



**EMN ANNUAL POLICY REPORT** **2014**  
**ON ASYLUM AND MIGRATION**  
**CZECH REPUBLIC**



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

The objective of the EMN is to meet the information needs of Community institutions and of Member States' authorities and institutions on migration and asylum, by providing up-to-date, objective, reliable and comparable information on migration and asylum, with a view to support policymaking in the European Union in these areas. The EMN shall also serve to provide the general public with information on these subjects.

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

The Department for Asylum and Migration Policy of the Ministry of the Interior has been the national EMN Contact Point in the Czech Republic since 2004. There is more information available about EMN activities in the Czech Republic at [www.emncz.eu](http://www.emncz.eu).

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## LIST OF ABBREVIATIONS

<b>AC</b>	Accommodation Centre
<b>AMIF</b>	Asylum, Migration and Integration Fund
<b>AIS</b>	Alien Information System
<b>ANACEN</b>	Analytical Centre for Protection of State Borders and Migration, "Analytical Centre"
<b>APS</b>	Alien Police Service
<b>CRC</b>	Czech Red Cross
<b>CR</b>	Czech Republic
<b>CzDA</b>	Czech Development Agency
<b>ČSSD</b>	Czech Social Democratic Party (Czech abbreviation)
<b>DAPS</b>	Directorate of the Alien Police Service
<b>EASO</b>	European Asylum Support Office
<b>EMN</b>	European Migration Network
<b>ERIS</b>	Development of Joint Principles, Procedures and Standards on the Integration of Labour Immigrants between the Russian Federation and European partners project
<b>EC</b>	European Community
<b>EU</b>	European Union
<b>DAMP</b>	Department for Asylum and Migration Policy (Ministry of the Interior of the CR)
<b>FIRMM</b>	Supporting the Republic of Moldova to implement the EU-Moldova Action Plan on Visa Liberalisation, Fighting Irregular Migration in Moldova project
<b>FRONTEX</b>	European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the EU
<b>IAC</b>	Integration Asylum Centre
<b>ICMPD</b>	International Centre for Migration Policy Development
<b>IOM</b>	International Organization for Migration
<b>KDU-ČSL</b>	Christian and Democratic Union – Czechoslovak People's Party (Czech abbreviation)
<b>KSČM</b>	Communist Party of Bohemia and Moravia (Czech abbreviation)
<b>MEDEVAC</b>	Programme for Humanitarian Evacuation of Injured People ( <i>Medical Evacuation</i> )
<b>MoLSA</b>	Ministry of Labour and Social Affairs

<b>MoJ</b>	Ministry of Justice
<b>MoI</b>	Ministry of the Interior
<b>MoFA</b>	Ministry of Foreign Affairs
<b>NGO</b>	Non-governmental organisation
<b>SPD</b>	Security Policy Department (Ministry of the Interior of the CR)
<b>OSCE</b>	Organization for Security and Co-operation in Europe
<b>ODS</b>	Civic Democratic Party (Czech abbreviation)
<b>RC</b>	Reception Centre
<b>SIP</b>	State Integration Programme
<b>SIS</b>	Schengen Information System
<b>SUZ</b>	Refugee Facilities Administration of the Ministry of the Interior (Czech abbreviation)
<b>UNHCR</b>	United Nations High Commissioner for Refugees

## SUMMARY

The Annual Policy Report on Asylum and Migration 2014 provides a summary of development and most important changes in the field of migration, asylum and integration during 2014.

### LEGAL MIGRATION AND MOBILITY

As of 31 December 2014, 451,923 foreign nationals were legally residing in the Czech Republic (for a stay over 90 days). The total number consequently increased by 2.4 % since 2013. Foreign nationals made up approximately 4.3 % of the population of the Czech Republic. Of the total number of registered foreign nationals with residence permits in the CR, 55.6 % of these were permanently residing in the country (251,342 foreign nationals) and 44.4 % were temporarily residing (200,581 foreign nationals) at the end of 2014. Approximately 57 % of foreign nationals with residence permits were made up of Ukrainian, Slovakian and Vietnamese nationals.

