



MINISTRY OF THE INTERIOR  
OF THE CZECH REPUBLIC



National Contact Point of the Czech Republic to the European Migration Network

# EMN Annual Policy Report 2011

## Czech Republic

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## **LIST OF ABBREVIATIONS**

API	Advance Passenger Information Data
APT	Additional Professional Training
AVR	Assisted Voluntary Return
BPT	Basic Professional Training
CIS	Information System on Foreigners
CR	Czech Republic
CZK	Czech Crown (koruna)
C VIS	Central Visa Information System
ČSSD	Czech Social Democratic Party
DAMP	Department of Asylum and Migration Policy
DAPS	Directorate of Alien Police Service
EC	European Commission
EC	European Communities
EEA	European Economic Area
E-GATE	Automated e-passport inspection at the border
EMN	European Migration Network
EU	European Union
FRAN	Frontex Risk Analysis Network
FRONTEX	European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the EU
GDISC	General Directors' Immigration Services Conference
ICMPD	International Centre for Migration Policy Development
ICONET	Information and Co-ordination Network for Member States' Migration Management Services
iFADO	False and Authentic Documents Online
ILO	Immigration Liaison Officer
IOM	International Organization for Migration
IS	Information System
KSČM	Communist Party of Bohemia and Moravia
MEDEVAC	Medical Evacuation

MoFA	Ministry of Foreign Affairs of the Czech Republic
MoI	Ministry of the Interior of the Czech Republic
MoLSA	Ministry of Labour and Social Affairs of the Czech Republic
MS	Member State
NCP	National Contact Point
NGO	Non-governmental organization
ODS	Civic Democratic Party
RABIT	Rapid Border Intervention Team
SIS	Schengen Information System
THB	Trafficking in human beings
TOP 09	TOP 09 (party)
UAM	Unaccompanied minors
UNHCR	United Nations High Commissioner for Refugees
USA	United States of America
VIS	Visa Information System
VV	Public Affairs (party)

## **Executive Summary**

The *Annual Policy Report 2011 for the Czech Republic* provides an overview of the most significant changes and developments in the area of migration, asylum and integration during the year 2011. Its structure is set by the *Specifications for the EMN Annual Policy Report 2011* (MIGRAPOL EMN Doc 246).

### **LEGAL IMMIGRATION AND INTEGRATION**

In 2011 the economic downturn continued to affect the labour migration to the Czech Republic. With respect to the situation on the Czech labour market, measures limiting the economic immigration, which were introduced in 2009, remained valid (quotas on visa applications are being implemented with regard to 5 main source countries of the economic immigration - Vietnam, Moldova, Mongolia, Uzbekistan, Ukraine).

In January 2011 the Czech Government approved (by the resolution No. 48/2011) the New System of Economic Immigration. It presents a list of conditions governing the economic migration of third country nationals (conditions associated with the performance of economic activities in the territory of the CR - labour migration as well as the entry and stay for the purpose of business activities). It is closely related to the issues of irregular migration. This document forms a part of the draft new legislation governing the entry of foreign nationals into and the stay of foreign nationals in the territory of the CR.

Concerning the Green Card project no changes were made to the conditions of the project in 2011.

As regards integration there have been a number of intergration projects and activities implemented (for example social-cultural courses or language courses) during the year 2011. At the end of June 2011, the Ministry of the Interior launched a new version of its website's section for foreigners in Czech at [www.imigracniportal.cz](http://www.imigracniportal.cz). The website gives a useful advice on practical issues related to living in the Czech Republic.

### **ILLEGAL IMMIGRATION AND RETURN**

The Czech Republic has noted some changes in its migration situation in recent years – the increase of economic orientated migration followed by economic crisis and higher level of misuse of legal migrations channels. With the significant number of economic migrants

coming to the Czech Republic in last years the need for effective state-managed migration has increased.

As regards the prevention of irregular migration, an Integrated Border Management Model is a very important tool. It consists of 4 tiers (activities in third countries, international cooperation with regard to border protection, measures which are performed at the external borders of the Czech Republic and activities realized inside the territory focused on irregular migration and cross-border crime).

The Czech Republic cooperates with other Member States in the area of the expulsion of irregularly staying persons particularly with regard to implementation of Agreements on Readmission. In addition, the Czech Republic takes part in joint return operations

The possibility of “stepping out of an irregular status” is provided to the foreign nationals staying in the territory of the CR on an irregular basis particularly by the programme of assisted voluntary returns (AVR), which allows irregular third country nationals as well as former asylum seekers to receive assistance related to the return to countries of origin.

Concerning the regularization, the NGOs have repeatedly proposed using regularisation as a possible tool for reducing irregular migration. However, the long-term stance of the Ministry of the Interior of the CR on the possibility of implementing regularisation measures has remained unchanged. Despite this, both the current legislation and the future legislation provide for individual regularisation.

The new National Strategy to fight against trafficking in human beings as regards the years 2012 – 2015 was drafted in 2011. During this year, 3 third country nationals received a permanent residence permit as victims of human trafficking.

## **BORDER CONTROL**

As regards the biometric visas, at the moment they are being issued at Czech embassies in Morocco, Tunisia, Egypt and Algeria. In Libya biometric visas will be issued as soon as a visa section re-opens.

In the field of border control, several projects (e.g. automated border control system „Easy GO“ (eGate)) were launched at airports in 2011.

In 2011 the Czech Republic took part in joint operational activities of FRONTEX at the air borders as well as the land borders and also participated in common operations of other Member States.

## **ASYLUM**

In 2011, 756 persons applied for international protection in the Czech Republic. During this year the Ministry of the Interior granted status of international protection (asylum status or subsidiary protection) in 383 cases.

The Czech Republic has nominated 6 persons to the Asylum Intervention Pool (established within the European Asylum Support Office), whose aim is to gather experts that can be deployed to a state under particular pressure in case of an urgent need.

In mid 2011, the Czech Republic offered Malta to relocate refugees in need of medical treatment through the Czech Programme of Medical Assistance MEDEVAC. However, so far no response has been received from Maltese authorities.

Furthermore, during the year 2011 the Czech Republic resettled 23 recognized refugees.

## **UNACCOMPANIED MINORS**

As regards unaccompanied minors, there hasn't been any significant policy development during the year 2011 due to the steadily decreasing number of this category of asylum seekers. At the time of processing of this report the number of UAM under the procedure of international protection was 8, however there are great doubts about their real age. Due to the possibility of UAM to receive humanitarian permanent residence, the Czech Republic doesn't have experience with assisted returns of minors.

## **GLOBAL APPROACH TO MIGRATION**

The Czech Republic along with other EU Member States concluded Mobility Partnership with Armenia. Besides that, the cooperation on (circular) labour migration has been developed with Georgia in terms of EC Targeted Initiative on Support of Reintegration of Georgian Returnees led by the Czech Republic and the Implementation of the Radmission Agreement, which has been implemented as a flagship initiative under the EU-Georgia Mobility Partnership.

Enhanced cooperation with EU neighbouring states on East and South-East with regard to all migration relevant issues, particularly fight against irregular migration, return and readmission, promotion of legal migration, integration and migration and development, was actively promoted by the Czech Republic as one of the leading states of the Prague Process.

Second ministerial conference of the Process took place in Poznan in November 2011, where an Action Plan implementing the Prague Joint Declaration was endorsed. The Action Plan defines 22 specific actions to be implemented between the years 2012 to 2016. With regard to deterring and/or preventing illegal immigration, a pilot project will be launched in 2012.

### **LEGISLATIVE, POLITICAL AND INSTITUTIONAL DEVELOPMENTS**

During the year 2011 the most debates were aimed at the amendment of the Act on the Residence of Foreigners, which was prepared by the Ministry of Interior. This amendment passed through the legislative process in December 2010 and it came into force on 1st January 2011. The amendment brings a change in the authority responsible for the decision on granting a long-term visa and long-term/temporary residence. Since 1st January 2011 the Ministry of the Interior is newly responsible for this agenda. It took over this competence from the Alien Police Service. There were also other changes implemented with regard to the law amendment, e.g. some changes in requirements for visa and residence permit applications.

An amendment of the Act on the Residence of Foreigners also implemented the “Blue Card Directive” (2009/50/EC), the “Return Directive” (2008/115/EC), the “Sanction Directive” (2009/52/EC), the “Corrigendum to Directive” (2004/38/EC), the “Visa Code” (Regulation 810/2009) and the “Biometrics Regulation” (Regulation (EC) No 380/2008). This amendment passed through the legislative process in December 2010. It came into force on 1st January 2011, with some parts – such as the introduction of biometrics – coming into force in May 2011.

# **1 INTRODUCTION: PURPOSE AND METHODOLOGY FOLLOWED**

## ***1.1 Methodology***

This report was drafted on the basis of information provided by experts working in the field of migration, asylum and integration. As in the Czech Republic this agenda falls under the responsibility of the Ministry of the Interior, these experts were mainly various ministerial officials mainly from different units and departments of the Ministry of the Interior, other relevant ministries and their organizations, as well as the Police of the Czech Republic. Most of these institutions were contacted through the National Network of the EMN. Inputs of these institutions constitute the majority of information provided in this report, whereas other source used by authors was a publicly accessible legislation, such as Alien Act and relevant Government Resolutions.

The analysis of press articles made by the Ministry of the Interior during 2011 and of relevant information and statements of major NGOs active in this field published on their websites was also used, specifically concerning the public and political debates. The website of the Multicultural Centre in Prague at <http://www.migraceonline.cz> was particularly useful in providing this kind of information.

## ***1.2 Terms and definitions***

Statistics provided in the report are mainly based on national definitions. EU harmonised statistics were not available in time of production of the report. Nevertheless harmonised statistics will be available through Eurostat database - Cronos.

## 2 GENERAL STRUCTURE OF THE POLITICAL AND LEGAL SYSTEM IN THE CZECH REPUBLIC

### 2.1 *General structure of the political system and institutional context*

The Czech Republic is divided into 14 regions (the capital city of Prague is one of them), which are governed by their administration. The basic territorial units are municipalities and corporate towns. Each municipality is administrated by a mayor. The head of corporate towns is a lord mayor. Regions are administrated by a governor (hejtman), while in the capital city of Prague this position is reserved for Lord Mayor.

The **Ministry of the Interior** (MoI) is the main body responsible for immigration and asylum related issues in the Czech Republic, both at legislative and strategic levels, and partially also at the level of implementation. The **Department of Asylum and Migration Policy** (DAMP) carries out these tasks within the Ministry of the Interior. Finally, the **Refugee Facilities Administration**, which operates the reception, asylum and integration centers, is an agency of the MoI.

**Directorate of Alien Police Service** and **alien police departments of the regional police directorates** (both units of the Police of the Czech Republic under the MoI) play important role in implementation of the Czech migration policy. They perform mainly the tasks related to the protection of borders, detection of irregular migration, application of repressive measures against foreign nationals staying in the territory of the CR in violation of Act No. 326/1999 Coll.<sup>1</sup> and detection of crimes perpetrated in connection with crossing of state borders and with cross-border criminal activities.

The **Ministry of Foreign Affairs** (MoFA) performs its state administration responsibilities related to the issuance of short-term visas through its diplomatic missions and consular posts. The consular posts decide on short-term visa applications. In case of long-stay visas or residence permits, the applications are submitted at the consular posts, but decisions are made by the DAMP.

Together with the MoI the **Ministry of Labour and Social Affairs** (MoLSA) is in charge of the migration policy of the Czech Republic in the area of employment of foreign

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<sup>1</sup> Act No. 326/1999 Coll. on the Residence of Foreign Nationals in the Territory of the Czech Republic and on changes to some Acts, as amended.

nationals. MoLSA deals in this area mainly with the access of the individual categories of foreign nationals to the labour market and their integration to it. It is also responsible for methodological supervision and control of the individual branches of the Labour Office of the Czech Republic.

The following governmental departments and institutions have partial competences in the field of asylum and migration policy:

- Ministry of Industry and Trade,
- Ministry of Justice,
- Ministry of Finance,
- Ministry of Health,
- Ministry of Education, Youth and Sports,
- Ministry of Culture,
- Ministry for Regional Development,
- Customs Service.

## **2.2 General structure of the legal system**

The Czech legal system is a system of civic law. It belongs among continental legal systems, more specifically to the Germanic legal system, based on the common history. The hierarchy of legal order is:

- Constitution and constitutional law (including the Charter of Fundamental Rights and Freedoms);
- international treaties ratified by the Parliament;
- laws adopted by the Parliament;
- derived legislation (adopted by the Government and ministries);
- legislative acts of self-regulated entities (territorial, as well as professional).

Because the Czech Republic is an EU Member State, the *acquis communautaire* and its legislative sources are also part of the Czech legal order.

The following are the most important legal provisions related to international migration and asylum:

- **Act on the Residence of Foreigners** (also referred to as the “Alien Act”)<sup>2</sup> lays down i.a. rules concerning the entry and stay of foreign nationals (including EU citizens and their family members) in the Czech Republic including travel documents of aliens, administrative expulsion, detention and administrative offences of aliens and powers of the competent authorities.
- **Act on Asylum** (hereinafter referred to as “the Asylum Act”)<sup>3</sup> covers international protection in the form of asylum and subsidiary protection and their proceedings.
- **Act on the Temporary Protection of Aliens**<sup>4</sup> stipulates conditions of entry and stay of aliens for the purpose of temporary protection and its proceedings.
- **Act on the Police of the Czech Republic**<sup>5</sup> defines the organization of the Police, its competences, procedures etc. In relation to international migration, it covers mainly identification, detention and expulsion issues and other procedures concerning aliens.
- **Act on the Protection of State Borders**<sup>6</sup> governs the protection of state borders from illegal crossings and ensures the fulfilment of obligations resulting from the Schengen *acquis*.
- **Labour Code**<sup>7</sup> and **Act on Employment**<sup>8</sup> constitute a general framework for the employment of foreign nationals.
- **Act on Acquisition and Relinquishment of the Citizenship of the Czech Republic**.<sup>9</sup>

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<sup>2</sup> Act on the Residence of Aliens in the Territory of the Czech Republic (Act No. 326/1999, Coll.)

