



MINISTRY OF THE INTERIOR  
OF THE CZECH REPUBLIC



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

# EMN Annual Policy Report 2010 Czech Republic

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## **LIST OF ABBREVIATIONS**

APS	Alien Police Service
AVR	Assisted Voluntary Return
CZK	Czech Crown (koruna)
CZSO	Czech Statistical Office
ČSSD	Czech Social Democratic Party
DAMP of MoI	Department of Asylum and Migration Policy of the Ministry of the Interior
EEA	European Economic Area
EMN	European Migration Network
EO	Employment Office
EU	European Union
GDC	General Directorate of Customs
GDISC	Director Generals of Immigration Services Conference
ICMPD	International Centre for Migration Policy Development
IOM	International Organization for Migration
KSČM	Communist Party of Bohemia and Moravia
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
NGO	Non-governmental organization
ODS	Civic Democratic Party
PCR	Police of the Czech Republic
SIS	Schengen Information System
TOP 09	TOP 09 (party)
UNHCR	United Nations High Commissioner for Refugees
VIS	Visa Information System
VV	Public Affairs (party)

## **Executive Summary**

The *Annual Policy Report 2010 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 of 2010. Its structure is set by the *Specifications for the EMN Annual Policy Report 2010* (MIGRAPOL EMN Doc 208).

### **LEGAL IMMIGRATION AND INTEGRATION**

Czech Republic continued to carry out the project of the so-called „Green Cards“, aiming at speeding up the matching of the needs of employers and foreign workers. Although heavily affected by the economic downturn, no changes were made to the conditions of the project during 2010. This project is expected to continue in the future and its flexibility should allow it to react to changing circumstances.

On the other hand, due to the economic downturn, the Czech Ministry of Labour and Social Affairs decided to cancel the “Selection of Qualified Foreign Workers” project, as a part of cost savings.

Due to the consequences of economic crisis, the number of long term visa applications was regulated in selected countries based on a Government decision. Due to the shortage of vacancies which can be filled by third countries nationals, in the Czech Republic and the above mentioned measures, number of foreign workers from third countries on the territory of the Czech Republic decreased significantly.

A Government resolution of May 2010 concerning the current issues and developments in migration set forth a task to prepare a proposal for a new system of economic migration by the end of 2010. The new system should aim to apply principles of circular migration, especially in regard to labour migration, but it should also emphasize permanent settlement. The proposal of this new system will be taken into account when preparing a new Alien Act next year.

In integration policy the transfer of the implementation of integration policy to local and regional level continues. In 2010 three new Centres for Integration of Foreigners were established (besides 6 old ones) in the regions.

### **ILLEGAL IMMIGRATION AND RETURN**

Recently, the Czech Republic has noted some changes in its migration situation - the increase of economic orientated migration followed by economic crisis and higher level of

misuse of legal migration channels. These changes have brought new challenges in the migration field. The migration policy has to adjust to the newest trends in this matter. With higher numbers of economic migrants coming to the Czech Republic in the last few years the need for effective state-managed migration has increased. Therefore, in May 2010 a new Approach of the Czech Republic in the field of prevention and fight against illegal migration and negative phenomena connected with migration was approved.

The readmission agreements facilitate the process of identification of the persons who were apprehended illegally entering or staying in the territory of the Czech Republic and speed up the process of return of such persons. The co-operation grows better and faster for example with Russia, Ukraine, Moldova as concerns the readmission but also the transit procedure (for example transit of the Ukrainian nationals through Slovakia).

Trainings on recognising forged documents and on verifying the identity of persons are carried out and further enhanced.

Secondment of police officers from Czech Alien Police to Czech consulates proved beneficial in enhancing and speeding up the decision making process of certain types of application for visas and will therefore continue.

A project aiming at detecting trafficking in human beings for the purpose of forced labour and labour exploitation has been launched in July 2010 by the Ministry of the Interior.

## **BORDER CONTROL**

The Czech Republic prepares systematically for the roll-out of the VIS. A biometric data collection system was launched on a pilot basis at the Czech consulate in Cairo on 1 October 2008. With the mostly positive experience of the biometric data collection pilot in Cairo the system was then installed at the Czech consulates in Algiers, Tunis and Tripoli and from 2011 it will operate also in Rabat and in the Middle East.

Preparations for the application of the Visa Code have been a high priority for the Ministry of Foreign Affairs of the Czech Republic.

In the field of border control a new training module was introduced in January 2010 as well as new language courses for border guards at international airports. Also a new technical equipment was provided to international airports. The Czech Republic regularly takes part in activities and exercises of FRONTEX (including RABIT) and also assists other Member States in common operations, especially on land and air borders.

## **ASYLUM**

The Czech Republic remains fully supportive of the objective of establishing a common area of protection and solidarity based on a common asylum procedure and a uniform status for those granted international protection.

The Czech Republic welcomes recent analytical outcomes by the Commission regarding certain aspects of possible mechanism for sharing of responsibility between the Member States. The Czech Republic, however, recalls the need for a broad approach while promoting an effective solidarity with the Member States facing particular pressures. Discussions and further developments should not limit themselves only to particular aspects of possible mechanism (i.e. relocation of beneficiaries of international protection). Such individual system components should be further promoted only after a complex mechanism is developed. The Czech Republic reiterates the commitment by the Council that any further activities should be guided by principles of voluntariness and effective coordination.

The Czech Republic remains committed to promoting solidarity also with third countries hosting large refugee populations, thus contributing to solving protracted refugee situations. Resettlement program for Burmese refugees in Thailand and Malaysia has continued to be conducted.

## **GLOBAL APPROACH TO MIGRATION**

The Czech Republic actively supports or leads several international projects aimed at cooperation with the third countries.

Building Migration Partnerships – project started under the CZ PRES by ministerial conference gathered EU and Schengen states with CIS and Western Balkan countries in order to cooperate in 5 thematic areas: Preventing and fighting illegal migration; Promoting readmission, return and sustainable reintegration; Better managing labour migration; Integration of legally residing migrants; Making migration and mobility positive forces for development. Six thematic workshops and two series of missions to CIS countries were held so far. Extended Migration Profiles were created for 11 CIS countries and 5 leading EU states and interactive map of illegal migration routes was prepared. The project continues in form of the Prague Process.

Strengthening Capacities and Cooperation in the Identification of Forged and Falsified Travel Documents at the Moldova-Romania Border is a project created to contribute to an increased effectiveness of the fight against illegal migration by the Moldovan authorities.

Targeted Initiative on Support Reintegration of Georgian Returning Migrants and the implementation of EU-Georgia readmission agreement – EC funded, Czech led initiative which besides capacity building in reintegration deals also with spreading information about risks of illegal migration and possibilities of legal migration to the EU countries in Georgia.

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

Since October 2010 an amendment to the Czech Aliens Act and related legislation was discussed in the Czech Parliament. The date of coming in force was January 1, 2011.

The major change of this amendment was the acceleration of transformation of the Alien Police Service. The general aim was to shift certain administrative tasks to the Ministry of the Interior in order to separate administrative agenda from repressive activities. The transformation was originally foreseen for the year 2013. However, in the Parliament it was decided to implement it from January 2011.

The amendment also implemented the “Blue Card Directive” as well as the “Employer Sanctions Directive”, the Community Code on Visas, the „Return Directive“, and the „Regulation on Biometrics in Resident Permits“

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

## ***1.1 Methodology***

This report was drafted on the basis of information provided by experts working in the area 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. The report is based on information provided by a wide range of actors in the field concerned – mainly other units and departments of the MoI, other relevant ministries and their organisations, as well as the Police. 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. Other source used by authors was a publicly accessible legislation, such as Alien Act and relevant Government Resolutions.

The analysis of press releases made by the MoI during 2010 and of relevant information and statements of major NGOs active in this field published on their websites was also drafted, specifically concerning the part as regards 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***

There were no technical terms or special concepts used in this study that require further clarification.

Statistics provided in the report are mainly based on national definitions. EU harmonised statistics were not available in time of production. 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 13 regions and the capital city of Prague, each of them 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 only in the capital city of Prague is this position reserved for Prague's 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) is responsible for carrying out these tasks within the Ministry of the Interior.

The **Alien Police Service**<sup>1</sup> (APS) is an integral part of the Police of the Czech Republic. The APS performs tasks related to border control, security clearance within the long-stay visa and temporary residence permit procedures and other tasks related to the stay and residence of foreign nationals in the Czech Republic.<sup>2</sup>

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 APS.

The **Ministry of Labour and Social Affairs** (MoLSA) is liable for the integration of foreign nationals into the labour market. Until the end of 2010, MoLSA was running a project entitled **Selection of Qualified Foreign Workers**<sup>3</sup>.

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<sup>1</sup> The previous name was Alien and Border Police Service. The name was changed after the Czech Republic has entered the Schengen Area. The only external borders are at the international airports.

<sup>2</sup> Since 1 January 2010 an administrative agenda related to long-term visa and residence permits was shifted to the Ministry of the Interior.

<sup>3</sup> The project was terminated due to budgetary restrictions.