Regarding economic migration, the so-called Employee Cards were introduced. The Employee Cards replaced long-term visas and long-term residence permits for the purpose of employment as well as the so-called Green Cards. Another important action in this area was the implementation of the migration project titled *Facilitation of Procedures for Entry and Stay of Economically Significant Partners*. The goal of the project is to fast-track migration procedures by means of preferential handling of applications for residence permits of foreign nationals.

Legal migration is closely connected to integration policy. The Czech Republic's attitude towards integration policy is anchored in the *Concept of Integration of Foreign Nationals in the Czech Republic*. The Ministry of the Interior plays a role of a coordinator of the integration policy. However, a number of stakeholders is involved in the implementation of the Concept of Integration of Foreign Nationals. Integration Support Centres (so-called integration centres) and non-governmental organisations (NGOs) are very important partners of the Ministry of the Interior. Integration activities and measures are mainly targeted at achieving a mutually beneficial harmonic coexistence, mutual understanding and recognition between foreigners and the majority. The Government of the Czech Republic earmarked the amount of CZK 25 million for the integration of foreign nationals in 2014. Municipal projects continued to be a key integration tool on a local level in 2014.



New legislations came into force on 1 January 2014, which completely abandoned the principle of a single citizenship and accepted the possibility of the existence of multiple citizenships. Czech citizenship was granted to 4,915 foreign nationals in 2014. Czech citizenship was most frequently granted to citizens of Ukraine (2,077), Russia (481) and Slovakia (396).

Regarding visa policy, Russia was the key country from the aspect of the number of issued visas by the Czech Republic. However, the number of submitted visa applications fell by 20 % in 2014. *The National Schengen Plan 2014 for the period 2014–2020* was accepted in April 2014 within the scope of Schengen cooperation. A new *Act on Protection of the State Borders of the Czech Republic* also underwent legislative procedure in 2014.

#### **INTERNATIONAL PROTECTION INCLUDING ASYLUM**

In 2014, the number of applications for international protection submitted in the Czech Republic increased for the first time since 2003. A total of 1,156 foreign nationals applied for international protection in 2014. In spite of the increase in the number of registered applications, the situation in this area was stable. The main source countries included Ukraine (44.6 %), Syria (9.3 %) and Vietnam (5.5 %).

*The State Integration Programme (SIP)* was implemented in the Czech Republic in 2014. This programme focuses on people who have been granted international protection in the form of asylum or subsidiary protection. Similarly to previous years, the programme focused mainly on teaching Czech, arranging accommodation and assistance with entry to the job market.

In the field of resettlement, during the second half of 2014 the Czech Republic initiated the preparation of resettlement of a group of Syrian refugees from Jordan, consisting of 15 families with small children. The programme will be implemented in 2015.

#### **UNACCOMPANIED MINORS**

The number of unaccompanied minors in the CR is falling and ranges between tens of persons. At the same time there are only a few unaccompanied minors applying for international protection. No significant changes were made to the system of care and treatment of minors in 2014. Unaccompanied minors belong to the group of so-called vulnerable persons, which the Czech Republic has always paid a great attention to.

### **ADDRESSING TRAFFICKING IN HUMAN BEINGS**

In 2014, activities related to the fight against trafficking in human beings focused mainly on educational programmes intended for the relevant groups of experts (members of the police force, prosecutors, judges) and expert training at the Academy of Justice and other workshops. During 2014, one third-country national was granted a long-term residence permit for the purpose of protection as a victim of trafficking in human beings. In the same year, 16 people were prosecuted (investigated) and 6 were convicted in connection with the trafficking in human beings.

### **INTERNATIONAL COOPERATION AND PROJECTS, MIGRATION AND DEVELOPMENT**

In 2014, the Czech Republic continued implementing the activities it had commenced during previous years. It continued cooperating with the FRONTEX and the European Asylum Support Office (EASO). The CR also participated in activities within the framework of the so-called Prague Process and other international projects.

