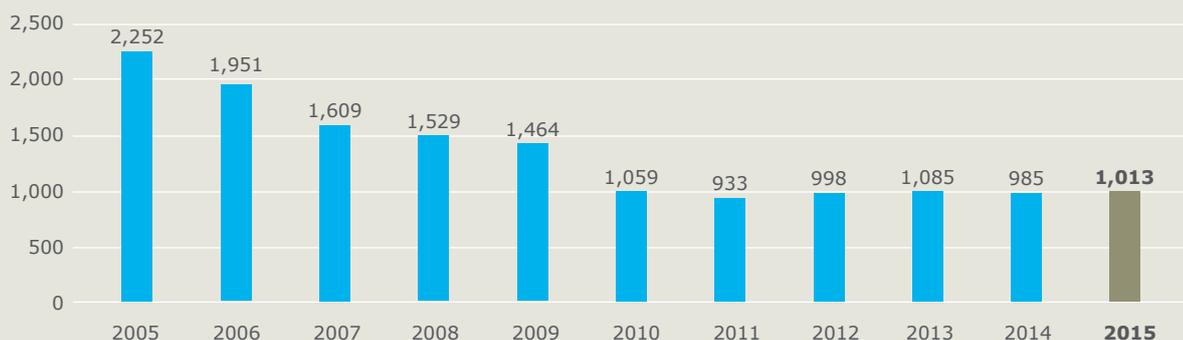
Besides bilateral readmission agreements, there are also **EU readmission agreements**. In 2015, the EU did not conclude any new readmission agreement. As of 31 December 2015, 17 EU readmission agreements were still in effect with the following states: the Russian Federation, Ukraine, Albania, Serbia, Montenegro, Former Yugoslav Republic of Macedonia, Bosnia and Herzegovina, Moldova, Sri Lanka, Hong Kong, Macao, Pakistan, Georgia, Armenia, Azerbaijan, Turkey and Cape Verde.

9.3 EXPULSION SENTENCE IMPOSED BY COURTS

If a foreign national fails to respect a decision on administrative expulsion, this action of the foreign national may be qualified as a crime of thwarting the execution of an official decision. However, in practice, this instrument is usually used only for the second or subsequent breach of/failure to comply with the imposed obligation.

A sentence of expulsion from the territory of the Czech Republic⁴³ is imposed by courts on those perpetrators who are not citizens of the Czech Republic as a separate sentence or alongside another sentence pursuant to Act No. 40/2009 Coll., the Criminal Code, as amended, if the security of people or property or another public interest requires so. An expulsion sentence can be imposed as a separate sentence, if imposition of another sentence is not necessary due to the nature and gravity of the perpetrated crime and the person and circumstances of the perpetrator. A court can impose an expulsion sentence for one through ten years or for an indefinite period of time.

Chart 8: The number of persons who were sentenced to expulsion in the period of 2005–2015



Source: The Ministry of Justice

In 2015, there was a total of **1,013 persons on whom courts imposed expulsion sentences in criminal proceedings**, which was a situation similar to that in the previous year (+28 persons, i.e. +2.8 %). This category was dominated by 4 citizenships, specifically by the citizens of **Ukraine** (177 persons, i.e. 17.5 %), **Slovakia** (169 persons, i.e. 16.7 %), **Romania** (120 persons, i.e. 11.8 %) and **Vietnam** (117 persons, i.e. 11.5 %). These four citizenships accounted for approximately 60 % of the total number of persons on whom expulsion sentences were imposed.

During the reference period, **judicial expulsion was executed for 255 foreign nationals**, which represents a slight decrease by 7.6 % in comparison with the previous year. With respect to citizenships of these persons, they were once again mainly citizens of **Slovakia** (73 persons, i.e. 28.6 %), **Vietnam** (55 persons, i.e. 21.6 %) and **Ukraine** (45 persons, i.e. 17.6 %).

⁴³ Information on the sentence of expulsion is stated in the material as information supplementary to the information on the foreign nationals expelled under an administrative decision.

ANNEXES

Annex 1: Methodology and Definitions

This report was prepared mainly using the source materials of institutions engaged in asylum, migration and integration. This agenda is particularly within the terms of reference of the Ministry of the Interior. Furthermore, source materials from following entities were used in preparation of the report: the Directorate of the Alien Police Service, the Police Presidium, the Ministry of Education, Youth and Sports, the Ministry of Foreign Affairs, the Ministry of Finance, the Ministry of Justice, the Refugee Facilities Administration, the Unit for Combating Organised Crime, and the Facilities for Children of Foreign Nationals. Most of these institutions were contacted by the National Contact Point of the EMN in the Czech Republic, which is a part of the Department for Asylum and Migration Policy of the Ministry of the Interior, or directly by this Department. The source materials of these institutions represent most of the content of this report. Information in the public domain represents other source.