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 Education, Youth and Sports,
- Refugee Facilities Administration of the MoI
- and Customs Service.

*More detailed information concerning the above-mentioned institutions can be found in the previously released EMN study entitled “Organisation of Asylum and Migration Policies in the Czech Republic”.*

## **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>4</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>5</sup> covers international protection in the form of asylum and subsidiary protection and their proceedings.
- **Act on the Temporary Protection of Aliens**<sup>6</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>7</sup> defines the organization of the Police, its competences, procedures etc. In relation to international migration, it covers mainly state border protection, identification, detention and expulsion issues and other procedures concerning aliens.
- **Act on the Protection of State Borders**<sup>8</sup> governs the protection of state borders from illegal crossings and ensures the fulfilment of obligations resulting from the Schengen acquis.
- **Labour Code**<sup>9</sup> and **Act on Employment**<sup>10</sup> constitute a general framework for the employment of foreign nationals.
- **Act on Acquisition and Relinquishment of the Citizenship of the Czech Republic**.<sup>11</sup>

*More detailed information concerning the above-mentioned institutions can be found in the previously published EMN study entitled “Organisation of Asylum and Migration Policies in the Czech Republic”.*

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<sup>4</sup> Act on the Residence of Aliens in the Territory of the Czech Republic (Act No. 326/1999, Coll.)

<sup>5</sup> Act on Asylum (Act No. 325/1999, Coll.)

<sup>6</sup> Act on Temporary Protection of Aliens (Act No. 221/2003, Coll.)

<sup>7</sup> Act on the Police of the Czech Republic (Act No. 283/1991, Coll.)

<sup>8</sup> Act on the Protection of State Borders (Act No. 216/2002, Coll.)

<sup>9</sup> Labour Code (Act No. 262/2006 Coll.)

<sup>10</sup> Act on Employment (Act No. 435/2004 Coll.)

<sup>11</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

An interim government of Mr. Jan FISCHER consisting of non-political experts<sup>12</sup> stayed in power until the elections in spring 2010. A new government was appointed after the **national election** 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. New Government was appointed on 13 July 2010. It consists of representatives of Civic Democratic Party (ODS), TOP 09 and Public Affairs (VV).

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).

As for the changes at the posts of ministers dealing with migration, asylum and integration issues, due to the appointment of the new Government the Minister of the Interior Mr. Martin PECINA was replaced by Mr. Radek JOHN (VV), Minister of Labour and Social Affairs Mr. Petr ŠIMERKA by Mr. Jaromír DRÁBEK (TOP 09) and Minister of Foreign Affairs Mr. Jan KOHOUT by Mr. Karel SCHWARZENBERG (TOP 09). The post of non-departmental Minister for Minorities and Human Rights, which was held by Mr. Michael KOCÁB till his resignation in March 2010, remained unfilled.<sup>13</sup>

Two other elections took also place in the Czech Republic in May<sup>14</sup> 2010 - **the election to the Senate of the Parliament** of the Czech Republic (1/3 of the seats) and to the municipal councils (local elections). Due to the rise in number of seats won by the left-wing Czech Social Democratic Party (ČSSD), which is in opposition at governmental level at present, the ruling coalition lost the majority in Senate.

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<sup>12</sup> The interim government was appointed on 8 May 2009 as a solution to the political crisis followed by no-confidence vote in the Parliament to then-ruling Coalition led by the Civic Democratic Party's Chairman and Prime Minister Mr. Mirek TOPOLÁNEK.

<sup>13</sup> Following to his resignation, Mr. Michael KOCÁB was appointed Deputy for Human Rights by the then Prime Minister Mr. FISCHER. He held this position from 19 April to 15 September. He was suspended by the new Prime minister following a disagreement between them.

<sup>14</sup> The elections to the Senate were held simultaneously with the national elections on 28 - 29 May, followed by the second round of Senate elections a week later.

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

In general, during 2010, the policy and public debate was centred around two main topics – the new bill amending the Alien Act and the Asylum Act and an 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 and the Asylum Act**

The media most 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 new conditions governing the **extent of the medical insurance for foreign nationals**. Medical insurance was the most discussed topic 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 bosses of big companies (actually the purpose of introducing this new measure by the Government was 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**
- **transposition of the Return Directive** – this was criticized mainly by the representatives of NGOs who draw attention mainly to the prolonging of time limits for detention
- **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

### **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 a related frequent topic of articles and various discussions. Often the role of **intermediaries and employment agencies and the issue of their regulation** in connection with labour migration were mentioned – especially in professional discussions among migration experts (researchers, NGO workers). A trend of **rising number of labour migrants** who due to the limited offer of employment caused by the crisis and relatively easy procedure for business undertakings were **switching from employment to the trade** was also commented on – mainly in the articles and debates of the experts.

### **3.2.3 Other Debates**

Considerable media attention was devoted to the case of allegedly **exploited Romanian workers** (197 persons) who worked in Plzeň and who called police in fear of physical attack after they demanded better housing and payment of their due wages. They were eventually transported back to Romania with the assistance of municipal authorities, police and charity and the police started to investigate their employer.

In the area of asylum, the case of **resettled political prisoner from Cuba** and his family was closely followed by the media – from shoots of his arrival to Prague in main evening news on TV in October 2010 to subsequent interviews with him and information on his integration in Czech society as refugee.

Regarding integration, certain interest of media was drawn to the **situation in Libuš**, which is a town quarter of Prague with large Vietnamese minority centred around the SAPA market which is the centre of the Vietnamese community in Czech Republic. In March 2010, the situation escalated when mayor of Libuš wrote a letter informing of **allegedly high criminality among Vietnamese** including drug-abuse, homelessness etc., (not confirmed by the statistics) and threatening of possibility of formation of home-defence among Czech inhabitants.

Apart from their statements and critique regarding the Government proposals for the amendment of the Alien Act and the Asylum Act, probably the most distinctive initiative of the NGOs active in this field was the **First March for the Rights of Migrants**. It took place in June 2010 and its aim was to voice protest against too restrictive labour migration policy of the state in response to the impact of crisis. It was organised by the Initiative for Rights for Labour Migrants consisting of NGO employees and immigrants. The attendance was approximately 100 persons. This initiative also organised a concert for migrants in November – it took place in front of the building of Alien Service Police at Prague-Chodov.

Furthermore, the critique of the Ministry of the Interior for allegedly too lengthy procedure for extension of Schengen visas for tourists, as well as the introduction of a specialised anti-corruption hot-line for foreign nationals in December 2010 and the court decision on unlawfulness of the fees paid by Ukrainian visa applicants for telephonic registration at Lvov consulate was mentioned in the media during 2010.

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

As described in greater detail above, the government of non-political experts was superseded by a new centre-right government in 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<sup>15</sup>. The principal change was the **acceleration of 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 Minister Radek JOHN decided on implementing the transformation already from 2011.

Furthermore, also partly as a result of the economic measures implemented by the new Government, the **Project of Selection of Qualified Foreign Workers** was abandoned at the end of 2010.

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<sup>15</sup> Although most of the savings were to be implemented with the beginning of the new fiscal year (i.e. from January 2011), several measures had to started to be prepared already at the second half of 2010.

### **3.4 Institutional developments**

As part of an ongoing wider process aimed at facilitating services provided by the Police and making the Police more efficient by removing unnecessary bureaucratic burdens, the **process of substantial organizational changes of the Alien Police Service (APS) continued in 2010**. Due to the political development and resulting budgetary measures, 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 1 January 2011. The general aim was to shift certain administrative tasks to the Ministry of the Interior (MoI) in order to separate administrative agenda from repressive activities.

After the **first stage** of the reform of the APS, which came into force on 1 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 shifted**. In connection with this **second stage** of the reform, also the organisational 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, the Czech Republic launched the 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.

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 the foreigner with different conditions (length of stay, renewal, 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.

#### 4.1.2 *Development within the national perspective*

No changes were made to the conditions of the **Green Card project** during 2010. The economic crisis, which affected the course of 2010 as well, not only had an impact on the choice of the source countries to be able to apply, but also practically impacted on the numbers of foreign workers in the Czech labour market making them decrease. This project is expected to continue in the future and its flexibility will allow it to react to any changes.

In 2010, **limited reception of long-term visa** applications continued at selected consulates (Vietnam, Moldova, Mongolia, Uzbekistan, Ukraine). Reception of visa applications is limited in purposes of stay connected with economic activities. For citizens of third countries new work permits are issued by the Employment Offices only in reasonable and exceptional cases and for a shorter period than it was usual before.

In October 2010, the Czech Parliament dealt with changes to the Employment Act enhancing inspection competences of customs officers, as far as the observance of the Employment Act.

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. It came into force on 1 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 1 January 2011 the Ministry of the Interior is newly responsible for the agenda of long-term stays and long-term visas. It took over this competence from the Alien Police Service. The amendment brings also some changes in requirements for visa and residence permit applications.

Due to the crisis, the Czech Ministry of Labour and Social Affairs decided to terminate the “**Selection of Qualified Foreign Workers**” project, as part of cost savings.