The Czech Republic was also implementing humanitarian projects. It provided humanitarian aid and other assistance in case of a Syrian conflict and also took part in the *Programme for Humanitarian Evacuation of Injured People – MEDEVAC*. Within the terms of the MEDEVAC programme two medical-humanitarian transfers of Ukrainian citizens were realised. During the second half of 2014, MEDEVAC programme continued in connection to Syrian refugees in Jordan.

In 2014, preparation of a permanent *Programme of Assistance for Refugees in the Country of Origin and Prevention of Major Migration Movements* was commenced. The programme concerns areas in which armed conflict, or possibly humanitarian or natural disasters occurred.

### **IRREGULAR MIGRATION INCLUDING SMUGGLING**

In 2014, altogether 4,822 foreign nationals were found to be illegally present in the Czech Republic. This number included 4,461 people detected to be illegally residing in the territory of the Czech Republic. Another 181 people were found to be illegally crossing the Czech Republic's external Schengen border. Comparing to 2013, this number increased by 16.1 %. Third-country nationals made up 95.5 % of the total number of irregular migrants. Regarding nationality, this most frequently concerned citizens of Ukraine. In 2014, 108 crimes were registered in the field of facilitating illegal residence or crossing of the borders, 97 people were prosecuted, 103 people were sentenced.

## RETURNS

A total of 2,149 foreign nationals with issued legally effective decisions on administrative expulsion were registered in 2014. Most of these were Ukraine citizens – in total 815 persons. This decision was executed in case of 185 foreign nationals. The obligation to leave the Czech Republic was issued in 329 cases. In 2014, 49 applications for voluntary return were also submitted. In total 36, people were returned to the requested countries.

# 1 INTRODUCTION

The Annual Policy Report on Asylum and Migration 2014 in the Czech Republic provides a summary of the most important political and legislative changes and key statistical data in the field of asylum and migration in the Czech Republic in 2014.

The Report was elaborated by the EMN National Contact Point in the Czech Republic. According to Article 9(1) of Council Decision 2008/381/EC on establishment of the European Migration Network, each EMN Contact Point provides an annual report on development in the field of asylum and migration in the relevant country. Based on national reports, EMN Synthesis Annual Policy Report on asylum and migration for 2014 in EU Member States (apart from Denmark) and Norway is provided.

The report consists of nine chapters and three annexes. The chapters describe the development in the field of legal migration and international protection, one chapter is devoted to the issue of unaccompanied minors; information about addressing trafficking in human beings and the fight against illegal migration is also included. The report also provides a summary of international cooperation and projects and describes the development in the field of returning foreign nationals to their country of origin. Key statistical data from the relevant area is also given in respective chapters. The report is divided according to the recommended structure for national reports by individual EMN Contact Points so that it is possible to compare the individual documents and the continuity with reports provided in previous years is thus maintained.

The submitted report was drafted particularly on the basis of information provided by the Department for Asylum and Migration Policy of the Ministry of the Interior, which is responsible for migration, asylum and integration issues. More information about methodology is given in Annex No 1. Annex No 2 contains a list of sources and literature, Annex No 3 gives a list of tables and graphs.

## 1.1 ORGANISATION OF ASYLUM AND MIGRATION POLICY

### MINISTRY OF THE INTERIOR

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

### DEPARTMENT FOR ASYLUM AND MIGRATION POLICY (DAMP)

The Department for Asylum and Migration Policy is a unit of the Ministry of the Interior intended for executing the powers defined by the Ministry in the field of international protection, refugees, entry and residence of foreign nationals, the integration of foreigners' concept, the State Integration Programme and Schengen cooperation. This department is a unit of the Ministry for managing the governmental organisation of Refugee Facilities Administration of the Ministry of the Interior (SUZ<sup>1</sup>). It submits proposals for establishment and modification of the character of asylum facilities or detention facilities.