<sup>3</sup> Act on Asylum (Act No. 325/1999, Coll.)

<sup>4</sup> Act on Temporary Protection of Aliens (Act No. 221/2003, Coll.)

<sup>5</sup> Act on the Police of the Czech Republic (Act No. 273/2008, Coll.)

<sup>6</sup> Act on the Protection of State Borders (Act No. 216/2002, Coll.)

<sup>7</sup> Labour Code (Act No. 262/2006, Coll.)

<sup>8</sup> Act on Employment (Act No. 435/2004, Coll.)

<sup>9</sup> Act on the Acquisition and Relinquishment of the Citizenship of the Czech Republic (Act No. 40/1993, Coll.) In case of former citizens of Czechoslovakia, acquisition is governed by a special act - The Act on the Citizenship of Certain Former Citizens of Czechoslovakia (Act No. 193/1999, Coll.).

### **3 GENERAL DEVELOPMENTS RELEVANT TO ASYLUM AND MIGRATION**

#### ***3.1 General political developments***

The current government of Mr. Petr NEČAS was appointed on 13th July 2010 after the **national elections** were held in their due date on the weekend of 28 – 29 May 2010. Although the majority of votes (28 %) won the left-wing Czech Social Democratic Party (ČSSD), the Civic Democratic Party's Chairman Mr. Petr NEČAS successfully negotiated new ruling coalition of centre-right parties having majority in the Chamber of Deputies and became a new Prime minister. This coalition consists of representatives of Civic Democratic Party (ODS), TOP 09 and Public Affairs (VV). During the year 2011 several governmental crisis occurred due to the disagreements in the coalition or due to the repeated corruption affairs.

From the elections in 2010 the following parties have their representatives in the Chamber of Deputies: Civic Democratic Party (ODS), TOP 09, Public Affairs (VV), Czech Social Democratic Party (ČSSD) and Communist Party of Bohemia and Moravia (KSČM).

During the year 2011 only by-elections to the Senate in one election district were held.

As for the changes at the post of minister dealing with migration, asylum and integration issues, the former Minister of the Interior of current government Mr. Radek JOHN was replaced by Mr. Jan KUBICE in April 2011.

#### ***3.2 Main policy and/or legislative debates***

In general, during 2011, the policy and public debates, in particular, were mostly centred on the following topics: amendment of the Act on the Residence of Foreigners (see below for details); draft technical plan for new legislation governing foreign nationals' entry of to and stay in the territory of the CR, free movement of the citizens of the European Union and their family members and the protection of the state borders; New System of Economic Migration to the Czech Republic; National Schengen Plan 2011 (National Plan for Management of the Protection of the State Borders of the CR and the Correct Implementation

of the Schengen Acquis); amendment of the Act on Employment and ongoing debate from the previous year on labour migration and impact of the crisis.

### **3.2.1 Amendment to the Act on the Residence of Foreigners**

The Ministry of the Interior prepared **an amendment of the Act on the Residence of Foreigners**. This amendment passed through the legislative process in December 2010 and it came into force on 1st January 2011.

The media often informed about the following facets of the bill:

- **process of approval** – the Bill was returned by the Senate to the Chamber of Deputies with proposals to change the conditions governing the **extent of the medical insurance for foreign nationals** (the proposals were not approved). Medical insurance was one of the most discussed topics of the Parliamentary debates as regards this Bill.
- **reorganization of Alien Police Service** – the most often mentioned was suspension of Regional Alien Police Directorates in the connection of costs-saving measures of the new government and **transfer** of “civil agenda” from the Alien Police Service to the Ministry of Interior (**responsibility for issuing long-term residence permits and deciding on long-term visas**)
- **new obligation of personal attendance** of foreign nationals when applying for long-term residence and performing some other acts connected to the application for residence permit – the media stressed the complications it will cause to the foreign chief executive officers of big companies (the purpose of introducing this new measure by the Government was actually to combat exploitation of foreign workers through various intermediaries or fraudulent employment agencies)
- introduction of **EU Blue Card**
- introduction of **co-responsibility of employers for their foreign workers**
- **the conditions for running business by the foreign national were tightened** – this measure was aimed at combating the rising number of cases when foreign nationals formally set up a business after they lost the employment and needed to legalise their stay

Topics regarding the application of this Aliant Act were frequent subject of public and policy debates.

### **3.2.2 Labour Migration, Integration and Impact of the Crisis**

The debate, which started already in 2009 and brought greater attention of the Czech society to the topic of migration than in previous years, was centred around the **impact of the crisis** on the labour migrants. The role of state and its policy in this area was frequent topic of articles and various discussions also during the year 2011. Often the role of **intermediaries and employment agencies and the issue of their regulation** in connection with labour migration were mentioned, also **the position of migrants on the Czech labour market and their access to it** were repeatedly discussed. Besides a trend of **rising number of foreigners (especially women from Philippines) providing a variety of household services** was also commented on.

### **3.2.3 Other Debates**

Media attention was centred on several main topics during the year 2011. **High criminality of foreigners** which is usually connected with the addictive substances was one of them (particularly large number of detected marijuana cultivators and the onset of production and distribution of synthetic drugs).

Concerning Vietnamese community, media paid attention also to the **SAPA market** which is the centre of the Vietnamese community in the Czech Republic. Some sanitary inspections in this market were carried out during 2011 and the results were in several cases highly deficient.

Regarding visas and residence permits certain interest of media was drawn to the **problems of foreigners related to the extension of residence permits and visas for students.**

Considerable attention of Czech media was also devoted to the **situation in countries of North Africa in connection with the possible refugee flows from these countries to the member states of EU** and with the future of these foreigners. Discussions connected with this topic related to the European level especially with the possibility to re-introduce internal border checks.

Other debates which occurred in media during 2011 concerned among others the **exploitation of Romanian workers in forestry**, with the **perception of foreigners by the majority society** or with the **misuse of right of family reunification** (marriages of convenience and false declarations of parenthood).

As regards initiatives of the NGOs active in the field of migration and integration, the statements and criticism regarding the application of the **amendment of the Act on the Residence of Foreigners**, the **New System of Economic Migration to the Czech Republic** and the **draft of legal intention of the new Act on the Residence of Foreigners** were the most distinctive in the year 2011. Moreover several conferences concerning the topic of migration and integration like **Regularization of illegal migration** or **State policy and integration of migrants to the Czech society** were held.

### ***3.3 Broader developments in asylum and migration***

As described in greater detail above, the centre-right government of Mr. Petr NEČAS was appointed on 13th July 2010. The government proclaimed itself as the **government of budgetary responsibility and of fight against corruption**. Reform of public finances and mainly stopping the rise of public debt were set as top priorities. This led to the introduction of strict budgetary limits and a number of economic measures.

This policy had a significant impact to the area of migration and integration. The principal change was the **transformation of the Alien Police Service**. The transformation was originally planned to become effective from 2013, however, due to the limits of financial resources available to the department of the Ministry of the Interior, the former Minister Mr. Radek JOHN decided on implementing the transformation already from 2011.

### ***3.4 Institutional developments***

The **process of substantial organizational changes of the Alien Police Service (APS) continued also in the year 2011**. Due to the budgetary measures which were mentioned above, this process was accelerated by two years and, in accordance with the amendment to the Act on the Residence of Foreigners, started to be effective from 1st January

2011. The general aim was to shift certain administrative tasks to the Ministry of the Interior in order to separate administrative agenda from repressive activities.

After the **first stage** of the reform of the APS, which came into force on 1st January 2009 when the competence for issuing all permanent residence permits was shifted from the APS to the MoI, now the competence for **issuing the long-term residence permits and deciding on the long-term visas was also shifted**. In connection with this **second stage** of the reform, also the organizational structure of the APS was significantly transformed – previous 7 individual **regional directorates of the APS were closed down** and replaced by new departments with fewer policemen set up within the structure of 14 regional Directorates of the Police of the Czech Republic.

## 4 LEGAL IMMIGRATION AND INTEGRATION

### 4.1 *Economic migration*

#### 4.1.1 *Specific context*

In 2009, due to the economic crisis a temporary more restricted system for applications for long stay visas for the purpose of work and business was introduced at selected Czech consulates/embassies (Vietnam, Moldova, Mongolia, Uzbekistan, Ukraine).

In 2009, the Czech Republic launched a project of the so-called “**Green Cards**” in order to alleviate the administrative burden of employers of foreigners, as well as of foreigners who seek work and residence permits in the Czech Republic. This project aims to speed up the matching of the needs of employers and foreign workers. The project is open only to citizens of selected third countries (Australia, Montenegro, Croatia, Japan, Canada, Korea, New Zealand, Bosnia and Herzegovina, Macedonia, USA, Serbia and Ukraine).

The Green Card project allows third-country nationals to apply for 3 types of single (residence and work) permits in the Czech Republic. Each of the 3 types of Green Cards requires a different level of education and provides for different conditions of residence as to length of stay, renewal and family unification. While types B and C are more general, types A and A-Key Personnel are aimed at highly qualified workers. Requirements for vacancies listed under A and A-Key Personnel are stricter than for the remaining two types, indicating a greater required level of qualification. Also, the possibility of the holder to unify with his family in 6 months since the issuance of the card is much more favourable than with the other two types of green card.

#### 4.1.2 *Developments within the national perspective*

In 2011 the economic downturn continued to affect the labour migration to the Czech Republic. With respect to the situation on the Czech labour market, measures limiting the economic immigration, which were introduced in 2009, remained in force (quotas on visa applications are being implemented with regard to 5 main source countries of the economic immigration - Vietnam, Moldova, Mongolia, Uzbekistan, Ukraine).

In January 2011 the Czech Government approved the New System of Economic Immigration. It is a strategic policy document providing conditions for immigration of third

country nationals to the Czech Republic for the economic purposes (employment, self-employment, and business). The New System of Economic Migration aims at:

- setting up transparent (clear and predictable) conditions for economic immigration to the Czech Republic;
- strengthening responsibilities of various entities involved in migration process;
- ensuring a well functioning system of controls on migration;
- strengthening links between immigration and integration of foreigners.

As regards the Green Card project no changes were made to the conditions of the project during 2011.

### **Residence permits statistics<sup>10</sup>**

The number of foreign nationals (including EU nationals) residing in the Czech Republic dropped for the third consecutive year. As of 30th November 2011 there were 406 211 foreign nationals registered in the residence permit records of the IS CIS<sup>11</sup>. In comparison to the previous year, the number declined by 4.5 %.

EU nationals represented 37.3 % of the total population of foreign nationals in the country. Third-country nationals share on the total foreign national population was 62.7 %. Some 49 % of foreign nationals had the status of permanent residents and remaining 51 % were holders of long-term residence status.

### **Long-term visa statistics**

Total number of 10 462 long-term visas (type D) were granted during the year 2011. This is an annual decline by 9.4 %. More than half (57.1 %) of total number of long-term visas granted was for educational reasons. Little bit more than one quarter (27.6 %) was granted for the purpose of remunerated activities (employment, self-employment, business). Visas for family reasons were granted in 13.3 % cases.

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<sup>10</sup> Statistics are based on national definitions and are provisional. Final and official statistics based on the Regulation on migration statistics (862/2007) will be available at the Eurostat database Cronos.

<sup>11</sup> Information System on Foreigners.

## **Situation on the labour market**

At the end of the year, 217 862 foreign nationals were registered as legally working in the Czech Republic. There were 154 560 of EU/EEA/Switzerland nationals who have only information duty. The number of work permits issued to third country nationals was 36 640, of which 148 persons were Green Card holders. There were also 26 510 third country nationals who didn't need to be in possession of work permits and have only information duty (for example permanent residency holders).

According to the Eurostat, the average unemployment rate was 6.7 % in 2011.

### ***4.1.3 Developments from the EU perspective***

An amendment of the Act on the Residence of Foreigners transposes the “**Blue Card Directive**” (2009/50/EC), “**Return Directive**” (2008/115/EC), “**Sanction Directive**” (2009/52/EC) and the “**Corrigendum to Directive**” (2004/38/EC) into the Czech legislation and also adapts the “**Visa Code**” (Regulation 810/2009) and “**Biometrics Regulation**” (Regulation (EC) No 380/2008). This amendment passed through the legislative process in December 2010. It came into force on 1st January 2011, with some parts – such as the introduction of biometrics – coming into force in May 2011.

There were also other changes implemented with regard to the law amendment, e.g. private employment agencies are obliged to possess insurance against their bankruptcy, as well as against a bankruptcy of other legal entities/natural persons (so-called “users”) to which they temporarily assign their employees. In case of not meeting this obligation, sanctions could be imposed, such as a withdrawal of a permit to mediate employment. The insurance must guarantee payment of 3 average monthly wages to all temporarily assigned workers.

As of 2012 private employment agencies will be able to temporarily assign to other legal entities/natural persons only those third-country nationals who have a free access to the Czech labour market, not those who are required to have a work permit/green card/blue card. Direct employment contracts between third-country nationals and employers are preferred to a rent of a workforce.

## **4.2 Family reunification**

### **4.2.1 Specific context**

Third-country nationals coming for the purpose of family reunification are involved in the integration process as any other third-country nationals legally residing in the territory of the Czech Republic. Third-country nationals coming for the purpose of family reunification with a Czech or an EU citizen have a possibility to apply for a permanent residence permit after two years of their residence in the Czech Republic.

### **4.2.2 Developments within the national perspective**

There have been no significant developments.