**A new system of economic migration into the Czech Republic** is currently being created<sup>16</sup>. It is based on the above mentioned Approach. In the new system emphasis is put on clear conditions for immigration to the Czech Republic and on strengthening the responsibilities of various entities involved in the organization of the migration process. The changes will be introduced into yet a new Act on the Residence of Foreigners, which is planned for the future. A proposal mentions for the first time the terms **circular and temporary migration**. The new system aims to implement the principles of circular migration, especially as concerns labour migration, but it also considers the part of permanent settlement to be of significant importance. Regarding circular migration, the Czech Republic will strive for greater cooperation with third countries.

### **Residence permits statistics<sup>17</sup>**

The number of foreign national (including EU nationals) residing in the Czech Republic dropped for the second time in a row. In comparison to the previous year, the number

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<sup>16</sup> The government resolution of May 2010 aimed at dealing with the current problems and developments in migration set a high-priority task for the Ministry of the Interior to draft a proposal for a new system of economic migration by the end of 2010. A draft of the proposal was approved by the Government in January 2011.

<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.

declined by 1.8 % to 425 301 foreign nationals that were registered in the residence permit records of the APS to date 31 December 2010.

The number of EU nationals remained stable and their share on total population of foreign nationals in the country was approximately 31.8 %. The number of third-country nationals decreased by 7 000 approximately and their share on total was 68.2 %.

Some 44.7 % of foreign nationals had a status of permanent residency and remaining 55.3 % were holders of long-term residence status. Top five countries of citizenship were: Ukraine (29.2 %), Slovakia (16.9 %), Viet Nam (14.9), Russia (7.5 %) and Poland (4.3 %).

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

Total number of 11 551 long-term visas (type D) were granted during the year 2010. This represented a massive annual decline by 37.8 %. A reason for this was a limited reception of visa application from nationals of selected countries, a measure connected to economical crisis.

One third (33.4 %) of total number of long-term visas granted was for educational reasons. Approximately one quarter (24.3 %) was granted for family reasons. Visas for the purpose of remunerated activities were granted in 38.0 %.

### **Situation on the labour market**

At the end of the year, 215 367 foreign nationals were registered on the Czech labour market. There were 143 997 of EU/EEA/Switzerland nationals who have only information duty. The number of work permits issued to third country nationals was 49 121, of which 126 persons were Green Card holders. There were also 22 126 third country nationals who didn't need to be in possession of work permits and have only information duty (for example permanent residency holders).

The number of vacancies notified to Labour Offices, on which employers would like to hire third country nationals, was 296 at end of December.

According to the Eurostat, the unemployment rate<sup>18</sup> was 7.7 % in December 2010. The unemployment rate remained stable compared to unemployment rate in January 2010 (7.7 %).

#### ***4.1.3 Development from the EU perspective***

The 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 1 January 2011, with some of parts – such as the introduction of biometrics – coming to force in May 2011.

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

There have been no significant developments.

Long-term visa granted for family reasons represented approximately one quarter (24.3 % - 2 804 cases) of all long-term visa granted during 2010. Until May approximately 200 visas were granted monthly. Afterwards a stable and moderate growth was recorded.

### ***4.2.3 Development from the EU perspective***

There have been no significant developments.

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<sup>18</sup> Unemployment rate, monthly average, seasonally adjusted data.

### **4.3 Other legal migration**

This subsection is devoted to inform about information campaigns, channels and strategies towards foreign nationals promoting legal migration to the Czech Republic. Information in this section relates to the *European Pact on Immigration and Asylum – I(f) Improve information on the possibilities and conditions of legal migration.*

#### **4.3.1 Specific context**

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

Updated information about the possibilities of legal migration is published on the **website of the Ministry of the Interior** ([www.mvcr.cz](http://www.mvcr.cz)), general information for foreign nationals already present in the territory is also available at [www.cizinci.cz](http://www.cizinci.cz). The Ministry of the Interior bi-annually updates the “**Information Brochure for Foreigners in the Czech Republic**” with all the necessary information for a legal entry and stay. The brochure is available in Czech, English, Russian, Moldovan, Mongolian, Vietnamese and Ukrainian languages. There are also **integration centres** in the Czech Republic that can answer particular questions regarding the legal steps concerning stays in the Czech Republic. Also, the Ministry of the Interior cooperates directly with embassies on solving particular cases if needed.

In 2010, the Ministry of the Interior used an innovative channel to inform potential immigrants in their country of origin. A **short information video** about immigration to the Czech Republic and problems immigrants may face during the process was broadcast on Mongolian TV.

As a result of an awareness-oriented project, a special **information booklet** was created in the end of 2009 providing information on legal rights and obligations of third-country nationals possessing a long term residence permit with a special focus on employment issues. During 2010, this booklet was distributed through various channels such as Immigration Police Offices, Integration Centres, branches of the Ministry of the Interior in different Czech regions, NGOs and other relevant partners in the field. The languages available were Mongolian, Vietnamese, Russian, English and Ukrainian

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

The Czech Republic actively participates in sharing and exchanging 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 harmonious 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 the 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, orientation in the host society and relations between immigrants and majority society. Other priorities are the prevention of problems between immigrants and host society, enclosure of communities, social exclusion of immigrants, education of the second generation of immigrants and integration at regional and local levels.

The Ministry of the Interior as a coordinator organizes regular joint meetings and other bilateral meetings with representatives of other ministries involved in implementing the Strategy for the Integration of Immigrants to adequately respond to integration issues.

As coordinator, 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. 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 a response to the economical downturn, the Ministry of the Interior introduced a new type of integration projects – **Emergency Integration Programmes**. These projects are based on a very close cooperation between the ministry and municipalities, and consist of activities such as social and legal counselling, language courses, social and cultural training, support of

education in schools and cultural exchange. Local governments, subsidized by the ministry and carry out these projects, hire NGOs or local stakeholders to provide these tailor-made services. Seven projects were active in 2010.

**Projects of the Foreign Nationals Integration Support Centres** were launched in 2009. In 2010, 4 new centres were opened. Currently, their services cover 10 out of the 14 regions of the Czech Republic. It is planned that all 14 regions will be covered in the subsequent years. The objective of the projects is to create opportunities for a long-term and strategic support of integration. Integration Centres should initiate, organize and carry out the activities supporting social, legal, lingual and cultural position of foreign nationals in the said regions. Integration Centres ensure information and consultancy activities in social and legal fields. They organize courses of the Czech language or social and cultural courses. Qualified social workers, lawyers and other employees provide these services for clients free of charge. The courses of Czech language are implemented at two levels – basic one and intensive one. The social and cultural courses provide basic knowledge of living conditions in the Czech Republic. Simple examples and model situations are used to show foreign nationals how to respond accordingly in everyday situations. Integration Centres provide Internet access and a library available to the clients. They are also engaged in platforms that unite all stakeholders of the region.

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

The Czech Republic participated in the work of the **National Contact Points on Integration** and has been an active supporter of the preparation of the European modules on Migrant Integration. Czech NGO representatives were involved in activities of the European Integration Forum. The Czech Republic was also engaged in updating the Czech and EU websites.

## **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 government decided to re-schedule it to 2013.

### **Citizenship statistics<sup>19</sup>**

In 2010, nationality of the Czech Republic was granted to 947 foreign nationals (the figure does not include Slovak citizens). In comparison with previous year, this number constitutes 6.9 % decline. Of these, Czech citizenship was granted to 73 persons who had previously been granted asylum in the Czech Republic.

Regarding our common history, Slovak citizens specific a have specific option when applying for Czech citizenship: they can acquire Czech citizenship either by being granted nationality or by declaring it. In 2010, 377 Slovak nationals acquired citizenship of the Czech Republic, which represents 12.5 % decline as compared with previous year.

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

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<sup>19</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*

No specific measures leading to regularisation have been seriously discussed so far and **no regularisation project** was implemented in the Czech Republic in 2010. Although there was a project financed by the Open Society Fund and implemented by the Consortium of Non Governmental Organisations to evaluate the situation and draft recommendations to the government in this regard, none of these outcomes have been delivered yet.

As regards irregular migration, the general basis of the Czech policy is to **strengthen preventive measures** instead of extending punitive measures once irregular migration is identified in the territory. Preventive measures include information campaigns concerning conditions on legal migration, as well as specific projects.

Regarding the **expulsion of illegally staying persons**, the Czech Republic cooperates with other Member States in implementing readmission agreements concluded between the Czech Republic and certain other Member States. Conditions for readmission of third-country nationals are provided for by these particular agreements. Within this context and on the basis of such an agreement, the Czech party submits an application for readmission of a third-country national to the respective country and at the same time the Czech party presents a proof of the fact that the respective foreign national crossed the common national border and entered illegally the territory of the Czech Republic. Biometric identification of persons is not made available to the Member States.

In the framework of a **project on voluntary returns**, the Czech Republic cooperates with the Czech branch of the International Organization for Migration (IOM). This organization mainly ensures plane tickets and substitutive travel documents for foreign nationals and provides assistance at airports to foreigners on their way to their countries of origin.