### COORDINATION BODY FOR MANAGING PROTECTION OF STATE BORDERS AND MIGRATION

The coordination body for managing protection of state borders and migration is an inter-departmental body consisting of the ministerial deputies of the Ministries responsible for migration-related issues<sup>2</sup>, which have the authority to accept the essential measures in the field of migration and protection of state borders. The Ministry of the Interior leads the activities of the coordination body. 1st Deputy Minister of the Interior for Internal Security assumes the position of chairman. Cooperation between institutions within the terms of the coordination body enables government bodies to flexibly respond to the current migration situation and contributes to greater flexibility when dealing with specific issues affecting the competence of multiple ministries. The coordination body also serves as a platform for discussion of the future direction of the migration policy. The coordination body also controls the activities of the Analytical Centre for Protection of State Borders and Migration.

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<sup>1</sup> „Správa uprchlických zařízení“.

<sup>2</sup> Members of the coordination body are delegated representatives of the ministries of the Interior, Foreign Affairs, Labour and Social Affairs, Industry and Trade, Education, Youth and Sports, Finance (Customs Headquarters), Justice, Transport, Health and the Police Presidium.

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

The Analytical Centre for Protection of State Borders and Migration (hereinafter the “Analytical Centre”) is a stable analytical office controlled by the Ministry of the Interior, which focuses on monitoring and analysing migration as a complex phenomenon. In this direction its inter-departmental character is important, whereas all the bodies involved in the system of protection of state borders and international migration<sup>3</sup> are involved in the activities of the Analytical Centre by means of close cooperation and exchange of information, which provides opportunity for an operative and rapid response to arising challenges.

### **REFUGEE FACILITIES ADMINISTRATION (SUZ)**

The Refugee Facilities Administration of the Ministry of the Interior is responsible for Reception, Accommodation and Integration Asylum Centres. In these facilities the SUZ provides mainly accommodation, catering, psychological, social, education and consultancy services and also assures leisure-time activities. Most of these activities also take place in detention centres, which are operated by the SUZ as well. The SUZ also provides services in Integration Support Centres for Foreigners.

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

The Alien Police Service is a highly specialised unit of the Czech Police, which performs tasks related to detection of illegal migration, application of repressive measures against illegally staying foreign nationals according to the Act No 326/1999 Coll., on Residence of Foreign Nationals in the Czech Republic, performance of tasks arising from international treaties and directly applicable legal regulations of the European Community and deals with criminal actions committed in relation to the crossing of state borders and cross-border criminal activities. It also assures the execution of state administration in the issue of permission of entry and residence of foreign nationals and termination of residence of foreign nationals, it inspects residence, protects external borders and others in the defined scope. In relation to territorial alien police units, the Directorate of the Alien Police Service performs the tasks of a specialised central methodological, expert, analytical and inspection office and it is also the executive body of the Czech Police with nationwide powers.

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<sup>3</sup> Members of the Analytical Centre are delegated representatives of the ministries of the Interior, Foreign Affairs, Labour and Social Affairs, Industry and Trade, Education, Youth and Sports, Finance (Customs Headquarters), Czech Police and Intelligence and Security Services.

### **MINISTRY OF FOREIGN AFFAIRS (MoFA)**

The Ministry of Foreign Affairs is the central administrative body of the Czech Republic for foreign policy, within the scope of which it creates concepts and coordinates foreign development aid. It executes state administration in the field of permission of residence to foreigners, enjoying privileges and immunities according to international law. By means of representative offices it also executes state administration in the field of granting of Schengen visas (permits granted for maximum of 90 days) in the scope determined by the Aliens Act (Act No 326/1999 Coll., on Residence of Foreign Nationals in the Czech Republic).

### **MINISTRY OF LABOUR AND SOCIAL AFFAIRS (MoLSA)**

The Ministry of Labour and Social Affairs is responsible for policies in the field of employment of foreign nationals. It defines the group of subjects active in the role of employer and determines the criteria for entry of individual categories of foreign nationals to the job market. On the basis of the situation on the job market it also determines the conditions for permitting employment and it is responsible for legislation concerning employment of foreign nationals in relation to the corresponding EU legal regulations and concluded intergovernmental agreements.