Long-term visas granted for family reasons represented 13.3 % of all long-term visa granted during 2011. As far as residence permits are concerned, from the total of 6009 residence permits granted, 2 564 residence permits (42.7 %) represented those for family reasons.

### **4.2.3 Developments from the EU perspective**

There have been no significant developments.

## **4.3 Other legal migration**

### **4.3.1 Specific context**

### **4.3.2 Development within the national perspective**

As a large amendment of the immigration law was adopted at the break of 2010/2011 and the Ministry of the Interior took over remaining residence-related agendas from the Alien Police Service, the Ministry felt a need to take responsibility for an up-to-date and comprehensive immigration website. On 27th June 2011, the Ministry of the Interior launched a new version of its website's section for foreigners in Czech at [www.imigracniportal.cz](http://www.imigracniportal.cz). The site is also available in English at [www.immigrationportal.cz](http://www.immigrationportal.cz) and important information is also being updated in Russian (the same URL). A full Russian version is currently under construction. In addition to the comprehensive information on possibilities of legal migration, the site focuses on foreigners residing in the CR already. The website gives an advice on practical issues related to living in the CR; a list of approved applications from selected offices in the country is also published every week.

### ***4.3.3 Development from the EU perspective***

The Czech Republic has actively participated in sharing and exchange of information on migration with other Member States within the **European Migration Network (EMN)**, **EUROSTAT**, **Frontex Risk Analysis Network (FRAN)**, **General Directors' Immigration Services Conference (GDISC)** and the **International Centre for Migration Policy Development (ICMPD)**.

## ***4.4 Integration***

### ***4.4.1 Specific context***

In the Czech Republic, the policy of integration is embodied in the national **Strategy for the Integration of Immigrants**. The Ministry of the Interior plays the coordinating role in implementing the Strategy. Each year, the Report on Implementation of the Strategy for the current year and proposals for further steps in the subsequent year is submitted to the government. The four main integration priorities of the Czech Republic are: language proficiency, economical independence and orientation of the immigrants in the host society plus mutually beneficial and problem-free coexistence of the immigrants and local population.

As a coordinator The Ministry of the Interior organizes regular joint meetings and other bilateral meetings with representatives of other ministries involved in implementation of the Strategy for the Integration of Immigrants in order to respond adequately to integration issues. Moreover, the Ministry of the Interior organizes regular joint meetings and other bilateral meetings with representatives of Czech NGOs involved in implementing the Strategy for the Integration of Immigrants. The NGOs implement a number of integration projects. These projects are financed mainly from the state budget, European Social Fund and European Fund for the Integration of Third Country Nationals.

### ***4.4.2 Development within the national perspective***

In 2011 there was an up-date on the Strategy for the Integration of Immigrants; it highlights the connection between successful immigration and integration and opens a debate about obligatory orientation courses and transition from A1 to A2 language competency level with regard to conditions for the granting permanent residence permits.

A number of integration projects and activities have been implemented during the year 2011. Social-Cultural Orientation Courses on a voluntary basis have been provided

mainly by Regional Foreign Nationals Integration Support Centres. Development of special “Welcome Courses” is planned for the next year; in the near future the courses shall be made compulsory. Language courses have been provided primarily by Regional Foreign Nationals Integration Support Centres and NGOs – main target is to help immigrants to reach level A1 (compulsory for third-country nationals applying for a permanent residence permit). Special funds have been available for schools providing Czech language courses to their students, as well as to support of teachers working in multicultural classes. Access of immigrants to an employment and public and social services has been supported by NGOs` and Regional Foreign Nationals Integration Support Centres` assistance projects funded by European Social Fund and European Fund for Integration of Third-Country Nationals.

#### ***4.4.3 Development from the EU perspective***

The Czech Republic actively participated in the work of the National Contact Points on Integration. Czech delegations were also involved in the development of the European modules on Migrant Integration. Czech NGO and government representatives visited both sessions of the European Integration Forum.

The Research Institute for Labour and Social Affairs tackled the project which provides government bodies with a methodology for assessing the tools used to monitor the integration process through a system of quantitative indicators.

## ***4.5 Citizenship and naturalisation***

### ***4.5.1 Specific context***

#### ***4.5.2 Development within the national perspective***

A proposal of the Act on Citizenship of the Czech Republic was rejected by the government several times in the past. In 2010, the new government decided to re-schedule it to 2013. Hence a new legislation on acquisition and loss of Citizenship of the Czech Republic is being prepared. Since autumn 2010 the Ministry of the Interior of the CR started to prepare a draft technical plan for new legislation. The plan was commented on by other related ministerial sectors during the year 2011 and discussed by the Legislative Council of the Government at the turn of 2011/2012. It is planned that it will come into force on 1.1.2014.

## **Citizenship statistics<sup>12</sup>**

In 2011, nationality of the Czech Republic was granted to 1 414 foreign nationals (the figure does not include Slovak citizens). In comparison with the year 2010, this number constitutes a 49.3 % growth. Of these, Czech citizenship was granted to 88 persons who had previously been granted asylum in the Czech Republic.

During the year 2011, the Ministry of the Interior denied granting nationality of the Czech Republic in 343 cases, that is a drop by 179 cases.

Regarding our common history, Slovak citizens have a specific option when applying for Czech citizenship: they can acquire Czech citizenship either by being granted nationality or by declaring it. In 2011, 378 Slovak nationals acquired citizenship of the Czech Republic, which represents growth of 1 person as compared with previous year.

### ***4.5.3 Development from the EU perspective***

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<sup>12</sup> Statistics are based on national definitions and are provisional. Final and official statistics based on the Regulation on migration statistics (862/2007) will be available at the Eurostat database Cronos.

## 5 ILLEGAL IMMIGRATION AND RETURN

### 5.1 *Illegal immigration*

#### 5.1.1 *Specific context*

As far as the exchange of information is concerned, the **Analytical Centre for Border Protection and Migration** plays a very active role. The Analytical Centre is an interagency body, whose members are involved in various aspects of migration (Department for Asylum and Migration Policy of the Ministry of the Interior, Police, Ministry of Labour and Social Affairs, Ministry of Industry and Trade, Ministry of Foreign Affairs, Ministry of Transport, Ministry of Justice and intelligence services). Based on the discussions and cooperation of the members, potential migration risks can be identified and adequate responses proposed as well.

Furthermore, the **Risk Analysis Department** of the Directorate of Alien Police Service takes care of collecting, processing and analysing data relevant to irregular migration. Data referring to the whole territory of the Czech Republic are collected through information systems and processed on daily basis. In addition, regular reports and analyses are undertaken based on the information from the information systems, conferences with regions, data from other Member States (mainly neighbour countries), FRONTEX and/or open sources. The reports are published weekly, monthly, semi-annually, annually or on ad hoc basis. The documents are also provided to all relevant institutions, regional police directorates and various police departments.

As it comes to the prevention of irregular migration, an **Integrated Border Management Model** represents a very important tool. The model consists of 4 tiers. The first one is based on activities in third countries e.g. by deployment of liaison officers for migration and travel documents at embassies in countries of special risk. The officers interview applicants for visa/residence permit, detect forged documents and/or provide training to the personnel of the embassies. The second tier includes international cooperation (multilateral, bilateral and local) with regard to border protection. The third tier stands for measures which are performed at the external borders of the Czech Republic (air border). The fourth tier includes activities realized inside the territory focused on irregular migration and cross-border crime.

Referring to the **expulsion of irregularly staying persons**, the Czech Republic cooperates with other Member States especially with regard to implementation of Agreements

on Readmission. In addition, the Czech Republic takes part in joint return operations. Offers of the joint return operations, which are organized by other EU Member States, are regularly sent to the Directorate of Alien Police Service by Frontex.

### **5.1.2 Development within the national perspective**

As far as the information exchange is concerned, there was a special intranet site of the Risk Analysis Department launched in 2011. The site provides information on cases of irregular migration, use of false/falsified documents; it also provides statistics, analyses and information from abroad. In this respect, cooperation with other states is very important; it involves an exchange of statistics and operative information concerning the modus operandi and routes used by detected irregular migrants. FRONTEX information on irregular migration in Europe is also very useful.

With regard to regularization, the Czech Republic hasn't implemented any regularization projects in the past and does not envisage doing so in the near future. In spite of this fact a group of NGOs aims to draw an attention to the topic via a project called "Regularization as One of the Tools for the Fight against Irregular Migration". Within this project a conference on the topic of regularization took place in Prague in April 2011.

As regards training activities in 2011, the Directorate of Alien Police Service/Forgery Section delivered *Basic Awareness Training* focused on detection of forged documents. The training is aimed at consular personnel to be posted to embassies abroad. There are also trainings delivered to Immigration Liaison Officers (ILOs). Occasionally, trainings targeted on employees of the Customs Service and/or policemen not working within the Directorate of Alien Police Service are delivered.

With regard to the technical information about documents, the Ministry of Foreign Affairs is in possession of an off-line version of the National database of documents DATEX; the database is updated each month. DATEX information is shared among all embassies of the Czech Republic. In addition, a connection of the Ministry of Foreign Affairs and the embassies to iFADO (False and Authentic Documents Online) via Central Proxy Server has been negotiated. The Immigration Liaison Officers have access to the same set of information.

## Statistics of foreign nationals apprehended in the territory<sup>13</sup>

In 2011, total number of 3 085 foreign nationals were apprehended (found to be illegally present). This represents a 7.7 % growth in comparison with previous year.

### 5.1.3 Development from the EU perspective

The “Employer Sanctions Directive” 2009/52/EC was implemented into national legislation. New sanctions targeted on employers of illegally staying third-country nationals include:

- Exclusion from entitlement to public benefits, aids, subsidies, procurement procedures (for 3 years) and pay back of money received based on a procurement, which was granted in last 12 month before the imposition of a fine.

- A duty to pay to third-country nationals any outstanding remuneration as regards their work (at least the minimum wage corresponding to 3 month work) and any outstanding health insurance and social security insurance contributions including bank operation costs with regard to delivery of the remuneration to a country, to which the illegally employed third-country national has been returned.

- A contractor of which the employer is a direct subcontractor as well as a mediator of a contract may be liable to pay fines, outstanding remuneration and contributions in place of an employer that fails to pay them.

Moreover, a fine which may be imposed on legal entities and natural persons running business for employment of third-country nationals without a valid residence or work permit was increased from max. 5 000 000 CZK (approx. 200 000 €) to max. 10 000 000 CZK (approx. 400 000 €). A minimum fine of 250 000 CZK (approx. 10 000 €) was also established.

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<sup>13</sup> Statistics are based on national definitions and are provisional. Final and official statistics based on the Regulation on migration statistics (862/2007) will be available at the Eurostat database Cronos.

## 5.2 Return

### 5.2.1 Specific context

The Czech Republic funds a national program of **assisted voluntary returns** (AVR), which allows irregular third country nationals as well as former asylum seekers to receive assistance related to the return to countries of origin. Promotion of returns is also involved within the scope of the program. In addition, a return program of the Refugee Facilities Administration of the Ministry of the Interior is being implemented. This return program is aimed at former asylum seekers.

### 5.2.2 Developments within the national perspective

The sustainability of **voluntary returns** is considered as a highly important aspect of the whole return policy. To increase sustainability of voluntary returns several reintegration projects were implemented in the past. A project funded from the EU Return Fund and providing financial incentives for returnees was implemented. Furthermore, a project aimed at reintegration in the countries of origin was approved in 2011 and will be implemented as of 2012.

Establishment of a **national Return Centre** was prepared by the Ministry of the Interior. The Centre should start functioning until the end of June 2012. It will be responsible for the AVR agenda including the promotion activities.

Moreover, a cooperation of NGOs on return counselling and promotion activities was ensured via projects funded by the EU Return Fund.

Negotiations on and conclusion of **readmissions agreements** is a prerequisite in the successful fight against irregular migration and it is at the forefront of the interest of the Ministry of the Interior. See below the list of all bilateral and EU readmission agreements, which were either negotiated or achieved in 2011.

#### List of readmission agreements negotiated and achieved during 2011

Type of readmission agreement	Third countries involved	Status
(EU or bilateral)		
Bilateral	Switzerland	Entered into force in June 2011
Bilateral	Armenia	Entered into force in April 2011

Bilateral	Kosovo	Signed in June 2011
Bilateral	Kazakhstan	Negotiating
Bilateral	Russia – implementing protocol to the EU-Russia readmission agreement	Signed in December 2011
Bilateral	Montenegro – implementing protocol to the EU-Montenegro readmission agreement	Signed in April 2011, in December 2011 notification to COM
Bilateral	Ukradne – implementing protocol to the EU-Ukraine readmission agreement	Negotiations newly opened in November 2011 on request of Ukrainian side
Bilateral	Moldova – implementing protocol to the EU-Moldova readmission agreement	Signed in November 2011
Bilateral	Serbia – implementing protocol to the EU-Serbia readmission agreement	Negotiations closed in September 2011
Bilateral	Georgia – implementing protocol to the EU-Georgia readmission agreement	Draft Implementing protocol submitted in June 2011
Bilateral	Bosnia and Hercegovina – implementing protocol to the EU-BH readmission agreement	Counterproposal of Implementing protocol submitted in December 2011
Bilateral	Albania – implementing protocol to the EU-Serbia readmission agreement	Draft Implementing protocol submitted in April 2011
EU	Turkey	Negotiating
EU	Cape Verde	Negotiating
EU	Morocco	Negotiating
EU	Georgia	Entered into force in March 2011
EU	Pakistan	Entered into force in December 2010
EU	Belarus	New mandate from February 2011
EU	Armenia	New mandate negotiating
EU	Azerbaijan	New mandate negotiating

### Statistics of foreign nationals ordered to leave and returned

Total number of 2 153 foreign nationals were issued decision on administrative expulsion in 2011, which is a 14.1 % decline (-354 persons) in comparison with the previous

year (2 507 foreign nationals). Implementation of the Return Directive has had an impact on this number.