An interministerial body called the **Analytical Centre for Border Protection and Migration** functions under the Ministry of the Interior. Members of this Analytical Centre are 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). Members of these institutions meet at thematically focused forums where current problems and new findings in the field of migration are being discussed and information from each institution with relevance to migration is exchanged.

As activities related to the residence of foreigners fall under the responsibility of the Ministry of the Interior, its respective employees have been trained in the area of bogus document detection. This training will be further enhanced and deepened. The Ministry also makes sure that identity checks of foreigners are consistent, in order to prevent confusion between persons granted a permit to stay and persons staying illegally. Relevant bodies of the Police or expert examinations can be used in the process.

Another area of combating illegal migration, apart from border control, is the rigorous examination of individual applications for residence permits. All possible procedural institutes should be used (e.g. hearing and screening by relevant state bodies). This goes particularly for persons who are staying illegally and by applying for residence permit they attempt to legalize their stay (e. g. by marriages of convenience, fraudulent declaration of paternity, or by submitting bogus documents). One of the tools is also a consistent fight against corrupt practices at offices of the Ministry.

As in the previous year, police officers of the Alien Police Service were seconded to Czech embassies and/or consulates (Hanoi, Cairo, Kiev, Ulaanbaatar, Moscow and Beijing). Opinions provided by officials of the relevant consulates and embassies show that activities carried out by the police officers contributed to a more effective cooperation between the Alien Police Service and embassies and consulates, mainly in the area of enhancing the decision-making process concerning the reception of applications for visas for over 90 days of stay and monitoring whether such visas are abused for a purpose different from the purposes stated in the application. Moreover, the police officers acquired and delivered to the competent units of the Czech Police topical information on migration movements, migration routes and methods used for unlawful border crossing.

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

In May 2010, the government approved the new Approach of the Czech Republic in the field of prevention and fight against illegal migration and negative effects related to migration.

### **Statistics of foreign nationals apprehended in the territory<sup>20</sup>**

In 2010, a total number of 2 848 foreign nationals were apprehended (found to be illegally present). This represents decline by 33.3 % in comparison with previous year. In most of the cases (2 656; 93.3 %), persons apprehended were third country nationals.

### **5.1.3 Development from the EU perspective**

The Ministry of the Interior drafted an amendment of the Act on the Residence of Foreigners. This amendment passed through the legislative process in December 2010. The date of its entry into force is 1 January 2011. Although the Ministry of the Interior has the main responsibility for the transposition of the “Employer Sanctions Directive,” transposition of most of its articles is carried out by the Ministry of Labour and Social Affairs.

Employer sanctions directive is still to be implemented into Czech law. Employers hiring illegally staying third-country nationals can be penalized by the Labour Offices, because such treatment is considered to be an offence of “illegal employment”, according to the Employment Act. The maximum penalty is a fee of 5 mil. CZK. Under some conditions, this behavior can be regarded as a criminal act.

## **5.2 Return**

### **5.2.1 Specific context**

In reaction to the economic downturn, the Czech Republic carried out **specific return projects in 2009**. The project was designed for legally staying third-country nationals who had lost their employment or other remunerated activity and didn't have sufficient income. This project was one of the measures to prevent a situation where legally staying third-country nationals would become irregular migrants. Even though the aftermath of the

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<sup>20</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.

economic downturn still affects migration, especially labour migration to Europe, no similar projects were undertaken in 2010.

The issue of **voluntary returns** has been tackled in the Czech Republic for a long period of time not only in relation to unsuccessful seekers of international protection but also in relation to third-country nationals who unlawfully reside in the Czech Republic. Voluntary return programmes are currently in place for the above-mentioned third-country nationals. These programmes provide basic information to the target groups, advisory services regarding voluntary returns, personal assistance with all necessary documents and payment of travel expenses.

### **5.2.2 Development within the national perspective**

**Readmission agreements** facilitate the identification of persons apprehended while illegally entering or staying in the Czech Republic and speed up the process of returning such persons (thus their detention is as short as possible). This amendment lays down: the conditions, under which it is possible to return the person concerned; evidence, according to which it is possible to return the person concerned without any further investigation; and the time limits that accelerate the process of handing these persons over (including transits)., Cooperation for instance with Russia, Ukraine and Moldova is currently improved and faster in relation to readmission but also to transit procedure (i.e. transit of Ukrainian nationals via Slovakia).

#### **List of readmission agreements negotiated and achieved during 2010**

<b>Type of readmission agreement</b>	<b>Third countries involved</b>	<b>State of negotiation</b>
Bilateral	Switzerland	Process of ratification
Bilateral	Armenia	Process of ratification
Bilateral	Kosovo	Negotiating
Bilateral	Kazakhstan	Negotiating
Bilateral	Russia – implementing protocol to the EU-Russia readmission agreement	Negotiating
Bilateral	Montenegro - implementing protocol to the EU-Montenegro readmission agreement	Negotiating
Bilateral	Ukraine - implementing protocol to the EU-Ukraine readmission agreement	Negotiating
EU	Turkey	Negotiating
EU	Cape Verde	Negotiating
EU	Morocco	Negotiating
EU	Georgia	Before signing
EU	Pakistan	Process of ratification

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

Total number of 2 507 foreign nationals were issued decision on administrative expulsion in 2010. In comparison to 2009, a decline of 557 persons (18.2 %) was recorded.

In 2010 a sentence of judicial expulsion was rendered to 1 059 persons, which represents a drop of 27.7 % in comparison with 2009.

## **Readmission procedure statistics**

573 persons were handed over to other countries pursuant to readmission agreements. Compared to 2009, a number is higher by 19.4 %. This increase could be explained by implementation of readmission agreement between the EU and Ukraine. Out of the total, 108 persons were handed over to neighboring countries and 465 to other countries.

The Czech Republic accepted 263 persons, all of them from neighboring countries. In previous year, the number was two times higher (in 2009 – 528 persons). One of the main reasons for such a significant decline was the adjustment of visa policy since April 2010 on account of the Visa Codex (holder of national visa – type D is automatically entitled to stay in the territory of other Schengen countries).

### ***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 (entered into force 1 January 2011).

In addition to this, in cases of transit based on the Agreement between the Czech Republic and Austria on readmission of illegally staying persons an escort is provided to foreign nationals who are removed from Austria to Poland via Czech territory.

The Directorate of Alien Police Service, Department for Enforcement Service Support has been cooperating with the FRONTEX and since 2006, it has also been participating in the area of returns. So far, the Czech Republic has participated in 3 joint return operations (Nigeria and Mongolia). During the course of these joint operations, the Department

cooperates with particular embassies on the issuance of travel documents to persons to be returned. Persons are returned on the ground of an administrative expulsion or expulsion ordered by court.

The Czech Republic has not yet organized a joint return operation under the patronage of the FRONTEX. Participation in joint return operations is regarded as beneficial for the Czech Republic.

The Czech Republic regularly and actively participates in activities organized by the FRONTEX and provides support to other Member States in form of personal and technical assistance in operations, especially at air and land borders.

The Czech Republic regularly takes part in exercises of the RABIT team and other training activities. Priority is given to activities connected with the air border (since it is the only external border of the Czech Republic) but it also participates in joint operations at external land borders. The Czech Republic attempts to fulfill all requests of the FRONTEX and other Member States.

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

#### **5.3.1 Specific context**

A project entitled Discovering trafficking in human beings for the purpose of forced labour and labour exploitation was launched in July 2010 by the Security Policy Department of the Ministry of the Interior in cooperation with the Judicial Academy and the NGO La Strada. The project aims to provide better assistance and support to victims of trafficking, including legal assistance during criminal and civil proceedings. A part of the project focuses on the collection of final judgments in trafficking. Judgments will be collected from at least five EU countries and later analyzed. The objective of this assessment is to define the necessary circumstances and conditions of the crime in order for it to be prosecuted as trafficking in human beings for the purpose of forced labour or labour exploitation. The conclusions should help the courts prosecute the committed crimes under this particular offence. The entire project will run for 36 months.

Consular officers who are being assigned to consulates located in the respective countries of origin and transit receive special training focusing foremost on early victim

identification and options in providing assistance and support to presumed victims of trafficking in human beings.

An expert meeting on trafficking in human beings for the purpose of labour exploitation which brought together specialists from countries of origin (mainly Slovakia and Ukraine) and representatives of the Czech Republic was held in Solenice (CZE) from 29.9.–1.10.2010. The main objective of this meeting was to strengthen cooperation with countries of origin and evaluate the current cooperation mechanism.

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

During 2010, 4 third country nationals<sup>21</sup> received a residence permit as victims<sup>22</sup> of human trafficking - Long-Term Residence Permit for the Purpose of Protection in the Czech Republic.

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

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<sup>21</sup> Provisional data.

<sup>22</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**

A new training module called “Additional Professional Training” (APT) was introduced in January 2010. It is a specialized updating border guards at international airports. The course takes a week and border guards (will) take part in ATP regularly - every three years.

Moreover, new language courses focused at border check issues were introduced for border guards at international airports.