**Other institutions, which were given competence in the field of asylum and migration, are following:** Ministry of Industry and Trade, Ministry of Justice, Ministry of Finance, Ministry of Health, Ministry of Education, Youth and Sports, Ministry of Finance (General Customs Headquarters), Ministry of Culture and Ministry of Local Development.

## **1.2 ASYLUM AND MIGRATION LEGISLATION**

The field of asylum and migration is regulated by the following legal regulations in particular:

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

This act regulates the conditions for entry of foreign nationals into the Czech Republic and departure of foreign nationals from the country. It determines the conditions for residence of foreign nationals in the country and defines the competence of the Czech Police, the Ministry of the Interior and the Ministry of Foreign Affairs in this field of state administration.

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

This act regulates protection of the state borders of the Czech Republic against illegal crossing and assurance of performance of some obligations, arising from international treaties on abolition of border checks at common borders (the "Schengen Agreement"), the powers of the Czech Police when securing protection of borders and administrative offence in the field of border protection.

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

This act regulates the conditions for entry and residence of foreign nationals, who express the intention to apply for international protection in the form of asylum or subsidiary protection in the Czech Republic and residence of beneficiaries of international protection, proceedings to grant international protection in the form of asylum or subsidiary protection and proceedings to withdraw asylum or subsidiary protection, the rights and obligations of applicants for international protection, convention refugees and persons enjoying subsidiary protection in the country, the scope of responsibility of the Ministry of the Interior, Ministry of Education, Youth and Sports and the Czech Police in their field of state administration, the State Integration Programme and asylum facilities.

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

This act regulates the conditions for entry and residence of foreign nationals in the Czech Republic for the purpose of providing temporary protection and the foreign nationals' departure from the country, proceedings to grant and withdraw residence permits for the purpose of provision of temporary protection in the country, the legal status of foreign nationals who request a residence permit for the purpose of temporary protection and foreign nationals to whom a residence permit was granted for the purpose of temporary protection and competences of the Ministry of the Interior and the Czech Police in this field of state administration.

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

In compliance with EU law, this act regulates assurance of the state employment policy, the purpose of which is to achieve full employment and protection against unemployment. It also regulates employment of employees from abroad.



- Act No 186/2013 Coll., **on Czech Citizenship** and on amendments to some acts.

This act regulates the methods of acquisition and loss of Czech citizenship, proving and establishment of Czech citizenship and issuance of certification of Czech citizenship, it also regulates administration of records of natural persons, who were granted or lost Czech citizenship and offences in the area of citizenship.

# 2 DEVELOPMENT IN THE FIELD OF ASYLUM AND MIGRATION POLICY

## 2.1 POLITICAL DEVELOPMENT

In 2014, the political situation in the Czech Republic was significantly influenced by the early elections to the Chamber of Deputies, which took place in October 2013. The elections resulted in the creation of a government coalition, which consisted of the victorious Czech Social Democratic Party (ČSSD<sup>4</sup>), the ANO Movement 2011 and the Christian and Democratic Union – Czechoslovak People's Party (KDU-ČSL<sup>5</sup>). In February 2014, the new government won a vote of confidence during the voting in the Chamber of Deputies. Mr. Bohuslav Sobotka of the ČSSD became Prime Minister of the Czech Republic.

Three different elections took place in the Czech Republic in 2014. Elections for the European Parliament took place on 23 – 24 May. The ANO Movement 2011 was the winner of these elections with 16.1 % of total votes. TOP 09 was second with 16.0 % of votes, followed by the ČSSD (14.2 %), the Communist Party of Bohemia and Moravia – KSČM<sup>6</sup> (11.0 %), the KDU-ČSL (10.0 %), the Civic Democratic Party – ODS<sup>7</sup> (7.7 %) and the Party of Free Citizens (5.2 %). The Local Government Elections took place in the Czech Republic on 10 – 11 October. The first round of the elections for the Senate in one third of the senate districts also took place within the terms of these elections. The ANO Movement 2011, for which 14.6 % voters voted, won the Local Government Elections. The ČSSD was second with 12.7 % votes. Independent candidates came third with 11.7 % votes and were followed by the ODS (9.0 %), TOP 09 (8.4 %), KSČM (7.8 %) and the KDU-ČSL (4.9 %).