In 2011, a sentence of judicial expulsion was rendered to 933 persons, which represents a drop by 11.9 % in comparison with 2010.

### **Readmission procedure statistics**

The number of people handed over to neighbouring countries on the basis of readmission agreements was 85 during the year 2011. In comparison to the previous year, the number constitutes 21.3 % decline.

The Czech Republic accepted 402 persons, all of them from neighbouring countries. In comparison to 2010, the number constitutes 52.9 % growth. This significant increase is mainly due to the higher number of Serbian citizens who were returned from Germany.

#### **5.2.3 Development from the EU perspective**

The current legislation and activities in this field include corresponding provisions of *acquis communautaire*. Regarding the **Return Directive** (2008/115/EC), amendments of relevant national legislation were adopted in Amendment to the Act on Residence of Foreign Nationals.

Following the Return Directive a decision referred to as “the decision on the obligation to leave the territory” has been introduced into the legal system. It is a decision by which an obligation to leave the territory of the CR is imposed on a foreign national, and does not contain any “sanction” in the form of a ban on entry. The decision is issued in case that the foreign national has a permit for residence in some other member State.

The general concept of administrative expulsion has been preserved, i.e. except for the aforementioned cases, the Police resolve on the penalty for a foreign national for illegal stay and for other violations of the Act on the Residence of Foreign Nationals in the form of a decision on administrative expulsion, which newly applies to the entire territory of the EU and always contains a ban on entry.

The Czech Republic takes part in joint return operations. Offers to participate in joint return operations, which are organized by EU States, are regularly sent to the Directorate of Alien Police Service by Frontex. An annual plan of joint flights can be also found on ICONet Network. If there is an interest to participate in the joint flight, the Directorate of Alien Police Service contacts by way of electronic post Frontex and fills in necessary forms.

### **5.3 Actions against human trafficking**

#### **5.3.1 Specific context**

In 2011 new National Strategy to Combat Trafficking in Human Beings as regards the years 2012 – 2015 was drafted. In response to an identified need of an efficient cooperation with source countries – Measure III, enhanced cooperation at international level with emphasis on source countries was incorporated into the Strategy.

In 2011 the Ministry of Interior of the Czech Republic funded and organized two expert missions to the main source countries – Romania and Ukraine. The delegations consisted of experts on fight against trafficking in human beings from the Ministry of the Interior and specialized police officers. The aim of the missions was to strengthen cooperation with stakeholders in the source countries and exchange best practices.

Referring to Romania, cooperation in preventive measures was also agreed (namely with the National Agency against Trafficking in Persons of Romania). These activities aim to address rural communities of Romania, which are considered to be of high risk with reference to labour exploitation.

Moreover, in October 2011 the International Organization for Migration hosted a study visit of representatives from Belarus, Moldavia and Ukraine on THB. The Ministry of the Interior along with the Ministry of Labour and Social Affairs and the Police organized several thematic panels of the event. In addition, representatives of the above mentioned ministries participated in a conference referring to THB held in Chisinau, Moldova.

### ***5.3.2 Development within the national perspective***

During the year 2011, 3 third country nationals received a permanent residence permit as victims<sup>14</sup> of human trafficking.

### ***5.3.3 Development from the EU perspective***

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<sup>14</sup> It is necessary to state that it is difficult to distinguish between categories of witnesses – “persons trafficked” and “persons helped to illegally immigrate”. Distinction between these two categories depends on circumstances of individual case.

## 6 BORDER CONTROL

### 6.1 Control and surveillance at external borders

#### 6.1.1 Specific context

#### 6.1.2 Development within the national perspective

In 2011 a project of lifelong learning of policemen continued. Every policeman serving at an international airport is obliged to complete „Air Borders“ training (14 day course). There is also a course aimed at service performance in a specialized position of expert on travel documents. Also available is a cyclic course „Protection of Air Borders“ (1 week course) targeted on all policemen who pursue border checks. The experts on travel documents have to participate in an innovative course (1 week) as well.

Furthermore, methodological and instruction meetings are organized for policemen who serve at border crossing points.

In the last month of the year 2011 a pilot project of an automated border control system „Easy GO“ (eGate) was launched. The system is in use at the international airport Prague Ruzyně at the entry to the territory.<sup>15</sup>

Moreover, more effective use of camera systems profiling passengers is planned. In addition, an implementation of automated receiving and processing of information on passengers (API data) is being set up at the moment.

From 1st November 2011 the information system „ZC CIS“ is used at all airports where the Inspectorate of Alien Police is located. The system communicates with „C VIS“ information system, it is connected to the Interpol register and enables crosscheck the biometric information of travel passports as well.

All Inspectorates of the Alien Police Service at the international airports are equipped with handheld computers, that allow mobile screening.

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<sup>15</sup> As soon as an assessment of the pilot project of eGate is available, it is assumed the number of gates, which enable automated border checks, will be increased.

As far as finger print readers are concerned, besides the initial purpose of the readers to check short-term visa holders, the use of the readers is also assumed for control of residence permit holders and holders of biometric travel documents.

### ***6.1.3 Development from the EU perspective***

#### **Application of the Visa Code**

The Visa Code is in force and it is directly applicable.<sup>16</sup>

#### **Visa Information System (VIS)**

As far as biometric visas are concerned, the Czech Republic will follow the decisions (including the dates) concluded at the EU level in relation to the Visa Information System. At the moment biometric visas are being issued at Czech embassies in Morocco, Tunisia, Egypt and Algeria. In Libya biometric visas will be issued as soon as a visa section re-opens.

#### **Representation**

Regarding Schengen visas, since 4.12.2011 the Czech Republic has represented the Slovak Republic in the Philippines, Ghana, Mongolia, Pakistan and Algeria and has been represented by the Slovak Republic in Kenya.

## ***6.2 Cooperation with respect to border control***

### ***6.2.1 Specific context***

### ***6.2.2 Development within the national perspective***

In 2011 the Directorate of Alien Police Service (DAPS) participated in Frontex joint operational activities at the air borders as well as the land borders. During the year 2011 the DAPS didn't participate in deployment of RABIT team.

The Czech Republic took part in the following joint operations at the air borders: JO HUBBLE I, JO HUBBLE II, JO MIZAR, FOCAL POINT AIR, JO HAMMER 2011.

The Czech Republic took part in the following joint operations at the land borders: JO

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<sup>16</sup> The Act on the Residence of Foreign Nationals No. 326/1999 Coll. was amended in 2009 in order to carry out the necessary adaptations vis-a-vis the Visa Code and the amendment entered into force on 1st January 2010.

POSEIDON 2011, JO NEPTUNE 2011, JO JUPITER 2011.

***6.2.3 Development from the EU perspective***

The Czech Ministry of the Interior took part in one of ICMPD-led projects aimed at enhancing capacities of integrated border management in Eastern Partnership countries.

## **7 INTERNATIONAL PROTECTION INCLUDING ASYLUM**

### **7.1 Specific context**

Border guards receive Basic Professional Training (BPT, introductory course at the beginning of police service) in international protection issues and Additional Professional Training (APT, repeated courses during service). During the BPT, a 2-hour training provides general information on international protection. Within the APT, a 2-hour training aims at dealing with an application for international protection and additional 2 hours are devoted to the cooperation with the UNHCR. Nevertheless the Directorate of Alien Police Service didn't provide any specific training on rights and obligations pertaining to international protection. The procedure of the border control with regard to international protection is standardized by internal regulations.

The Czech Republic has nominated 6 persons to the Asylum Intervention Pool established within the European Asylum Support Office. The aim of the pool is to gather experts that can be deployed to a state under particular pressure in case of an urgent need. For the time being, the Czech Republic has been asked to provide one expert for Greek Action Plan; however, the activity has not been realized yet.

### **7.2 Development within the national perspective**

In mid 2011, the Czech Republic offered Malta to relocate refugees in need of medical treatment through the Czech Programme of Medical Assistance MEDEVAC. It was planned that after having received an adequate treatment, the refugees would stay in the Czech Republic. So far no response has been received from Maltese authorities.

During the year 2011 the Czech Republic resettled four UNHCR recognized refugees. In addition, more resettlements (19) were conducted as emergency cases within the framework of family reunion.

### **International protection statistics<sup>17</sup>**

In 2011, 756 persons applied for international protection in the Czech Republic. This

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<sup>17</sup> Statistics are based on national definitions and are provisional. Final and official statistics based on the Regulation on migration statistics (862/2007) will be available at the Eurostat database Cronos.

number constitutes 9.2 % decline compared to the previous year and fits the trend of declining number of asylum seekers in the Czech Republic.

The most numerous citizenships among seekers for international protection were Ukraine (152), Belarus (71), Russia (47), Vietnam (46) and Mongolia (41). In comparison with 2010, a significant growth was recorded for the nationals of Afghanistan (+271,4 %) and Uzbekistan (+100 %), who belong to TOP 10 applicant's nationalities. On the other hand, the number of asylum seekers from Mongolia (-57.3 %.), Myanmar (-45.2 %) and of the stateless persons (-46 %) fell down the most.

From the total number of registered applications for international protection 264 repeated applications constituted 34.9 %. It is a significant drop in comparison with the two previous years, in which the number of repeated applications was around 50 % of all applications. The number of foreigners, who applied for international protection for the first time, reached 492.

The Ministry of the Interior granted international protection to 383 persons in 2011. Asylum status was granted in 113 cases (9.6 % annual decline) and subsidiary protection in 270 cases (160 % annual increase). In addition, subsidiary protection was renewed in 184 cases.

### ***7.3 Development from the EU perspective***

## **8 UNACCOMPANIED MINORS (AND OTHER VULNERABLE GROUPS)**

### **8.1 Specific context**

The issues of unaccompanied minors have undergone significant changes in the Czech Republic over the last 10 years, especially due to the work of the Inter-agency Working Group and non-governmental non-profit organizations carried out to address the situation of unaccompanied minor foreign nationals. The entire system of care of these children was modified so that their specific needs were met, especially as concerns their upbringing, education and integration into Czech society.<sup>18</sup>

Due to the low numbers of unaccompanied minors in the Czech Republic in recent years and their possibility to receive humanitarian permanent residence, the Czech Republic doesn't have experience with assisted returns of minors. Considering the fact mentioned above, the Czech Republic doesn't cooperate with countries of origin to facilitate the return of these minors.

### **8.2 Development within the national perspective**

As regards unaccompanied minors, there hasn't been any significant development due to the rapidly decreasing number of this category of asylum seekers. In 2010 there were 6 UAM under the procedure of international protection only. In 2011, till now the number was 8 UAM; yet, most of them came to centers last months and there are great doubts about their real age. It is expected to find out that these persons are in fact not minors.

### **8.3 Development from the EU perspective**

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<sup>18</sup> More detailed information concerning the above-mentioned institutions can be found in the previously released EMN study (2010) entitled "POLICY ON RECEPTION, RETURN, INTEGRATION ARRANGEMENTS FOR, AND NUMBERS OF, UNACCOMPANIED MINORS IN THE CZECH REPUBLIC".

## **9 GLOBAL APPROACH TO MIGRATION**

### **9.1 Specific context**

### **9.2 Development within the national perspective**

#### **International projects**

The Czech Republic actively supports and leads several international projects principally aimed at cooperation with third countries in the fight against illegal migration.

In terms of the Czech Republic led EC Targeted Initiative on Support of Reintegration of Georgian Returnees and the Implementation of the Readmission Agreement, which has been implemented as a flagship initiative under the EU-Georgia Mobility Partnership, the cooperation on (circular) labour migration has been developed with Georgia.

The Czech Republic along with other EU MSs concluded Mobility Partnership with Armenia.

The Czech Republic as one of the leading states of the Prague Process actively promoted cooperation with EU neighbouring states on East and South-East with regard to all migration relevant issues, particularly the fight against irregular migration, return and readmission, promotion of legal migration, integration as well as migration and development. In November 2011, second ministerial conference of the Process took place in Poznan, where an Action Plan implementing the Prague Joint Declaration was endorsed. The Action Plan defines 22 specific actions to be implemented in 2012 – 2016. With regard to deterrence and/or prevention of illegal immigration, a pilot project will be launched in 2012. The project will be particularly focused on:

- the exchange of analytical methods focused on illegal migration channels, and exchange of best practice on combating organized crime networks involved in the smuggling of migrants and trafficking in human beings;

- the promotion and development of Integrated Border Management through the development of a comprehensive training strategy on border management, including mechanisms to ensure access to international protection for those in need. Set up of an inventory of existing border security technologies shall be also included as well as the identification of technological needs;

- exchange of best practice with regard to the establishment of an identity and/or nationality of irregular migrants;
- the exchange of best practice on implementation of international standards regarding security of travel documents, visas and other relevant documents (including the use of biometrics).

### **Effective integration of migration and development policies**

Within the recently endorsed Action Plan of the Prague Process there are several specific activities aimed at integration of legally residing persons. Implementation of the Action Plan will be supported by specific projects on migration and development. A project targeted on this area will focus on study of relevant policies and legislation (on migration, taxes, the recognition of diplomas etc.) of countries of origin and destination in order to identify successful practices and focus on possibilities of facilitating circular migration.