Readers of biometric passports (e-passports) were purchased for the Alien Police Unit at Prague Ruzyně Airport. Second line offices at all international airports were equipped with new videocomparators VSC 4C+, docutests and sets of microscopes with digital cameras Nikon, PCs and scanners.

During 2010, the Czech Republic has not provided any support with regard to border control in case of specific and disproportionate pressures in another Member State. In previous years, support was provided to neighboring countries in cases of important political events.

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

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

Preparations for the application of the Visa Code have been a high priority for the Ministry of Foreign Affairs. Czech diplomatic missions and consular posts were briefed on the main changes well in advance. Amendments were made to internal regulations concerning the visa process such as the Circular on Visa Issuance Rules and Procedures and related internal instructions and guidelines, including those with only limited relevance to Schengen visas. The new system was launched at Czech diplomatic missions and consular posts without major problems.

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

The Czech authority with an overall responsibility for the VIS is the Ministry of the Interior and it closely cooperates with the Ministry of Foreign Affairs. The major change is in the collection of biometric data – the visa-issuing post will have to take all ten fingerprints from each visa applicant.

A biometric data collection system was launched on a pilot basis at the Czech embassy in Cairo on 1 October 2008. The system worked well and the embassy's experience is mostly positive. Other diplomatic missions have followed. In total, the Czech Republic will have about 180-200 fingerprinting visa workstations (at all visa-issuing posts).

## **Representation**

The Czech Republic is currently entering into arrangements to ensure its representation and, vice versa, to represent other Member States in third countries whose nationals are subject to visa requirements. Long-stay visa applications are not included in representation arrangements and must be lodged at the nearest Czech consulate.

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

### **6.2.1 Specific context**

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

No specific agreements with third countries are planned to strengthen border control. The Czech Republics supports projects/measures aimed against illegal migration (see below).

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

## **7 INTERNATIONAL PROTECTION INCLUDING ASYLUM**

### **7.1 Specific context**

Border guards receive Basic Professional Training (BPT, introductory course in 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.

The Czech Republic resettled a number of people in need of protection on emergency basis and upon request of the UNHCR in recent years (Uzbekistan, Cuba, Iran).

The Czech Republic recently resettled (from 2008-2010) 81 Burmese refugees from Thailand and Malaysia. The entire program was carried out in close cooperation with the UNHCR offices both in the Czech Republic and in countries of first asylum.

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

In 2010 the Czech Republic resettled 39 Burmese refugees from Thailand. During the project the Czech Republic closely cooperated with the UNHCR.

#### **International protection statistics<sup>23</sup>**

During 2010, 833 persons applied for international protection in the Czech Republic. This represents an annual decline of 33.8 percents. Hence the trend of declining number of asylum seekers continues.

The most numerous citizenships among seekers for international protection were Ukraine (115), Mongolia (96), Belarus (56), Russia (51) and stateless (50). In comparison with 2009, a significant growth was recorded for nationals of Myanmar, who made it TOP 10 most numerous nationalities with 42 persons. The main reason was their involvement in resettlement programme. On the other hand, the number of asylum seekers from Syria fell down by 64.4 %.

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<sup>23</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.

A dominant phenomenon in 2010, as in the previous years, was a high share of repeated applications. Repeated applications constituted 45.7 % of total number of applications for international protection.

The Ministry of the Interior granted status of international protection to 229 persons in 2010. Asylum status was granted in 125 cases, status of subsidiary protection in 104 cases. In addition, subsidiary protection was renewed in 155 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 organisations 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 are met, especially as concerns their upbringing, education and integration into Czech society.

*More detailed information concerning the above-mentioned institutions can be found in the previously released EMN study entitled “POLICY ON RECEPTION, RETURN, INTEGRATION ARRANGEMENTS FOR, AND NUMBERS OF, UNACCOMPANIED MINORS IN THE CZECH REPUBLIC”.*

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. Therefore, the Czech Republic doesn't cooperate with countries of origin to facilitate the return of these minors.

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

The numbers of unaccompanied minors have been diminishing over the last few years. This trend continued in 2010 – only 4 unaccompanied minors applied for international protection. It represents 2/3 decrease compared to previous year.

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

## 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 aimed at cooperation with third countries where the fight against illegal migration is one of the principal pillars.

**Building Migration Partnerships** – This project was launched during the CZ PRES by a ministerial conference that gathered EU and Schengen states and CIS and Western Balkan countries in order to begin cooperation in 5 thematic areas: prevention and fighting of illegal migration; promotion of readmission, return and sustainable reintegration; better management of labour migration; integration of legally residing migrants; making migration and mobility positive forces for development. So far, 6 thematic workshops were held, two series of missions to CIS countries, Extended Migration Profiles were created for 11 CIS countries and 5 leading EU states and an interactive map of illegal migration routes was prepared. The project continues under the name Prague Process.

**Strengthening Capacities and Cooperation in the Identification of Forged and Falsified Travel Documents at the Moldova-Romania Border** is a project created to contribute to increased effectiveness in fighting illegal migration by the Moldovan authorities. Specific objectives are to strengthen capacities of border, consular and migration authorities to detect forged and falsified travel documents and inter-agency cooperation and exchange of information on detected forged and falsified documents, genuine travel documents, as well as methods of forgeries. Project leading agency is ICMPD.

Initiative targeting the **Support of the Reintegration of Georgian Returning Migrants and the implementation of the EU-Georgia readmission agreement** – This EC-funded and Czech-led initiative deals besides capacity building in reintegration also with distribution of information about risks of illegal migration and possibilities of legal migration to EU countries in Georgia.

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

The Czech Republic will continue to profile itself in selected priority countries and sectors, as well as to contribute to a coordination of donors in the given countries and a harmonization of donor community along with decisions of partner governments. During this process, the Czech Republic will share its specific experiences, especially the systematic use of transformation history. Due to these reasons, the Czech Republic accepted the role of the so-called supporting facilitator in Moldova and Mongolia and is willing to coordinate donors between each other and between their partner governments.

Social development continues to be one of the priorities of Czech Republic's Foreign Development Cooperation. It encompasses education and social and health service. Education, in particular elementary and vocational education, is also a traditional part of Czech Development Cooperation.

## **Remittances**

**A World Bank-led mission** visited the Czech Republic in May 2008 to provide local authorities with a review of the remittance market and identify possible actions to implement in the country. Later, the World Bank delivered a report presenting the results of the analysis based on international standards and best practices, containing some observations that could serve as a basis to initiate discussions.

Following the recommendations of the report, the Ministry of Finance requested from the Payment Systems Development Group of the World Bank to provide a plan for the implementation of some of the main activities with the highest potential to enhance the efficiency, reliability, transparency and effectiveness of the national market for remittances.

Among other things and as the first step, Czech authorities decided to fund a national **Survey of the Market for Remittances**. In October 2010, a seminar for the presentation of a World Bank study called "*The Market for Remittance Services in the Czech Republic – Outcomes of a Survey among Migrants*" was organized.

## **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 16 December 2008 on common standards and procedures in Member States for returning illegally staying third-country nationals*

- **Required date of transposition:** by 24 December 2010. In relation to Article 13(4), by 24 December 2011
- **State of play:** Transposed since 1.1.2011 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 18 June 2009 providing for minimum standards on sanctions and measures against employers of illegally staying third-country nationals*

- **Required date of transposition:** by 20 July 2011
- **State of play:** Not yet fully transposed (partially transposed by the Act no. 427/2010 Coll., in force from 1st January, 2011)
- **Details:** The above partial transposition prepared by the Ministry of the Interior. Transposed into following acts:
  - Act No. 326/1999 Coll., on the Residence of Foreign Nationals in the Territory of the Czech Republic
- So called „Sanctions Directive“ has to be transposed to a number of acts in jurisdiction of Ministry of Labor and Social Affairs, Ministry of Finance, Ministry

of Justice, Ministry for Regional Development, Ministry of Health and so on.

***Council Directive 2009/50/EC of the Council of 25 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 19 June 2011
- **State of play:** Transposed since 1. 1. 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. 345/2004 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 18 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 13 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 25 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 29 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 at the end of 2010 in the Parliament. This was accompanied by some discussions in the media and among experts – however, these discussions were more concerned with the new national measures than with the implementation of EU Legislation. One exception was the introduction of EU Blue Card – this card was mentioned even in the media and often compared with the national Green Card Scheme. NGO workers discussed also implementation of the Return Directive – they draw attention mainly to the prolonging of the time limits for detention which they criticized.

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## **Annex to National Annual Policy Report 2010 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 2010).

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 2010.

Where the Pact objective is related to the implementation of EU legislation, provide details in the relevant parts of Sections 4 – 9 inclusive. Section 5, 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.

For each topic in the Annex, EMN NCPs are also requested to provide some **key statistics**, for which standardised Tables have been added. The purpose is to provide some "headline" statistics, presenting the main figures in the areas of migration, international protection and external border management. These are very often demanded by policymakers in particular. By requesting all EMN NCPs to provide such data, even if tentative, it will then be possible to provide an EU-27 overview, as well as comparability between Member States. If needed, you may provide definitive data in mid-March 2011, when submitting the full National Reports.