Statistical data were taken particularly from the information systems of the Police of the Czech Republic and the Department for Asylum and Migration Policy of the MoI.

To a large degree, information and data from the working version of the Report on the Situation in Migration and the Integration of Foreign Nationals in the Territory of the Czech Republic in 2015⁴⁵ and from the reports and studies of the European Migration Network in the areas concerned were used. Particularly the national contribution (Technical Part 1) to the synthesis EMN Annual Policy Report for the year 2015, which the Czech National Contact Point of the EMN prepared in early 2016, was used.

For the purposes of this report, the analysis of press articles concerned with asylum and migration in 2015 and the relevant information published on the websites of NGOs was also used.

The terminology was used in accordance with the national practice and legislation. Definitions of terms contained in the third edition of the EMN Asylum and Migration Glossary were also used.

⁴⁵ This report is prepared by the Ministry of the Interior on an annual basis.

Annex 2: List of sources and Literature

SOURCES

Ministry of the Interior
Ministry of Labour and Social Affairs
Ministry of Education, Youth and Sports
Ministry of Foreign Affairs
Ministry of Finance
Ministry of Justice
Directorate of Alien Police Service
Police Presidium
Refugee Facilities Administration
Unit for Combating Organised Crime
International Organisation for Migration
Facilities for Children of Foreign Nationals

LITERATURE

The MoI of the CR, the working version of the Report on Situation in Migration and the Integration of Foreign Nationals in the Territory of the Czech Republic in 2015
EMN, 2015 EMN Annual Policy Report, Annex 1, national contribution from the Czech EMN Contact Point
EMN, Specification of Requirements for the 2015 EMN Annual Policy Report
EMN, Asylum and Migration Glossary, 3rd edition

LEGISLATION

Act No. 326/1999 Coll., on the Residence of Foreign Nationals in the Territory of the Czech Republic and on amendments to other Acts, as amended
Act No. 216/2002 Coll., on the Protection of the State Borders of the Czech Republic and on amendments to other Acts (the State Border Protection Act), as amended
Act No. 325/1999 Coll., on Asylum, as amended
Act No. 221/2003 Coll., on the Temporary Protection of Foreign Nationals, as amended
Act No. 435/2004 Coll., on Employment, as amended
Act No. 186/2013 Coll., on Citizenship of the Czech Republic and on amendments to other Acts
Act No. 40/2009 Coll., the Criminal Code
Directive 2008/115/EC of the European Parliament and of the Council on common standards and procedures in Member States for returning irregularly staying third-country nationals

Directive 2013/33/EU of the European Parliament and of the Council of 26 June 2013 laying down standards for reception of applicants for international protection (the Reception Directive)

Directive 2013/32/EU of the European Parliament and of the Council on common procedures for granting and withdrawing international protection (the Procedure Directive)

Directive 2014/36/EU of the European Parliament and of the Council of 26 February 2014 on the conditions of entry and stay of third-country nationals for the purpose of employment as seasonal workers

Directive 2014/66/EU of the European Parliament and of the Council of 15 May 2014 on the conditions of entry and residence of third-country nationals in the framework of an intra-corporate transfer

Council Regulation (EC) No. 604/2013 (Dublin III Regulation)

Government Resolution No. 621 of 29 July 2015 on the Migration Policy Strategy of the Czech Republic and on Migration Communication Strategy of the Czech Republic

Government Resolution No. 26 of 18 January 2016 on the Updated Policy for the Integration of Foreign Nationals – In Mutual Respect and on Procedure for Implementing the Updated Policy for the Integration of Foreign Nationals in 2016

Government Resolution No. 99 of 9 February 2011 on the Updated Policy for the Integration of Foreign Nationals in the Territory of the Czech Republic and on Proposal of Further Course of Action in 2011

Government Resolution No. 45 of 19 January 2015 on Continuation of the Programme of Humanitarian Evacuations of Inhabitants with Health Issues (MEDEVAC) for the Year 2015

INTERNET SOURCES

www.mvcr.cz

www.suz.cz

www.mzv.cz

www.mpsv.cz

www.emncz.eu

www.psp.cz

www.migraceonline.cz

www.vitejtevcr.cz

www.lastrada.cz

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Table 2: TOP 10 citizenships of foreign nationals with residence permits in the CR by residence category (as of 31 December 2015)

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Table 6: The number of persons prosecuted (investigated) for and convicted of human trafficking in the period of 2012–2015

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Table 8: Facilitation of illegal stay or a crossing of border – comparison between the years 2014 and 2015

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Chart 3: TOP 10 citizenships of applicants for international protection in 2015

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Chart 5: History of Dublin Cases in the period from May 2004 to December 2015

Chart 6: Transfers carried out from and to the territory of the Czech Republic in the period 2004–2015

Chart 7: Repatriations carried out in 2015 by country of return

Chart 8: The number of persons who were sentenced to expulsion in the period of 2005–2015

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