### **9.3 Development from the EU perspective**

## 10 IMPLEMENTATION OF EU LEGISLATION

### 10.1 Transposition of EU legislation 2010

#### 10.1.1 Newly transposed/adapted EU acts

*Directive 2008/115/EC of the European Parliament and of the Council of 16th December 2008 on common standards and procedures in Member States for returning illegally staying third-country nationals*

- **Required date of transposition:** by 24th December 2010. In relation to Article 13(4), by 24th December 2011
- **State of play:** Transposed since 1st January 2011 by the Act no. 427/2010 Coll.
- **Details:** Transposition prepared by the Ministry of the Interior in cooperation with the Police, Public Defender of Rights and Ministry of Justice. Transposed into following acts:
  - Act No. 326/1999 Coll., on the Residence of Foreign Nationals in the Territory of the Czech Republic
  - Act No. 349/1999 Coll. on the Public Defender of Rights

*Directive 2009/52/EC of the European Parliament and of the Council of 18th June 2009 providing for minimum standards on sanctions and measures against employers of illegally staying third-country nationals*

- **Required date of transposition:** by 20th July 2011
- **State of play:** Transposed by the Act no. 427/2010 Coll. (in force from 1st January, 2011), by the Act No. 1/2012 Coll. (since 5th January 2012), Act No. 330/2011 Coll. and Act No. 418/2011 Coll.
- **Details:** Transposition prepared by the Ministry of the Interior in cooperation with the Ministry of Labour and Social Affairs, Ministry of Finance, Ministry of Health and others. Transposed into following acts:
  - Act No. 326/1999 Coll., on the Residence of Foreign Nationals in the Territory of the Czech Republic
  - Act No. 435/2004 Coll., on the Employment
  - Act No. 40/2009 Coll., Penal Code
  - Act No. 418/2011 Coll., on Criminal Liability of Legal Persons and Proceedings Against Them
  - Act No. 137/2006 Coll., on Public Contracts

***Council Directive 2009/50/EC of the Council of 25th May 2009 on the conditions of entry and residence of third-country nationals for the purpose of highly qualified employment (EU Blue Cards)***

- **Required date of transposition:** by 19th June 2011
- **State of play:** Transposed since 1st January 2011 by the Act no. 427/2010 Coll.
- **Details:** Transposition prepared by the Ministry of the Interior in cooperation with Ministry of Labour and Social Affairs, Ministry of Education, Youth and Sports and others.
- **Transposed into following acts:**
  - Act No. 326/1999 Coll., on the Residence of Foreign Nationals in the Territory of the Czech Republic
  - Act No. 435/2004 Coll. on the Employment
  - Act No. 634/2004 Coll. on Administrative Fees
  - Act No. 117/1995 Coll. on State Social Support
  - Act No. 108/2006 Coll. on Social Services
  - Act. No. 111/2006 Coll. on Assistance to Persons in Material Distress
  - Act. No. 262/2006 Coll. Labour Code
  - Act. No. 561/2004 Coll. on Pre-school, Basic, Secondary, Tertiary Professional and Other Education (Education Act)
  - Act. No. 18/2004 Coll. on the Recognition of Professional Qualifications and Other Competencies of Nationals of Member States of the European Union and on the Amendment of Some Acts (Act on Recognition of Professional Qualifications)

***Council Regulation (EC) No 380/2008 of 18th April 2008 amending Regulation (EC) No 1030/2002 laying down a uniform format for residence permits for third-country nationals***

- **Reflected in following acts:**
  - Act No. 326/1999 Coll., on the Residence of Foreign Nationals in the Territory of the Czech Republic
  - Act No. 325/1999 Coll. on Asylum and Amendment to Act No. 283/1991 Coll., on the Police of the Czech Republic, as amended (the Asylum Act)

***Regulation (EC) No 810/2009 of the European Parliament and of the Council of 13th July 2009 establishing a Community Code on Visas (Visa Code)***

- **Applied from:** 5th April, 2010 (Article 52 and Article 53(1)(a) to (h) from 5th October, 2009; Article 32(2) and (3), Article 34(6) and (7) and Article 35(7) from 5th April, 2011)
- **Reflected in following acts:**
  - Act No. 326/1999 Coll., on the Residence of Foreign Nationals in the Territory of the Czech Republic
  - Act No. 325/1999 Coll. on Asylum and Amendment to Act No. 283/1991 Coll., on the Police of the Czech Republic, as amended (the Asylum Act)
  - Act. No. 634/2004 Coll., on Administrative Fees

#### *10.1.2 Particular corrections in the directives already transposed*

##### *Council Directive 2003/109/EC of 25th November 2003 concerning the status of third-country nationals who are long term residents*

- Act No. 326/1999 Coll., on the Residence of Foreign Nationals in the Territory of the Czech Republic
- **Details:** particular corrections

##### *Directive 2004/38/EC of the European Parliament and of the Council of 29th April 2004 on the right of citizens of the Union and their family members to move and reside freely within the territory of the Member States amending Regulation (EEC) No 1612/68 and repealing Directives 64/221/EEC, 68/360/EEC, 72/194/EEC, 73/148/EEC, 75/34/EEC, 75/35/EEC, 90/364/EEC, 90/365/EEC and 93/96/EEC*

- Act No. 326/1999 Coll., on the Residence of Foreign Nationals in the Territory of the Czech Republic
- **Details:** particular corrections

## **10.2 Experiences, debates in the (non-) implementation of EU legislation**

The significant amendment to the Asylum Act and the Alien Act was prepared by the Government and subsequently approved by the Parliament at the end of 2010. This was accompanied by some discussions in the media and among experts. This is to say that these discussions were primarily focused on national measures rather than on the implementation of EU legislation.

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## **ANNEX TO NATIONAL ANNUAL POLICY REPORT 2011 ON COMMITMENTS IN THE EUROPEAN PACT AND STOCKHOLM PROGRAMME**

The Annex has been structured as a “Questionnaire,” including specific spaces to add text and statistics.

When providing information, it is important to emphasise that the content should be as concise as possible. Moreover, each commitment in relation to the Pact and Stockholm programme should be addressed, as the EMN's contribution shall be the only source of objective information at (Member) State level for the elements it deals with (independently from the (Member) States' political contributions). Also include concrete actions or measures which might be relevant (for example, the opening of a centre of information on immigration). If there has been no significant development then explicitly state it in the relevant section.

You should also foresee liaising, when relevant, with colleagues in your (Member) State who would be responsible for producing the "political" report (requested to be provided to the Commission in mid-November 2011).

Use should also be made of the Correspondence Table given in Annex B of the specifications which shows how the Pact and Stockholm commitments are related. This Table also provides the full text of the commitments. Reference is made in this Annex to the objectives of the Pact (Annex A of specifications) using the format: "I(a)" meaning objective (a) within Part I of the Pact. The objectives have been shortened for the present specifications, but their original wording should be read in order to have the complete description. Similarly, for the Stockholm Programme, the wording of the action has been shortened. Like last year, note that not all Pact commitments are given here, since these call on actions at Union level. The same applies to some of the Stockholm commitments.

What is needed in terms of the Pact contribution is an overview of the policy developments relevant to each objective, as well as some concrete elements of implementation of this commitment. To ensure consistency and to facilitate your work, examples of elements to consider in relation to each Pact objective are given. Note that the Pact section should only refer to what has been done by your government or public authorities (and not by civil society or NGOs, for example, which can be described in the National developments section). If considered necessary, reference may be given in the sub-sections of the Pact to your national legislation which is in conformity with the Pact's objectives but adopted prior to 2011.

Where the Pact objective is related to the implementation of EU legislation, provide details in the relevant parts of Sections 4 – 9 inclusive. Section 10, on the implementation of EU legislation can then be used for additional, more technical information relating to the transposition and implementation of EU legislation in the field of asylum and migration and not covered by the Pact.

The **key statistics** that will illustrate each topic of the Annex and be presented in the Commission's Annual Report on Immigration and Asylum will be generated by the Eurostat database, once available. These key statistics are in line with Council Regulation 862/2007 on Community Statistics on migration and international protection and will provide some

“headline” statistics in the area of migration, international protection and external border management.

In addition, EMN NCPs are requested to try to provide some statistics (even tentative) which are not available through Eurostat but are relevant for some of the Pact’s commitments and for the Stockholm Programme’s objectives. We would, therefore, request that you provide, where possible and even if tentative, statistics on any of the following:

- The unemployment rate of third-country nationals;<sup>19</sup>
- First residence permits, by reason;<sup>20</sup>
- The number of third-country nationals regularised;<sup>21</sup>
- The number of third-country nationals being returned as part of forced return measures, the number of third-country nationals being returned voluntarily and, within these, number of third-country who returned as part of an assisted return programme;
- The number of third-country nationals receiving a residence permit as victims of human trafficking;
- The number of traffickers arrested and convicted;
- The number of visas issued (including the number of Schengen visas and national visas);
- The number third-country nationals reallocated and resettled;
- The number of border guards and the number of border guards receiving particular training on international protection; and
- The number of unaccompanied minors not applying for asylum.

Standardised Tables have been added in the Annex to the specification template to provide these statistics. In keeping with the practice of Eurostat, your data should be rounded to the nearest 5.

Please provide these additional (tentative) data initially for the first nine months of 2011, i.e. from January 2011 to September 2011 inclusive. Then, and if possible, provide data for the whole of 2011 at the time of submitting your Final and complete National Report. In addition, for all the additional data that you provide, give the reference for where the data are obtained.

By requesting all EMN NCPs to provide such data for the same time period, it will then be possible to provide an EU-27 overview, plus Norway, as well as better comparability between (Member) States.

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<sup>19</sup> Based on the ILO definition, Eurostat defines unemployed persons as persons aged 15 to 74 who: (1) are without work; (2) are available to start work within the next two weeks; and (3) have actively sought employment at some time during the previous four weeks. The unemployment rate is the number of people unemployed as a percentage of the labour force. The labour force is the total number of people employed plus unemployed. Current deviations from the definition of unemployment in the EU Labour Force Survey: Spain, Italy and United Kingdom: Unemployment is restricted to persons aged 16-74. In Spain and Italy the legal minimum age for working is 16. Employment data used for Italy includes also those above 74. Unemployment rate can be broken by groups of country of citizenship, age groups and sex.

<sup>20</sup> These data are generated by Eurostat, but are usually not available for the publication of the Commission’s Annual Report on Immigration and Asylum in May 2012.

<sup>21</sup> There is no current common (legal) definition of regularisation at EU level. EMN NCPs are therefore requested to specify their national definition when providing figures for both case-by-case and/or generalised regularisation and may use the EMN Glossary definition as a reference.

In specific cases, when one (Member) State report on figures related to other(s) (Member) State(s) (e.g. resettlement figures) and the figures provided by one (Member) State differed from those provided by another (Member) State, discrepancies will be discussed trilaterally, between the concerned EMN NCPs, the Commission and the EMN Service Provider, GHK-COWI.

In order to assist your gathering of the necessary information, and if needed, each EMN NCP is encouraged to make contact with your relevant Ministry(ies) and other relevant entities (e.g. your corresponding National Contact Point on Integration).

## LEGAL IMMIGRATION AND INTEGRATION

### 1. Economic migration

#### 1.1 European Pact on Immigration and Asylum (1-2 paragraphs in the text box created for each commitment)

The relevant commitments in the Pact for this sub-section are in particular:

##### *I(a) Implement policies for labour migration*

Please describe the (planned) introduction of a new labour migration policy or changes to the existing one. Elaborate any new aspects (e.g. introduction of quota, lists of professions, agreement with specific third countries, use of private recruitment services, etc). Specify whether these address any specific groups of migrants and describe any groups which are not addressed under the subsequent commitments in this sub-section. Also consider the effect of the economic crisis on labour migration (e.g. revision of quota, reduction of professions listed, etc).

In January 2011 an amendment of the Act on the Residence of Foreign Nationals came into force implementing the Directive 2009/50/EC and introducing the so-called blue cards. There were also other changes implemented e.g. private employment agencies are obliged to possess insurance against their bankruptcy, as well as against a bankruptcy of other legal entities/natural persons (so-called “users”) to which they temporarily assign their employees. In case of not meeting this obligation, sanctions could be imposed, such as a withdrawal of a permit to mediate employment. The insurance must guarantee payment of 3 average monthly wages to all temporarily assigned workers.

As of 2012 private employment agencies will be able to temporarily assign to other legal entities/natural persons only those third-country nationals who have a free access to the Czech labour market, not those who are required to have a work permit/green card/blue card. Direct employment contracts between third-country nationals and employers are preferred to a rent of a workforce.

In January 2011 the Czech Government approved (by the resolution n. 48/2011) the New System of Economic Immigration. It is a strategic policy document providing conditions for immigration of third country nationals to the Czech Republic for the economic purposes (employment, self-employment, and business). The New System of Economic Migration aims at:

- setting up transparent (clear and predictable) conditions for economic immigration to the Czech Republic;
- strengthening the responsibilities of various entities involved in the migration process;
- ensuring a well functioning system of controls on migration;
- strengthening links between immigration and integration of foreigners.

In 2011 the economic downturn continued to effect the labour migration to the Czech Republic. With respect to the situation on the Czech labour market, measures limiting the economic immigration, which were introduced in 2009, remained valid (quotas on visa applications are being implemented with regard to 5 main source countries of the economic immigration - Vietnam, Moldova, Mongolia, Uzbekistan, Ukraine).

***I(b) increase the attractiveness of the EU for highly qualified workers and further facilitate the reception of students and researchers:***

Please describe any (planned) measures to facilitate access of highly qualified workers, students and researchers. Refer to the implementation of the Blue Card Directive. Describe any incentive mechanisms for highly qualified workers, students and researchers on top of the transposition and implementation of EU legislation. Also consider the effect of the economic crisis.

In the Czech Republic there are two schemes for highly qualified workers - Blue Cards on the EU level and Green Cards type "A" on the national level.

The Blue Cards scheme: The scheme is targeted on third country nationals intending to stay on the territory longer than 3 months being employed on a position, which requires high qualification. The Blue Card entitles its holder to reside as well as work on the territory (a separated work permit is not needed).