## 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).

The Czech Republic continued with the project of the so-called “**Green Cards**” that was launched in 2009 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. The economic crisis, which affected the course of 2010 as well, not only had an impact on the choice of the source countries to be able to apply, but also practically impacted on the numbers of foreign workers in the Czech labour market making them decrease. No changes were made to the conditions of the project during 2010. This project is expected to continue in the future and its flexibility will allow it to react to any changes.

In 2010, limited reception of **long-term visa** applications continued at selected consulates (Vietnam, Moldova, Mongolia, Uzbekistan, Ukraine). Reception of visa applications is limited in purposes of stay connected with economic activities. For citizens of third countries new work permits are issued by the Employment Offices only in reasonable and exceptional cases and for a shorter period than it was usual before.

In May 2010, the government **approved the new Approach of the Czech Republic in the field of prevention and fight against illegal migration and negative phenomena connected with migration** (“Approach”).

In October 2010, the Czech Parliament dealt with changes to the Employment Act enhancing inspection competences of customs officers, as far as the observance of the Employment Act.

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. It came into force on 1 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 1 January 2011 the Ministry of the Interior is newly responsible for the agenda of long-term stays and long-term visas. It took over this competence from the Alien Police Service. The amendment brings also some changes in requirements for visa and residence permit applications. The amendment 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).

**A new system of economic migration into the Czech Republic** is currently being created. It is based on the above mentioned Approach. In the new system emphasis is put on clear conditions for immigration to the Czech Republic and on strengthening the responsibilities of various entities involved in the organization of the migration process. The changes will be introduced into yet a new Act on the Residence of Foreigners, which is planned for the future.

***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.

Due to the crisis, the Czech Ministry of Labour and Social Affairs decided to terminate the “**Selection of Qualified Foreign Workers**” project, as part of cost savings.

The **Green Card project** mentioned in section I(a) 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 the foreigner with different conditions (length of stay, renewal, 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.

The amendment to the Act on the Residence of Foreigners, which implements the Blue Card Directive, passed through the legislative process in December 2010. The date of its coming into force is 1 January 2011.

***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.

The government resolution of May 2010 aimed at dealing with the current problems and developments in migration set a high-priority **task for the Ministry of the Interior to draft a proposal for a new system of economic migration by the end of 2010**. This resolution mentions for the first time the terms circular and temporary migration. The new system aims to implement the principles of circular migration, especially as concerns labour migration, but it also considers the part of permanent settlement to be of significant importance. Regarding circular migration, the Czech Republic will strive for greater cooperation with third countries. The proposal of this new system will be incorporated into a yet new Act on the Residence of Foreigners, which is currently under preparation and is to come into force in the upcoming years.

**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:

**1(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.

The Czech Republic runs a web database of vacancies, for which no Czech nationals were found/suitable and which the employers were willing/requested to fill with third-country nationals. This database is regularly updated.

A labour market test is done by the locally operating Labour Office; the summary for the entire state is then done by the Ministry of Labour and Social Affairs. Needs and shortages are visible from the information about jobseekers registered with the Labour Offices and about vacancies reported by the employers. Employers are obliged to inform the Labour Offices about an existing vacancy and its characteristics.

Due to the crisis, there is a shortage of vacancies that can be filled by third-country nationals. At the end of September 2010, there were 515 vacancies, which were labelled by employers as available for foreign nationals – these vacancies are however still subject of the labour market test done by the Labour offices).

**1.3 Key statistics<sup>24</sup>**

<i>First residence permits, by reason<sup>25</sup></i>				
	Total	Education reasons	Remunerated activities reasons	Other reasons
First permits	11 551	3 865	4 391	491

<i>All valid residence permits, by duration</i>				
	Total	3-5 months	6-11 months	12 months and over
All permits	289 888 TCN (425 301 all)	n/a	n/a	n/a

<i>Unemployment rates of Member State citizens versus third-country nationals residing in the Member State<sup>26</sup></i>			
	Unemployment rate of total population in December 2010 <sup>27</sup>	Member State citizens	Third-country nationals
Unemployment rate (%)	7.7 %	n/a	n/a

<sup>24</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>25</sup> Number refers to a number of long-term visa (type D) issued to third country nationals during the year.

<sup>26</sup> Statistics in requested disaggregation are not available.

<sup>27</sup> Unemployment rate, monthly average, seasonally adjusted data. Source: Eurostat – Cronos.

## **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.

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.

### **2.3 Key statistics**

<i>First residence permits for family reasons<sup>28</sup></i>	
Number of first permits	2 804

## **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 actively participates in sharing and exchanging information on migration with other Member States within the European Migration Network (EMN),

<sup>28</sup> Number refers to a number of long-term visa (type D) issued to third country nationals during the year.

EUROSTAT, Frontex Risk Analysis Network (FRAN), General Directors' Immigration Services Conference (GDISC) and the International Centre for Migration Policy Development (ICMPD),

***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.

Updated information about the possibilities of legal migration is published on the **website of the Ministry of the Interior** ([www.mvcr.cz](http://www.mvcr.cz)), general information for foreign nationals already present in the territory is also available at [www.cizinci.cz](http://www.cizinci.cz). The Ministry of the Interior bi-annually updates the "Information Brochure for Foreigners in the Czech Republic" with all the necessary information for a legal entry and stay. The brochure is available in Czech, English, Russian, Moldovan, Mongolian, Vietnamese and Ukrainian languages. There are also 15 integration centres in the Czech Republic who can answer particular questions regarding the legal steps concerning stays in the Czech Republic. Also, the Ministry of the Interior cooperates directly with embassies on solving particular cases if needed.

As a result of an awareness-oriented project, a **special information booklet** was created in the end of 2009 providing information on legal rights and obligations of third-country nationals possessing a long term residence permit with a special focus on employment issues. During 2010, this booklet was distributed through various channels such as Immigration Police Offices, Integration Centres, branches of the Ministry of the Interior in different Czech regions, NGOs and other relevant partners in the field. The languages available were Mongolian, Vietnamese, Russian, English and Ukrainian

In 2009, the Ministry of the Interior used an innovative channel to inform potential immigrants in their country of origin. A short information video about immigration to the Czech Republic and problems immigrants may face during the process was broadcast on Mongolian TV.

**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>29</sup> as well as the Commission Communication [COM\(2005\) 389](#).<sup>30</sup>

<sup>29</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>30</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.

In the Czech Republic, the policy of harmonious 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 the 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, orientation in the host society and relations between immigrants and majority society. Other priorities are the prevention of problems between immigrants and host society, enclosure of communities, social exclusion of immigrants, education of the second generation of immigrants and integration at regional and local levels.

***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.

The Czech Republic participated in the work of the **National Contact Points on Integration** and has been an active supporter of the preparation of the European modules on Migrant Integration. Czech NGO representatives were involved in activities of the European Integration Forum. The Czech Republic was also engaged in updating the Czech and EU websites.

**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 coordinator organizes regular joint meetings and other bilateral meetings with representatives of other ministries involved in implementing the Strategy for the Integration of Immigrants to adequately respond to integration issues.

***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.

As coordinator, 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. 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.

**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.

In a response to the economical downturn, the Ministry of the Interior introduced a new type of integration projects – **Emergency Integration Programmes**. These projects are based on a very close cooperation between the ministry and municipalities, and consist of activities such as social and legal counseling, language courses, social and cultural training, support of education in schools and cultural exchange. Local governments, subsidized by the ministry and carry out these projects, hire NGOs or local stakeholders to provide these tailor-made services. Seven projects were active in 2010.

Projects of the **Foreign Nationals Integration Support Centres** were launched in 2009. Currently, their services cover 10 out of the 14 regions of the Czech Republic. It is planned that all 14 regions will be covered in the subsequent years. The objective of the projects is to create opportunities for a long-term and strategic support of integration. Integration Centers should initiate, organize and carry out the activities supporting social, legal, lingual and cultural position of foreign nationals in the said regions. Integration Centers ensure information and consultancy activities in social and legal fields. They organize courses of the Czech language or social and cultural courses. Qualified social workers, lawyers and other employees provide these services for clients free of charge. The courses of Czech language are implemented at two levels – basic one and intensive one. The social and cultural courses provide basic knowledge of living conditions in the Czech Republic. Simple examples and model situations are used to show foreign nationals how to respond accordingly in everyday situations. Integration Centers provide Internet access and a library available to the clients. They are also engaged in platforms that unite all stakeholders of the region.

NGOs impelment a number of integration projects.

**4.3 Key statistics<sup>31</sup>**

<i>Long-term third-country national residents</i>	
Number of long-term third-country national residents	132 496

<i>Acquisition of citizenship</i>	
Number of third-country national nationals (Citizens of countries other than of EU-27, EFTA and Candidate countries) taking up citizenship	n/a
All foreign nationals (except Slovak citizens)	947
Slovak citizens	377

<sup>31</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.