The Green Cards - type "A" (national level): A Green Card - type "A" is aimed at qualified personnel (higher education needed) as well as the so called key personnel. Yet, the scheme is targeted on third country nationals coming from countries listed in the legal regulation only (Australia, Montenegro, Croatia, Japan, Canada, Korea, New Zealand, Bosnia and Herzegovina, Macedonia, USA, Serbia and Ukraine). A Green Card entitles its holder to reside and work on the territory (a separated work permit is not needed).

Referring to students and researchers no measures have been taken.

***I(c) Do not aggravate the brain drain***

Please describe any (planned) measures to favour circular or temporary migration, as well as other measures taken to avoid brain drain, for example awareness rising actions, development of data and indicators on this phenomena, prevention, list of countries and professions subject to brain drain.

Within the New System of Economic Immigration, which lays down conditions for immigration of third country nationals to the Czech Republic for the economic purposes, it is planned to introduce a new admission category for temporary - circular labour immigration (simplification of admission rules for circular migrants).

**1.2 Stockholm Programme (1-2 paragraphs in the text box created for each commitment)**

The relevant commitments in the Stockholm Programme for this sub-section are in particular:

***I(b) Improving skills recognition and labour matching***

Describe any (planned) measures to improve the skills recognition of third-country nationals and labour matching between your (Member) State and third countries (including online employment, etc). Linked to this, describe whether and how your (Member) State analyses its labour market needs / shortages. Also consider the effect of the economic crisis.

There have been no significant developments.

In general, the Labour Office of the CR indicates labour market needs based on information provided by employers seeking personnel. The employers inform about their new vacancies regional branches of the Labour Office and/or private employment/recruitment agencies. If

for certain type of vacancies (professions) no suitable registered jobseeker is found for long, shortages are identified.

### 1.3 Key statistics

<i>First residence permits, by reason</i>					
	Total	Family reasons	Education reasons	Remunerated activities reasons	Other reasons
First permits					

<i>Unemployment rates of Member State citizens versus third-country nationals residing in the (Member) State</i>	
	Third-country nationals
Unemployment rate (%)	

## 2 Family Reunification

### 2.1 European Pact on Immigration and Asylum (1-2 paragraphs in the text box created for each commitment)

The relevant commitments in the Pact for this sub-section are in particular:

#### *I(d) To regulate family migration more effectively*

Please describe any new policies / legislation in this regard or changes to existing policies and legislation regulating family migration. Consider also your (Member) State's reception capacity and the extent to which the family member's capacity to integrate is being taken into account in the admission procedure, e.g. their knowledge of the country's language, level of education, professional background, other.

There have been no significant developments.

### 2.2 Stockholm Programme (1-2 paragraphs in the text box created for each commitment)

The relevant commitments in the Stockholm Programme for this sub-section are in particular:

#### *2(b) The Directive on family reunification, the importance of integration measures*

Please describe any concrete (planned) measures to further promote the integration of third-country nationals coming for the purpose of family reunification.

There have been no significant developments.

## 3 Other legal migration

### 3.1 European Pact on Immigration and Asylum (1-2 paragraphs in the text box created for each commitment)

The relevant commitments in the Pact for this sub-section are in particular:

***I(e) to strengthen mutual information on migration by improving existing instruments where necessary;***

Please describe any (planned) sharing and exchanging of information on migration with other (Member) States, through existing networks and other instruments. Note that the European Migration Portal is to be discussed under the commitment below.

The Czech Republic participates in sharing and exchange of information on migration within the European Migration Network (EMN) mainly. Information exchange is also undertaken with regard to Frontex Risk Analysis Network (FRAN), General Directors' Immigration Services Conference (GDISC), the International Centre for Migration Policy Development (ICMPD) and EUROSTAT.

***I(f) Improve information on the possibilities and conditions of legal migration***

Please describe any (planned) measures to improve the provision of information on the possibilities and conditions of legal migration. These could include, for example, information campaigns, websites, specific centres, etc. Also refer to the European Migration Portal. Consider the effects of the economic crisis.

On 27 June 2011, the Ministry of the Interior launched a new version of its website's section for foreigners in Czech at [www.imigracniportal.cz](http://www.imigracniportal.cz). As a large amendment of the immigration law was adopted at the break of 2010/2011 and the MOI took over remaining residence-related agendas from the Alien Police Service, the MOI felt a need to take responsibility for an up-to-date and comprehensive immigration website under the auspices of the Ministry. The site is also available in English at [www.immigrationportal.cz](http://www.immigrationportal.cz) and important information is also being updated in Russian (the same URL). A full Russian version is currently under construction. In addition to the comprehensive information on possibilities of legal migration, the site focuses on foreigners residing in the CR already. The website gives an advice on practical issues related to living in the CR; a list of approved applications from selected offices in the country is also published every week. The website is run by a Content Manager backed up by a team of website staff.

Currently, the MOI is also working on an update of the information published on the European Migration Portal.

**3.2 Stockholm Programme (1-2 paragraphs in the text box created for each commitment)**

The relevant commitments in the Stockholm Programme are similar to the Pact objective above, hence no further information required.

**4 Integration**

**4.1 European Pact on Immigration and Asylum (1-2 paragraphs in the text box created for each commitment)**

The relevant commitments in the Pact for this sub-section are in particular:

***I(g) Promote harmonious integration in line with the common basic principles***

The common basic principles may be found in the JHA Council Conclusions of 19 November 2004, [doc. 14615/05](#),<sup>22</sup> as well as the Commission Communication [COM\(2005\) 389](#).<sup>23</sup>

<sup>22</sup> Available from [http://www.consilium.europa.eu/uedocs/cms\\_data/docs/pressdata/en/jha/82745.pdf](http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/en/jha/82745.pdf).

<sup>23</sup> Available from <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:52005DC0389:EN:NOT>.

Please describe (planned) measures for the integration of third-country nationals, considering, for example, measures enabling immigrants to acquire a basic knowledge of the host society's language, history, and institutions, "efforts in education" "participation of immigrants in the democratic process and in the formulation of integration policies and measures, especially at the local level", access to employment and public and social services, policy development on integration, etc.

Social-Cultural Orientation Courses are provided mainly by Regional Foreign Nationals Integration Support Centres on a voluntary basis. Development of special "Welcome Courses" is planned for the next year; in the near future the courses shall be made compulsory. Language courses are provided primarily by Regional Foreign Nationals Integration Support Centres and NGOs – main target is to help immigrants to reach level A1 (compulsory for third-country nationals applying for a permanent residence permit). Special funds are available for schools providing their students with Czech language courses; a support of teachers working in multicultural classes is also being financed. Access of immigrants to an employment and public and social services is supported by NGOs` and Regional Foreign Nationals Integration Support Centres` assistance projects funded by European Social Fund and European Fund for Integration of Third-Country Nationals.

The Policy for Integration of Immigrants in the Territory of the Czech Republic was approved by the Government in 2000 and updated in 2006 and 2011. Last main policy update is called "The Policy for Integration of Immigrants in the Territory of the Czech Republic – Living Together". The Policy highlights connection between successful immigration and integration and opens a debate about obligatory orientation courses and transition from A1 level to A2 with regard to permanent residence permits. There are four main integration priorities - language, economical independence of immigrants, orientation in the host society, relations among immigrants and majority society. As far as other priorities are concerned, the prevention of problems among immigrants and host society, enclosure of communities, social exclusion of immigrants, education of the second generation of immigrants and integration on regional and local level are considered to be of a high importance.

***I(h) Promote information exchange on best practices in terms of reception and integration***

Please describe any relevant activity, e.g. the development of a national website and/or forum on integration, development of information exchanges between institutions and other stakeholders within your (Member) State, etc. Also consider possible contributions to the European Integration Forum and the European website on Integration.

National web page on integration – [www.cizinci.cz](http://www.cizinci.cz) – has been regularly updated in cooperation with the Ministry of Labour and Social Affairs. The web page contains main legislative and non-legislative documents, list of NGOs` projects, connection to web page on statistics, etc.

Regional Foreign Nationals Integration Support Centres provide the Ministry of the Interior with quarterly updated monitoring focused primarily on integration of third-country nationals. These materials together with information from NGOs and researchers represent main sources when preparing national policies on integration.

In addition, the European website on Integration (Country info) has been updated.

**4.2 Stockholm Programme** (1-2 paragraphs in the text box created for each commitment)

The relevant commitments in the Stockholm Programme for this sub-section are in particular:

**3(b) to incorporate integration issues in a comprehensive way in all relevant policy areas**

Please elaborate whether and how integration issues are integrated on other national policies.

The Ministry of the Interior as a main coordinator of integration cooperates closely with other ministries - Ministry of Labour and Social Affairs, Ministry of Education, Youth and Sport, Ministry of Culture, Ministry of Health Services, Ministry for Regional Development, Ministry of Finance and Ministry of Industry and Trade. All named ministries are part of a Board on Integration. Moreover, the ministries cooperate bilaterally as well. This system covers all main relevant fields of national policies referring to integration.

**3(e) improved consultation with and involvement of civil society**

Please describe consultation processes with civil society and their involvement in integration policymaking and measures.

Civil society is represented and involved in integration policymaking and measures by means of participation of NGOs. The Ministry of the Interior informs NGOs about current changes, funding and development in the field of integration. Special information seminars are organized in the premises of the ministry. The seminars are open for debates and exchange of views as well. Moreover, some NGOs act as consultants with regard to the process of approval of The Policy for Integration of Immigrants.

NGOs together with Regional Foreign Nationals Integration Support Centres and municipalities are main receivers of the financial support on integration; therefore, they are also implementers of the integration measures.

Regional Foreign Nationals Integration Support Centres organize Regional Platforms on Integration in each region. Each platform has 15-20 participants (local stakeholders, NGOs, municipalities etc.).

**3(f) to enhance democratic values and social cohesion in relation to immigration and integration of immigrants and to promote intercultural dialogue and contacts**

Please describe any measures taken in this regard. For example, indicate whether these are included in integration courses and programmes, whether specific activities, e.g. events, have been organised, etc.

Various multicultural events, which aim to bring together host society and immigrants, are subsidized each year. For example SLOVO 21, a Prague based non-governmental organization, has been successfully realizing a project "Family Next Door" since 2004. The project backs up enhancing immigrant integration by means of direct contact between immigrant families and Czech families. A Czech family is to invite an immigrant family and vice versa for a Sunday lunch to their home.

Other NGOs have been also realizing two big multicultural events focused on integration in Prague and Usti nad Labem. In addition, the Regional Foreign Nationals Integration Support Centres organize cultural events in regions aimed at immigrants as well as majority society.

## ILLEGAL IMMIGRATION AND RETURN

### 5 Illegal Immigration

#### 5.1 European Pact on Immigration and Asylum (1-2 paragraphs in the text box created for each commitment)

The relevant commitments in the Pact for this sub-section are in particular:

##### *II(a) only case-by-case regularisation*

Please indicate whether any regularisation took place and how in your (Member) State legal status was given to illegally staying third-country nationals. Also provide information on trends with respect to the number of persons regularised.

No measures have been taken in 2011. No such measures are planned for the year 2012 as well.

##### *II(c) ensure that risks of irregular migration are prevented*

Please describe your (Member) State's policy concerning preventing irregular migration. Note that information on other relevant measures, such as border control are to be provided in the later sections of this report (see Sections 9 and 10).

An Integrated Border Management Model represents an important tool for securing internal safety and protection against irregular migration; it consists of 4 tiers. First tier is based on activities in third countries e.g. by deployment of liaison officers for migration and travel documents at embassies in countries of special risk. The officers interview visa/residence permit applicants, detect false/falsified documents and/or provide training to the personnel of the embassies. The second tier includes international cooperation (multilateral, bilateral and local) with regard to border protection. The third tier stands for measures which are performed at the external borders of the Czech Republic (air border). The fourth tier includes activities realized inside the territory focused on irregular migration and cross-border crime.

One of the measures aimed at preventing irregular migration is an intensive performance of residence controls, which are either planned separately by the police or undertaken in cooperation with other authorities. So called Schengen searches are performed as well.

##### *II(d) to develop cooperation between Member States, using, on a voluntary basis and where necessary, common arrangements to ensure the expulsion of illegal immigrants*

Please describe cooperation with other (Member) States, with regard to the expulsion of persons found to be staying illegally on the territory, including biometric identification of illegal entrants, joint expulsion measures (e.g. flights), etc.

Referring to the expulsion of illegally staying persons, the Czech Republic cooperates with other Member States especially with regard to implementation of Agreements on Readmission. In addition, the Czech Republic takes part in joint return operations. Offers of the joint return operations, which are organized by other EU Member States, are regularly sent to the Directorate of Alien Police Service by Frontex.

##### *II(g) take rigorous actions and penalties against those who exploit illegal immigrants*

Please describe the transposition and operational execution (e.g. prosecution of employers hiring persons illegally staying in your (Member) State) of the “Employer Sanctions Directive,” as well as other relevant actions and developments.

The EU Directive 2009/52/EC was implemented to the Czech national legislation. New sanctions targeted on employers of illegally staying third-country nationals include:

- exclusion from entitlement to public benefits, aids, subsidies, procurement procedures (for 3 years) and pay back of money received based on a procurement, which was granted in last 12 month before the imposition of a fine.
- a duty to pay to third-country nationals any outstanding remuneration as regards their work (at least the minimum wage corresponding to 3 month work) and any outstanding health insurance and social security insurance contributions including bank operation costs with regard to delivery of the remuneration to a country, to which the illegally employed third-country national has been returned.
- a contractor of which the employer is a direct subcontractor as well as a mediator of a contract may be liable to pay fines, outstanding remuneration and contributions in place of an employer that fails to pay them.

A criminal offence of enabling illegal employment to third-country nationals was enacted in 2010, i.e. before the implementation of the Directive.

Moreover, a fine which may be imposed on legal entities and natural persons running business enabling performance of work to third-country nationals without a valid residence or work permit was increased from max. 5 000 000 CZK (approx. 200 000 €) to max. 10 000 000 CZK (approx. 400 000 €). A minimum fine of 250 000 CZK (approx. 10 000 €) was also established.

***II(h) an Expulsion Decision taken by one Member State (MS) should be applicable throughout the EU and entered into the SIS obliging other MSs to prevent the person concerned from entering or residing***

Please describe any relevant developments with regard to expulsion decisions and the principle of mutual recognition of these decisions.

Decisions on expulsion taken by other Member States, recorded in SIS, are fully recognised by responsible Czech authorities – the Alien Police Service and Ministry of the Interior of the Czech Republic.

## **5.2 Stockholm Programme (1-2 paragraphs in the text box created for each commitment)**

The relevant commitments in the Stockholm Programme for this sub-section are in particular:

***4(j) more effective action against illegal immigration and trafficking in human beings and smuggling of persons by developing information on migration routes as well as aggregate and comprehensive information which improves our understanding of and response to migratory flows***

Please describe information collection activities undertaken in your (Member) State to identify migration routes, patterns and other relevant factors relevant to illegal immigration.

There is an interdepartmental body called the Analytical Centre for Border Protection and Migration, which functions under the Ministry of the Interior. Members of the Analytical Centre are state institutions that are involved in various aspects of migration (Department for

Asylum and Migration Policy of the Ministry of the Interior, Police Headquarters, Ministry of Labour and Social Affairs, Ministry of Industry and Trade, Ministry of Foreign Affairs, Ministry of Transport, Ministry of Justice and intelligence services). There is a wide information exchange within the Centre, which creates a base for identification of possible migration risks and for acceptance of practical measures.

Furthermore, the Risk Analysis Department of the Directorate of Alien Police Service takes care of collecting, processing and analysing data relevant to irregular migration. Data referring to the whole territory of the Czech Republic are collected through information systems and processed on daily basis. In addition, regular reports and analyses are undertaken based on the information from the information systems, conferences with regions, data from other Member States (mainly neighbour countries), Frontex and/or open sources. The reports are published weekly, monthly, semi-annually, annually or on ad hoc basis. The documents are also provided to all relevant institutions, regional police directorates and various police departments.

In order to have the information at every policeman disposal, there was a special intranet site of the Risk Analysis Department launched. The site provides information on cases of irregular migration, use of false/falsified documents; it also provides statistics, analyses and information from abroad. In this respect, cooperation with other states is very important; it involves an exchange of statistics and operative information concerning the modus operandi and routes used by detected irregular migrants. Frontex information on irregular migration in Europe is also very useful.

#### ***4(k) increased targeted training and equipment support***

Please describe any training measures and equipment support to combat irregular immigration which are not linked to border control (which is discussed in section 9 below).

The Directorate of Alien Police Service/Forgery Section regularly delivers Basic Awareness Training focused on detection of forged documents; the training is aimed at consular personnel, who are to be posted to embassies abroad. Moreover, in the beginning of 2012 a new training project will be launched; it is a Frontex project and will deliver training to consular personnel at the embassies (first training expected in Ukraine).

There are also trainings delivered to Immigration Liaison Officers (ILOs) who are to be posted abroad. Occasionally, trainings targeted on employees of the Customs Service and/or policemen not working within the Directorate of Alien Police Service are delivered.

With regard to the technical information about documents, the Ministry of Foreign Affairs is in possession of an off-line version of the National database of documents DATEX; the database is being regularly updated (each month). DATEX information is shared among all embassies of the Czech Republic. In addition, a connection of the Ministry of Foreign Affairs and the embassies to iFADO (False and Authentic Documents Online) via Central Proxy Server is currently being negotiated. As regards the Immigration Liaison Officers, they have an access to the same set of information.

Talking about control devices used to detect forged documents, consular staff as well as ILOs are equipped with basic technical equipment - magnifying glass, UV lamp etc.

**4(l) a coordinated approach by Member States by developing the network of liaison officers in countries of origin and transit.**

Please describe recent or planned developments with regard to your (Member) State's liaison officers in countries of origin and transit.

Cooperation of Czech liaison officers with the liaison officers of other Member States is established ad-hoc. In 2011 the Ministry of the Interior (Department for Asylum and Migration Policy) has also participated in a project of the Office of Immigration and Nationality (Hungary) called "Strengthening the Capacity of the International Liaison Officers' Network and Fostering the Cooperation among the Networks of Member States III"; the project is financed by the External Border Fund.

### 5.3 Key statistics

<b><i>Third-country nationals regularised</i></b>	
Third-country nationals regularised	

## 6 Return

### 6.1 European Pact on Immigration and Asylum (1-2 paragraphs in the text box created for each commitment)

The relevant commitments in the Pact for this sub-section are in particular:

***II(b) To conclude readmission agreements at EU or bilateral level***

Please list the number of bilateral agreements negotiated and achieved during the reference period, specifying their purpose and with which third country. Also list the EU readmission agreements in which your (Member) State took part during the reference period. You could use the following table:

<b>Type of readmission agreement</b>	<b>Third countries involved</b>	<b>Main purpose of the agreement</b>
(EU or bilateral)		
Bilateral	Switzerland	Entered into force in June 2011
Bilateral	Armenia	Entered into force in April 2011
Bilateral	Kosovo	Signed in June 2011
Bilateral	Kazakhstan	Negotiating
Bilateral	Russia – implementing protocol to the EU-Russia readmission agreement	Signed in December 2011
Bilateral	Montenegro – implementing protocol to the EU-Montenegro readmission agreement	Signed in April 2011, in December 2011 notification to COM
Bilateral	Ukraine – implementing protocol to the EU-Ukraine readmission agreement	Negotiations newly opened in November 2011 on request of Ukrainian side

Bilateral	Moldova – implementing protocol to the EU-Moldova readmission agreement	Signed in November 2011
Bilateral	Serbia – implementing protocol to the EU-Serbia readmission agreement	Negotiations closed in September 2011
Bilateral	Georgia – implementing protocol to the EU-Georgia readmission agreement	Draft Implementing protocol submitted in June 2011
Bilateral	Bosnia and Hercegovina – implementing protocol to the EU-BH readmission agreement	Counterproposal of Implementing protocol submitted in December 2011
Bilateral	Albania – implementing protocol to the EU-Serbia readmission agreement	Draft Implementing protocol submitted in April 2011
EU	Turkey	negotiating
EU	Cape Verde	negotiating
EU	Morocco	negotiating
EU	Georgia	Entered into force in March 2011
EU	Pakistan	Entered into force in December 2010
EU	Belarus	New mandate from February 2011
EU	Armenia	New mandate negotiating
EU	Azerbaijan	New mandate negotiating

Please only provide information on readmission agreements. Information on other agreements with third countries will need to be added in other sections of the report (e.g. Sections 8 and 13).

***II(f) To devise incentive systems to assist voluntary return and to keep each other informed***

Please describe (planned) measures to promote voluntary return, assistance provided in voluntary return, provision of information to other (Member) States on person returned.

The Czech Republic funds a national program of assisted voluntary returns (AVR), which allows irregular third country nationals as well as former asylum seekers to receive assistance related to the return to countries of origin. PR activities are also involved within the intention of the program. In addition, a return program under the Asylum Facilities Administration of Ministry of the Interior is being implemented. This return program is aimed at former asylum seekers.

At the moment, there is an intention to build up a national Return Centre until the end of June 2012. The centre shall be responsible for the AVR agenda including PR activities. Moreover, a cooperation of NGOs on return counselling and PR activities is ensured via projects funded by the EU Return Fund.

The sustainability of voluntary returns is considered as a highly important aspect of the whole return policy. To increase sustainability of voluntary returns several reintegration projects

were implemented in the past. Currently a project, funded from the EU Return Fund, and aimed at financial incentives for returnees is being implemented. Furthermore, a project aimed at reintegration in the countries of origin was approved and will be implemented as of 2012.

Referring to information exchange on voluntarily returned foreigners, the information is shared especially if needed for the smooth run of the transit. Also, the local office of the International Organization for Migration (IOM), as a main implementer of the AVR, is in charge of sharing of information. Czech governmental authorities – the Alien Police Service and the Ministry of the Interior - provide information support to IOM.

## **6.2 Stockholm Programme (1-2 paragraphs in the text box created for each commitment)**

The relevant commitments in the Stockholm Programme for this sub-section are in particular:

### ***4(c) ensuring that the objective of the EU's efforts on readmission should add value and increase the efficiency of return policies, including existing bilateral agreements and practices***

Please describe how the bilateral and EU readmission agreements are contributing to the implementation of your (Member) State's return policy.

If conditions for realization of readmission procedure are fulfilled (based on either bilateral agreements or agreements of the EU and a respective state), it is proceeded in harmony with provisions of the agreements. The handing over of a foreigner to a particular state can be then quite fast.

### ***4(e) assistance by the Commission and Frontex and Member States on a voluntary basis, to Member States which face specific and disproportionate pressures, in order to ensure the effectiveness of their return policies towards certain third states***

Please describe whether your (Member) State has benefited from / has provided any return support in case of specific and disproportionate pressures in your / in another (Member) State. Note that joint return flights are to be discussed under the following commitment.

The Czech Republic has not benefited from/provided a return support in case of specific and disproportionate pressures in other states.

### ***4(f) increased practical cooperation between Member States, for instance by regular chartering of joint return flights***

Please describe practical cooperation with other (Member) States in the area of return, such as the organisation of joint return flights, the preparation of travel documents, etc.

The Czech Republic takes part in joint return operations. Offers of joint return operations, which are organized by EU States, are regularly sent to the Directorate of Alien Police Service by Frontex. An annual plan of joint flights can be also found on ICONet Network. If there is an interest to participate in a joint flight, the Directorate of Alien Police Service contacts by way of electronic post Frontex and fills in necessary forms. A foreigner, who is to be returned within the joint return operations, has to possess a valid travel document or a return travel document issued by an embassy/consular office.

## **6.3 Key statistics**

<b><i>Third-country nationals ordered to leave and returned</i></b>			
	Returned as part of forced return measures	Returned voluntarily	Within the third-country nationals returned voluntarily, number of third-country nationals returned as part of an assisted return programme
Third-country nationals			

## **7 Actions against human trafficking**

### **7.1 European Pact on Immigration and Asylum (1-2 paragraphs in the text box created for each commitment)**

The relevant commitments in the Pact for this sub-section are in particular:

#### ***II(e) cooperation with the countries of origin and of transit, in particular to combat human trafficking and to provide better information to communities under threat***

Please describe any (planned) actions at national level to fight human trafficking and incorporation of third countries within them, awareness raising actions in third countries addressing communities at risk, etc. Please only refer to cooperation with regard to combating human trafficking. Information on other types of cooperation will need to be provided in other sections of the report (e.g. Sections 10 and 13).

In 2011 new National Strategy to fight THB as regards the years 2012 – 2015 was drafted. In response to an identified need of an efficient cooperation with source countries – Measure III, enhance cooperation at international level with emphasis on source countries was incorporated into the Strategy.

In 2011 the Ministry of Interior of the Czech Republic funded and organized two expert missions to main source countries – Romania and Ukraine. The delegations consisted of experts on THB from the Ministry of the Interior and specialised police officers. The aim of the missions was to strengthen cooperation with stakeholders in source countries and exchange best practice.

Referring to Romania, cooperation in preventive measures was also agreed (namely with the National Agency against Trafficking in Persons of Romania). These activities aim to address rural communities of Romania, which are considered to be of high risk with reference to labour exploitation.

Moreover, in October 2011 the International Organization for Migration hosted a study visit of representatives from Belarus, Moldavia and Ukraine on THB. The Ministry of the Interior along with the Ministry of Labour and Social Affairs and the Police organized several thematic panels of the event. In addition, representatives of the above mentioned ministries participated in a conference referring to THB held in Chisinau, Moldova.

### **7.2 Stockholm Programme (1-2 paragraphs in the text box created for each commitment)**

The relevant commitments in the Stockholm are similar to the Pact commitments, hence no further description is required.

### 7.3 Key statistics

<i>Third-country nationals receiving a residence permit as victims of human trafficking</i>	
Third-country nationals	

<i>Traffickers arrested and convicted</i>		
	Arrested / otherwise involved in a criminal proceeding	Convicted
Traffickers		

## BORDER CONTROL

### 8 Control and surveillance at external borders

#### 8.1 European Pact on Immigration and Asylum (1-2 paragraphs in the text box created for each commitment)

The relevant commitments in the Pact for this sub-section are in particular:

##### ***III(a) more effective control of the external land, sea and air borders:***

Please describe any relevant (planned) developments to ensure more effective control, such as reinforcing border control staff, providing training, increasing overall resources. Note that technological means are to be described under the Pact commitment below.

In 2011 a project of lifelong learning of policemen continued. Every policeman serving at an international airport is obliged to complete „Air Borders“ training (14 day course). There is also a course aimed at service performance in a specialized position of „an expert on travel documents“. In addition, a periodical course „Protection of Air Borders“ (1 week course) is available targeted on all policemen who pursue border checks. The experts on travel documents have to participate in an innovative course (1 week) as well.

Moreover, methodological and instruction meetings are organized for policemen who serve at border crossing points.

##### ***III(e) deploy modern technological means for border control:***

Please describe any new technological equipment purchased and used during the reference period, including IT systems, surveillance equipment, automated border controls and fast track lanes, etc. If possible, also make reference to any developments relevant to the EU entry / exit system, the EU Registered Traveller Programme, the Schengen Information System (SIS II) and European Border Surveillance System.

In December 2011 a pilot project of the automated border control system „Easy GO“ (eGate) was launched. The system is in use at the international airport Prague Ruzyně at the entry to the territory.