## 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 regularisation project was implemented in the Czech Republic in 2010. Although there was a project financed by the Open Society Fund and implemented by the Consortium of Non Governmental Organisations to evaluate the situation and draft recommendations to the government in this regard, none of these outcomes have been delivered yet. In reaction to the economic downturn, the Czech Republic implemented specific return projects in 2009. Even though the aftermath of the economic downturn still affects migration, especially labour migration flows, there is no similar project under preparation at the moment. The situation is similar as concerns regularisation - no specific measure leading to regularisation has been seriously discussed so far.

##### *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).

As regards irregular migration, the general basis of the Czech policy is to strengthen preventive measures instead of extending punitive measures once irregular migration is identified in the territory. Preventive measures include information campaigns concerning conditions on legal migration, as well as specific projects. In reaction to the economic downturn, the Czech Republic implemented - among other measures - a specific return project designed for legally staying third-country nationals who had lost their employment or other remunerated activity in 2009. Legally staying third-country nationals without sufficient income could lose their residence permits. This project was one of the measures to prevent a situation where legally staying third-country nationals would become irregular migrants.

##### *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.

Regarding the expulsion of illegally staying persons, the Czech Republic cooperates with other Member States in implementing readmission agreements concluded between the Czech Republic and certain other Member States. Conditions for readmission of third-country nationals are provided for by these particular agreements. Within this context and on the basis

of such an agreement, the Czech party submits an application for readmission of a third-country national to the respective country and at the same time the Czech party presents a proof of the fact that the respective foreign national crossed the common national border and entered illegally the territory of the Czech Republic. Biometric identification of persons is not made available to the Member States.

In the framework of a project on voluntary returns, the Czech Republic cooperates with the Czech branch of the International Organization for Migration (IOM). This organization mainly ensures plane tickets and substitutive travel documents for foreign nationals and provides assistance at airports to foreigners on their way to their countries of origin.

***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 Ministry of the Interior drafted an amendment of the Act on the Residence of Foreigners. This amendment passed through the legislative process in December 2010. The date of its entry into force is 1 January 2011. Although the Ministry of the Interior has the main responsibility for the transposition of the “Employer Sanctions Directive,” transposition of most of its articles is carried out by the Ministry of Labour and Social Affairs.

Employer sanctions directive is still to be implemented into Czech law. Employers hiring illegally staying third-country nationals can be penalized by the Labour Offices, because such treatment is considered to be an offence of “illegal employment”, according to the Employment Act. The maximum penalty is a fee of 5 mil. CZK. Under some conditions, this behaviour can be regarded as a criminal act.

***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.

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 (entered into force 1 January 2011).

**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.

An interministerial body called the Analytical Centre for Border Protection and Migration functions under the Ministry of the Interior. Members of this Analytical Centre are 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). Members of these institutions meet at thematically focused forums where current problems and new findings in the field of migration are being discussed and information from each institution with relevance to migration is exchanged.

**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).

As activities related to the residence of foreigners fall under the responsibility of the Ministry of the Interior, its respective employees have been trained in the area of bogus document detection. This training will be further enhanced and deepened. The Ministry also makes sure that identity checks of foreigners are consistent, in order to prevent confusion between persons granted a permit to stay and persons staying illegally. Relevant bodies of the Police or expert examinations can be used in the process.

Another area of combating illegal migration, apart from border control, is the rigorous examination of individual applications for residence permits. All possible procedural institutes should be used (e.g. hearing and screening by relevant state bodies). This goes particularly for persons who are staying illegally and by applying for residence permit they attempt to legalize their stay (e. g. by marriages of convenience, fraudulent declaration of paternity, or by submitting bogus documents). One of the tools is also a consistent fight against corrupt practises at offices of the Ministry.

**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.

As in the previous year, police officers of the Alien Police Service were seconded to Czech embassies and/or consulates (Hanoi, Cairo, Kiev, Ulaanbaatar, Moscow and Beijing). Opinions provided by officials of the relevant consulates and embassies show that activities carried out by the police officers contributed to a more effective cooperation between the Alien Police Service and embassies and consulates, mainly in the area of enhancing the decision-making process concerning the reception of applications for visas for over 90 days of stay and monitoring whether such visas are abused for a purpose different from the purposes stated in the application. Moreover, the police officers acquired and delivered to the competent units of the Czech Police topical information on migration movements, migration routes and methods used for unlawful border crossing.

### 5.3 Key statistics

<b>Third-country nationals apprehended<sup>32</sup></b>	
Third-country nationals apprehended	2 848

<b>Third-country nationals regularised</b>	
Third-country nationals regularised	n/a

## 6 Return Migration

### 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:

Type of readmission agreement	Third countries involved	Main purpose of the agreement
Bilateral	Switzerland	Readmission agreements facilitate the identification of persons apprehended while illegally entering or staying in the Czech Republic and speed up the process of returning such persons. For further information see below.
Bilateral	Armenia	
Bilateral	Kosovo	
Bilateral	Kazakhstan	
Bilateral	Russia – implementing protocol to the EU-Russia readmission agreement	
Bilateral	Montenegro - implementing protocol to the EU-Montenegro readmission agreement	
Bilateral	Ukraine - implementing protocol to the EU-Ukraine readmission agreement	
EU	Turkey	
EU	Cape Verde	
EU	Morocco	
EU	Georgia	
EU	Pakistan	

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).

<sup>32</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.

**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 issue of **voluntary returns** has been tackled in the Czech Republic for a long period of time not only in relation to unsuccessful seekers of international protection but also in relation to third-country nationals who unlawfully reside in the Czech Republic. Voluntary return programmes are currently in place for the above-mentioned third-country nationals. These programmes provide basic information to the target groups, advisory services regarding voluntary returns, personal assistance with all necessary documents and payment of travel expenses.

Specific return projects were implemented due to the economic downturn in 2009.

**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.

Readmission agreements facilitate the identification of persons apprehended while illegally entering or staying in the Czech Republic and speed up the process of returning such persons (thus their detention is as short as possible). This amendment lays down: the conditions, under which it is possible to return the person concerned; evidence, according to which it is possible to return the person concerned without any further investigation; and the time limits that accelerate the process of handing these persons over (including transits)., Cooperation for instance with Russia, Ukraine and Moldova is currently improved and faster in relation to readmission but also to transit procedure (i.e. transit of Ukrainian nationals via Slovakia).

**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 yet organized a joint return operation under the patronage of FRONTEX. The Czech Republic was only a participant in such operations. During these operations, the Czech Republic carried out returns of illegally staying migrants. Participation in joint return operations is regarded as beneficial for the Czech Republic.

In addition to this, in cases of transit based on the Agreement between the Czech Republic and Austria on readmission of illegally staying persons an escort is provided to foreign nationals who are removed from Austria to Poland via Czech territory.

**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 Directorate of Alien Police Service, Department for Enforcement Service Support has been cooperating with the FRONTEX and since 2006, it has also been participating in the area of returns. So far, the Czech Republic has participated in 3 joint return operations (Nigeria and Mongolia). During the course of these joint operations, the Department for Enforcement Service Support cooperates with particular embassies on the issuance of travel documents to persons to be returned. Persons are returned on the ground of an administrative expulsion or expulsion ordered by court.

The Czech Republic regularly and actively participates in activities organized by the FRONTEX and provides support to other Member States in form of personal and technical assistance in operations, especially at air and land borders. The Czech Republic regularly takes part in exercises of the RABIT team and other training activities. Priority is given to activities connected with the air border (since it is the only external border of the Czech Republic) but it also participates in joint operations at external land borders. The Czech Republic attempts to fulfil all requests of the FRONTEX and other Member States.

### 6.3 Key statistics<sup>33</sup>

<i>Third-country nationals ordered to leave and returned</i>				
	Ordered to leave	Returned following an order to leave	Returned as part of forced return measures	Returned through an Assisted Return Programme
Third-country nationals	2 507	n/a	n/a	n/a

*Note: Some other statistics from this field based on national definitions can be found in section 5.2.2 of the full National Report (p. 26)*

## **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).

A project entitled *Discovering trafficking in human beings for the purpose of forced labour and labour exploitation* was launched in July 2010 by the Security Policy Department of the Ministry of the Interior in cooperation with the Judicial Academy and the NGO La

<sup>33</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.

Strada. The project aims to provide better assistance and support to victims of trafficking, including legal assistance during criminal and civil proceedings. A part of the project focuses on the collection of final judgements in trafficking. Judgements will be collected from at least five EU countries and later analysed. The objective of this assessment is to define the necessary circumstances and conditions of the crime in order for it to be prosecuted as trafficking in human beings for the purpose of forced labour or labour exploitation. The conclusions should help the courts prosecute the committed crimes under this particular offence. The entire project will run for 36 months.

Consular officers who are being assigned to consulates located in the respective countries of origin and transit receive special training focusing foremost on early victim identification and options in providing assistance and support to presumed victims of trafficking in human beings.

An expert meeting on trafficking in human beings for the purpose of labour exploitation which brought together specialists from countries of origin (mainly Slovakia and Ukraine) and representatives of the Czech Republic was held in Solenice (CZE) from 29.9.–1.10.2010. The main objective of this meeting was to strengthen cooperation with countries of origin and evaluate the current cooperation mechanism.

## 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<sup>34</sup>

<i>Third-country nationals receiving a residence permit as victims of human trafficking<sup>35</sup></i>	
Third-country nationals	4

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

## **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:***

<sup>34</sup> Provisional data.

<sup>35</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.

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.

A new training module called “Additional Professional Training” (APT) was introduced in January 2010. It is a specialized updating border guards at international airports. The course takes a week and border guards (will) take part in ATP regularly - every three years.

Moreover, new language courses focused at border check issues were introduced for border guards at international airports.

**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.

Readers of biometric passports (e-passports) were purchased for the Alien Police Unit at Prague Ruzyně Airport.

Second line offices at all international airports were equipped with new videocomparators VSC 4C+, docutests and sets of microscopes with digital cameras Nikon, PCs and scanners.

**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.

There have been no significant developments.

**8.3 Key statistics**

<b>Third-country nationals refused entry<sup>36</sup></b>				
	Total refused	Refused at the land border	Refused at the sea border	Refused at the air border
Third-country nationals refused entry	333	n/a	n/a	333

<b>Visas issued</b>			
	Total Visas	Schengen Visas	National Visas
Visas	n/a	n/a	n/a

<sup>36</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.

	Short-term visa	Long- term visas <sup>37</sup>
Visas <sup>38</sup>	514 730	11 551

## **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).

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

Preparations for the application of the Visa Code have been a high priority for the Ministry of Foreign Affairs. Czech diplomatic missions and consular posts were briefed on the main changes well in advance. Amendments were made to internal regulations concerning the visa process such as the Circular on Visa Issuance Rules and Procedures and related internal instructions and guidelines, including those with only limited relevance to Schengen visas. The new system was launched at Czech diplomatic missions and consular posts without major problems.

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

The Czech authority with an overall responsibility for the VIS is the Ministry of the Interior and it closely cooperates with the Ministry of Foreign Affairs. The major change is in the collection of biometric data – the visa-issuing post will have to take all ten fingerprints from each visa applicant.

A biometric data collection system was launched on a pilot basis at the Czech embassy in Cairo on 1 October 2008. The system worked well and the embassy's experience is mostly positive. Other diplomatic missions have followed. In total, the Czech Republic will have about 180-200 fingerprinting visa workstations (at all visa-issuing posts).

#### **Representation**

The Czech Republic is currently entering into arrangements to ensure its representation and, vice versa, to represent other Member States in third countries whose nationals are subject to visa requirements. Long-stay visa applications are not included in representation arrangements and must be lodged at the nearest Czech consulate.

#### **1) PORTUGAL has been representing the Czech Republic in the following countries (cities) since 1 July 2010:**

Angola (Luanda, Benguela), Guinea-Bissau (Bissau), Cape Verde (Praia), Mozambique (Maputo, Beira), Sao Tome and Principe (Sao Tome), East Timor (Dili)

<sup>37</sup> Visa over 90 days (type D, D+C).

<sup>38</sup> National visa is issued in exceptional cases only.

**2) SPAIN has been representing the Czech Republic in the following countries (cities) since 25 October 2010:**

Bolivia (La Paz), Dominican Republic (Santo Domingo), Ecuador (Quito), Equatorial Guinea (Malabo), Jamaica (Kingston)

**The Czech Republic has been representing SPAIN in the following countries (cities) since 25 October 2010:**

Moldova (Chisinau)

**3) FRANCE has been representing the Czech Republic in the following countries (cities) since 1 November 2010:**

Anguilla (Castries), Benin (Cotonou), Virgin Islands (Castries), Brunei (Bandar Seri Begawan), Burkina Faso (Ouagadougou), Dominica (Castries), Djibouti (Djibouti), Fiji (Suva), Gabon (Libreville), Grenada (Castries), Haiti (Port au Prince), Cameroon (Yaoundé, Douala), Comoros (Moroni), Congo (Brazzaville, Pointe Noire), Laos (Vientiane), Mauritania (Nouakchott), Montserrat (Castries), Papua New Guinea (Port Moresby), Central African Republic (Bangui), Saint Lucia (Castries), Saint Vincent and the Grenadines (Castries), Togo (Lomé), Vanuatu (Port Vila)

**The Czech Republic has been representing FRANCE in the following countries (cities) since 1 November 2010:**

Ukraine (Donetsk) – only the Donetsk Region and Luhansk Region.

***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).

During 2010, the Czech Republic has not provided any support with regard to border control in case of specific and disproportionate pressures in another Member State. In previous years, support was provided to neighbouring countries in cases of important political events.

***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.

No specific agreements with third countries are planned to strengthen border control. The Czech Republics supports projects/measures aimed against illegal migration (see below).

**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.

There have been no significant developments. See above.

## 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.

Not relevant.

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.

Not relevant.

##### *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.

The Czech Republic recently resettled (from 2008-2010) 81 Burmese refugees from Thailand and Malaysia (39 in 2010). The entire program was carried out in close cooperation with the UNHCR offices both in the Czech Republic and in countries of first asylum.

The Czech Republic also resettled a number of people in need of protection on emergency basis and upon request of the UNHCR in recent years (Uzbekistan, Cuba, Iran).

##### *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)...*

Border guards receive Basic Professional Training (BPT, introductory course in 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.

## 10.2 Key statistics<sup>39</sup>

<i>Asylum applications and decisions</i>							
	Applications	First instance decisions on asylum applications					
	Total applications under consideration	Total positive	Rejected	Geneva Convention	Subsidiary protection	Temporary protection	Humanitarian status
Asylum applications	833	n/a	n/a	n/a	n/a	n/a	n/a

*Note: Some other statistics from this field based on national definitions can be found in section 7.2 of the full National Report (p. 31)*

<i>Third-country nationals reallocated and resettled to your Member States</i>			
	Total	Reallocated	Resettled
Third-country nationals	39	n/a	39

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

## 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***

<sup>39</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.

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

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. Therefore, the Czech Republic doesn't cooperate with countries of origin to facilitate the return of these minors.

### 11.3 Key statistics

<i>Unaccompanied minors</i>	
Number of unaccompanied minors	n/a
Number of asylum applicants considered to be unaccompanied minors	4

## 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)		

##### ***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.

There have been no significant developments.

***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 actively supports and leads several international projects aimed at cooperation with third countries where the fight against illegal migration is one of the principal pillars.

**Building Migration Partnerships** – This project was launched during the CZ PRES by a ministerial conference that gathered EU and Schengen states and CIS and Western Balkan countries in order to begin cooperation in 5 thematic areas: prevention and fighting of illegal migration; promotion of readmission, return and sustainable reintegration; better management of labour migration; integration of legally residing migrants; making migration and mobility positive forces for development. So far, 6 thematic workshops were held, two series of missions to CIS countries, Extended Migration Profiles were created for 11 CIS countries and 5 leading EU states and an interactive map of illegal migration routes was prepared. The project continues under the name **Prague Process**.

**Strengthening Capacities and Cooperation in the Identification of Forged and Falsified Travel Documents at the Moldova-Romania Border** is a project created to contribute to increased effectiveness in fighting illegal migration by the Moldovan authorities. Specific objectives are to strengthen capacities of border, consular and migration authorities to detect forged and falsified travel documents and inter-agency cooperation and exchange of information on detected forged and falsified documents, genuine travel documents, as well as methods of forgeries. Project leading agency is ICMPD.

Initiative targeting the **Support of the Reintegration of Georgian Returning Migrants and the implementation of the EU-Georgia readmission agreement** – This EC-funded and Czech-led initiative deals besides capacity building in reintegration also with distribution of information about risks of illegal migration and possibilities of legal migration to EU countries in Georgia.

***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.

The Czech Republic will continue to profile itself in selected priority countries and sectors, as well as to contribute to a coordination of donors in the given countries and a harmonization of donor community along with decisions of partner governments. During this process, the Czech Republic will share its specific experiences, especially the systematic use of transformation history. Due to these reasons, the Czech Republic accepted the role of the so-called supporting facilitator in Moldova and Mongolia and is willing to coordinate donors between each other and between their partner governments.

Social development continues to be one of the priorities of Czech Republic's Foreign Development Cooperation. It encompasses education and social and health service. Education, in particular elementary and vocational education, is also a traditional part of Czech Development Cooperation.

***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.

A World Bank-led mission visited the Czech Republic in May 2008 to provide local authorities with a review of the remittance market and identify possible actions to implement in the country. Later, the World Bank delivered a report presenting the results of the analysis based on international standards and best practices, containing some observations that could serve as a basis to initiate discussions.

Following the recommendations of the report, the Ministry of Finance requested from the Payment Systems Development Group of the World Bank to provide a plan for the implementation of some of the main activities with the highest potential to enhance the efficiency, reliability, transparency and effectiveness of the national market for remittances.

Among other things and as the first step, Czech authorities decided to fund a national Survey of the Market for Remittances. In October 2010, a seminar for the presentation of a World Bank study called "The Market for Remittance Services in the Czech Republic – Outcomes of a Survey among Migrants" was organised.

**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 have been no significant developments.

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