As of 1st November 2011 the information system „ZC CIS“ is used at all airports where the Inspectorate of Alien Police is located. The system communicates with „C VIS“ information system, it is connected to the Interpol register and enables displaying biometric information of travel passports as well.

All Inspectorates of Alien Police Service at the international airports have also available special devices PSION, which allow mobile vetting (screening).

As far as finger print readers are concerned, besides the initial purpose of the readers to check short-term visa holders, the use of the readers is also assumed for control of residence permit holders and holders of biometric travel documents.

### 8.2 Stockholm Programme (1-2 paragraphs in the text box created for each commitment)

The relevant commitments in the Stockholm Programme for this sub-section are in particular:

**7(i) invites the Member States and the Commission to explore how the different types of checks carried out at the external border can be better coordinated, integrated and rationalised with a view to the twin objective of facilitating access and improving security.**

Please describe any relevant (planned) actions taken to better coordinate different types of border checks (e.g. automated and non-automated, fast-track and non fast-track) at the external borders.

As soon as an assessment of the pilot project of eGate is available, it is assumed the number of gates, which enable automated border checks, will be increased. Moreover, more effective use of camera systems profiling passengers is planned. In addition, an implementation of automated receiving and processing of information on passengers (API data) is being set up at the moment.

### 8.3 Key statistics

<i>Visas issued</i>			
	Total Visas	Schengen Visas	National Visas
Visas			

## 9 Cooperation with respect to border control

### 9.1 European Pact on Immigration and Asylum (1-2 paragraphs in the text box created for each commitment)

The relevant commitments in the Pact for this sub-section are in particular:

**III(b) generalise the issue of biometric visas, improve cooperation between MSs' consulates and set up joint consular services for visas:**

Please describe (planned) developments in relation to biometric visas, for example the share of visas issued which are biometric, regions covered, pilot measures and testing, etc, also referring to the Visa Information System (VIS).

With regard to cooperation between (Member) State consular services and the set up of joint consular services for visas, please describe any relevant progress in this area, for example listing the visa representation agreements signed and the (Member) States involved (please specify whether you (Member) State represents these (Member) States or vice versa).

As far as biometric visas are concerned, the Czech Republic will follow the decisions (including the dates) concluded at the EU level in relation to the Visa Information System. At

the moment biometric visas are being issued at Czech embassies in Morocco, Tunisia, Egypt and Algeria. In Libya biometric visas will be issued as soon as a visa section re-opens.

With regard to Schengen visas, since 25.10.2010 the Czech Republic has represented Spain in Moldova and has been represented by Spain in Bolivia, the Dominican Republic, Ecuador, Jamaica, Equatorial Guinea. Since 1.7.2010 the Czech Republic has been represented by Portugal in Angola, Guinea-Bissau, Cape Verde, Mozambique, Sao Tome and Principe and Timor L'Este. Since 1.11.2010 the Czech Republic has represented France in Donetsk (Ukraine) and has been represented by France in Benin, Brunei, Burkina Faso, Djibouti, Gabon, Haiti, Fiji, Cameroon, Comoros, Congo/Brazzaville, Laos, Mauretania, Papua New Guinea, Cote d'Ivoire, Central African Republic, St Lucia, Togo and Vanuatu. Since 4.12.2011 the Czech Republic has represented Slovakia in the Philippines, Ghana, Mongolia, Pakistan and Algeria and has been represented by this country in Kenya.

**III(d) solidarity with MS subjected to disproportionate influxes of immigrants**

Please describe whether your (Member) State has benefited from / has provided any support with regard to border control in case of specific and disproportionate pressures in your / in another (Member) State. Also provide information on your (Member) State's relevant participation in FRONTEX, by type of activity (e.g. joint operations). Note that information on other forms of support with respect to disproportionate influxes are to be provided in other sections (e.g. section 7).

In 2011 the Directorate of Alien Police Service (DAPS) participated in Frontex joint operational activities at air and land borders. The DAPS didn't participate in deployment of RABIT team this year.

The Czech Republic took part in the following joint operations at the air borders: JO HUBBLE I, JO HUBBLE II, JO MIZAR, FOCAL POINT AIR, JO HAMMER 2011.

The Czech Republic took part in the following joint operations at the land borders: JO POSEIDON 2011, JO NEPTUNE 2011, JO JUPITER 2011.

**III(f) intensify cooperation with the countries of origin and of transit in order to strengthen border control**

Please list any new or planned agreements, and other forms of bilateral and multilateral cooperation with third countries, specifying which countries, specifically in order to strengthen the control of external borders and to combat illegal immigration. This could include the provision of border equipment, training of border guards, etc. Please note that wider / more comprehensive agreements are to be described under section 13 addressing the Global Approach to Migration.

The Czech Ministry of the Interior took part in one of ICMPD-led projects aimed at enhancing capacities of integrated border management in Eastern Partnership countries.

**9.2 Stockholm Programme (1-2 paragraphs in the text box created for each commitment)**

The relevant commitments in the Stockholm Programme for this sub-section are in particular:

**6(a) The European Council encourages the Commission and Member States to take advantage of the entry into force of the Visa Code and the gradual roll-out of the VIS**

Please describe the progress of implementation of the Visa Code and VIS, if not already provided under Pact Commitment III(b) above.

The Visa Code is in force and it is directly applicable. The Act on the Residence of Foreign Nationals No. 326/1999 Coll. was amended in 2009 in order to carry out the necessary adaptations vis-a-vis the Visa Code. The amendment entered into force 1 January 2010.

For VIS, see point III (b)

## ASYLUM

### 10 International Protection

**10.1 European Pact on Immigration and Asylum** (1-2 paragraphs in the text box created for each commitment)

The relevant commitments in the Pact for this sub-section are in particular:

***IV(c) solidarity with MS which are faced with specific and disproportionate pressures on their national asylum systems:***

Please provide information on support provided to (Member) States experiencing specific and disproportionate pressures on their national asylum systems, with regard to the processing of requests for international protection. This could include seconding staff and sending resources or equipment.

The Czech Republic has nominated 6 persons to the Asylum Intervention Pool established within the European Asylum Support Office. The aim of the pool is to gather experts that can be deployed to a state under particular pressure in case of an urgent need. For the time being, the Czech Republic has been asked to provide one expert for Greek Action Plan; yet, the activity has not been realized yet due to the postponement from the Greek side.

Please describe any action undertaken with regard to the reallocation from (Member) States experiencing specific and disproportionate pressures of beneficiaries of international protection to other (Member) States. This relates to intra-EU movements, for example, as part of EU projects.

In mid 2011, the Czech Republic offered Malta to relocate refugees in need of medical treatment through the Czech Programme of Medical Assistance MEDEVAC. After receiving an adequate treatment, the refugees were planned to stay in the Czech Republic. So far no response has been received from Maltese authorities.

***IV(d) strengthen cooperation with the Office of the United Nations High Commissioner for Refugees to ensure better protection for people outside the territory of European Union Member States who request protection, in particular by moving, on a voluntary basis, towards the resettlement within the European Union***

Please describe resettlement activities to your (Member) State of people placed under the protection of the Office of the UNHCR in third countries, specifying from which countries.

In 2011 the Czech Republic resettled four UNHCR recognized refugees. In addition, more resettlements were conducted out of scope of UNHCR program.

**IV(e) MS are invited to provide the personnel responsible for external border controls with training in the rights and obligations pertaining to international protection**

Please describe the provision or planning of provision of such training (and in which way, number and percentage of border control staff trained)...

The Directorate of Alien Police Service didn't provide any specific training on rights and obligations pertaining to international protection. The procedure of the border control with regard to international protection is regulated by internal regulations.

**10.2 Key statistics**

<i>Third-country nationals reallocated and resettled to your (Member) States</i>			
	Total	Reallocated	Resettled
Third-country nationals			

<i>Training of border guards on asylum</i>		
	Total number of border guards	Border guards who received training
Border guards		

**UNACCOMPANIED MINORS AND OTHER VULNERABLE GROUPS**

**11 Unaccompanied Minors (and other vulnerable groups)**

**11.1 European Pact on Immigration and Asylum**

No specific commitments are included.

**11.2 Stockholm Programme (1-2 paragraphs in the text box created for each commitment)**

The relevant commitments in the Stockholm Programme for this sub-section are in particular:

**5(a) develop an action plan, to be adopted by the Council, on unaccompanied minors which underpins and supplements the relevant legislative and financial instruments and combines measures directed at prevention, protection and assisted return**

Please describe any developments in relation to unaccompanied minors at national and international levels.

As regards unaccompanied minors, there hasn't been any significant development due to the rapidly decreasing number of this category of asylum seekers. In 2010 there were 6 UAM under the procedure of international protection only. This year, till now we have 8 UAM; yet, most of them came to our centers last months and there are great doubts about their real age. It is expected to find out that these persons are in fact not minors.

**11.3 Key statistics**

<i>Unaccompanied minors</i>	
Number of unaccompanied minors	

## GLOBAL APPROACH TO MIGRATION

### 12 External cooperation / global approach to migration

#### 12.1 European Pact on Immigration and Asylum (1-2 paragraphs in the text box created for each commitment)

The relevant commitments in the Pact for this sub-section are in particular:

##### ***V(a) conclude EU-level or bilateral agreements with the countries of origin and of transit containing clause on legal and illegal migration as well as development***

Please provide information on any (planned) EU level or bilateral agreements (e.g. Mobility Partnerships), which are in addition to those mentioned under Sections 1.1, Pact commitment I(a) Implement policies for labour migration; 7.1, Pact commitment II(b) To conclude readmission agreements; and 11, Pact commitment III(f) intensify cooperation with the countries of origin and of transit in order to strengthen border control. These could include wider, more comprehensive agreements covering various elements related to legal and illegal migration, as well as return. List them, including the third countries with which they have been concluded and their content. In case of bilateral agreements, also indicate whether the Commission was informed.

An example table is presented below.

Type of agreement	Third countries involved	Main purpose of the agreement
(EU or bilateral)	The Czech Republic along with other EU MSs concluded Mobility Partnership with Armenia.	

##### ***V(b) offer the nationals of partner countries to the East and South of Europe opportunities for the legal immigration***

Please indicate whether, in relation to the labour migration policy and related developments set out in Section 1.1, whether any of these favour labour and circular migration and specify which third countries from the East and South of Europe.

In terms of the Czech Republic led EC Targeted Initiative on Support of Reintegration of Georgian Returnees and the Implementation of the Readmission Agreement, which has been implemented as a flagship initiative under the EU-Georgia Mobility Partnership, the cooperation on (circular) labour migration has been developed with Georgia.

##### ***V(c) cooperation with the countries of origin and of transit in order to deter or prevent illegal immigration***

Please describe any cooperation, in addition to the cooperation outlined in Pact commitment V(a) above, Sections 8, Pact commitment II(e) cooperation with the countries of origin and of transit, in particular to combat human trafficking and section 11, Pact commitment III(f) intensify cooperation with the countries of origin and of transit in order to strengthen border control, which has focused on deterring or preventing illegal immigration. This may include concrete cooperation activities, capacity building and agreements.

The Czech Republic as one of the leading states of the Prague Process actively promoted enhanced cooperation with EU neighbouring states on East and South-East with regard to all migration relevant issues, particularly fight against irregular migration, return and readmission, promotion of legal migration, integration and migration and development. In November 2011, second ministerial conference of the Process took place in Poznan, where an Action Plan implementing the Prague Joint Declaration was endorsed. The Action Plan defines 22 specific actions to be implemented in 2012-2016. With regard to deterring and/or preventing illegal immigration, a pilot project will be launched in 2012. The project will be particularly focused on:

- the exchange of analytical methods focused on illegal migration channels, and exchange of best practice on combating organized crime networks involved in the smuggling of migrants and trafficking in human beings;
- the promotion and development of Integrated Border Management through the development of a comprehensive training strategy on border management, including mechanisms to ensure access to an international protection for those in need. Set up of an inventory of existing border security technologies shall be also included as well as the identification of technological needs;
- exchange of best practice with regard to the establishment of an identity and/or nationality of irregular migrants;
- the exchange of best practice on implementation of international standards regarding security of travel documents, visas and other relevant documents (including the use of biometrics).

***V(d) More effective integration of migration and development policies***

Please describe any relevant activity, for example studies and development of such approach, solidarity development projects, etc.

In terms of the recently endorsed Action Plan of the Prague Process there are several specific activities aimed at integration of legally residing persons. Implementation of the Action Plan will be supported by specific projects on migration and development. A project targeted on this area will focus on a study of relevant policies and legislation (on migration, taxes, the recognition of diplomas etc.) of countries of origin and destination in order to identify successful practices and focus on possibilities of facilitating circular migration.

***V(e) promote co-development actions and support instrument for transferring migrants' remittances***

Please describe any relevant developments and activities in the area of remittances, including financial support to such actions, implementation of an instrument for transferring migrants' remittances, etc.

In terms of the recently endorsed Action Plan of the Prague Process, there has been a link between migration and development drawn. Cooperation of Prague Process partners in this area will be supported by a specific project led by the Czech Republic. Within the project a study will be carried out analyzing policies and legislation (on migration, taxes, the recognition of diplomas etc.) of countries of origin and destination in order to identify successful practices and focus on possibilities of facilitating circular migration.

**12.2 Stockholm Programme (1-2 paragraphs in the text box created for each commitment)**

The relevant commitments in the Stockholm Programme for this sub-section are in particular:

***11(h) how diaspora groups may be further involved in EU development initiatives, and how EU Member States may support diaspora groups in their efforts to enhance development in their countries of origin***

Please provide information on a possible national policy or actions with regard to supporting diaspora groups in enhancing development in their countries of origin.

There has been no significant development.