The ČSSD won the first round of elections to the Senate. The second round took place on 17 – 18 October 2014. The ČSSD unequivocally won the elections by acquiring ten senator's seats. The ANO Movement 2011 and the KDU-ČSL each acquired four senator's seats. The ODS acquired two seats, coalition of the KDU-ČSL and of the Green

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<sup>4</sup> „Česká strana sociálně demokratická“.

<sup>5</sup> „Křesťanská a demokratická unie – Československá strana lidová“.

<sup>6</sup> „Komunistická strana Čech a Moravy“.

<sup>7</sup> „Občanská demokratická strana“.

Party acquired three seats. The Party of Civic Rights, Mayors and Independents, Mayors for the Liberec Region, the Party of Private Businessmen of the Czech Republic they each acquired one seat.

## 2.2 DEVELOPMENT IN THE FIELD OF ASYLUM AND MIGRATION POLICY

### LEGISLATIVE DEVELOPMENT IN 2014

**Two amendments to Act No 326/1999 Coll.**, on Residence of Foreign Nationals in the Czech Republic and on amendments to some acts, as amended, were executed in 2014. This specifically concerned amendments implemented by the following acts:

**1. Act No 101/2014 Coll., which amends Act No 326/1999 Coll., on Residence of Foreign Nationals in the Czech Republic and on amendments to some acts, as amended, Act No 435/2004 Coll., on Employment, as amended, and other related acts** (came into force on 24/06/2014). It mainly contained new regulation of foreign nationals' residence in the Czech Republic for the purpose of employment (implementation of the institute of so-called Employee cards). This regulation is implementation of Directive 2011/98/EU on a single application procedure for a single permit for third-country nationals to reside and work in the territory of a Member State and on the common set of rights for third-country workers legally residing in the Member State. This act simultaneously invalidated Decree No 29/2013 Coll., which determined a list of countries, the citizens of which were authorised to apply for a Green Card, because this institute was voided. This act also amended **Act No 325/1999 Coll.**, on Asylum, as amended. The new regulation determines that if a court decides to invalidate the decision by the Ministry concerning the obligation of an applicant for international protection to remain in a reception centre or in the detention facility, the Ministry shall enable the applicant to leave the facility without undue delay.

**2. Act No 267/2014 Coll., which amends Act No 586/1992 Coll., on Income Tax, as amended** (came into force on 31/12/2014). The aforementioned act also invalidated changes to the relevant legal regulations related to implementation of the so-called single collection point, which should have come into force on 01/01/2015 (this concerned the provisions of Section 46, paragraph 7, letter d/and e/ in the Act on Foreign Nationals Residence).

**Two amendments to Decree** No 428/2010 Coll., determining the group of foreign nationals who are able to reside in the transit area of an international airport in the

Czech Republic, simply on the basis of a granted airport transit visa, as amended by subsequent regulations, and **amendment to Decree** No 88/2011 Coll., on the Technical Conditions and Procedure When Taking Biometric Data and Signatures of Foreign Nationals for the purpose of Issue of a Residence Permit, were also executed in 2014.

The legislative process related to the proposed amendment to Act No 325/1999 Coll., on Asylum, as amended, Act No 326/1999 Coll., on Residence of Foreign Nationals in the Czech Republic, Act No 221/2003 Coll., on Temporary Protection of Foreign Nationals, as amended and other related acts, was also commenced during 2014. The proposed amendments mainly contain **implementation of two asylum directives into the national legislation**. This concerns the so-called procedural directive (Directive of the EP and Council 2013/32/EU) and the so-called reception directive (Directive of the EP and Council 2013/33/EU). Another important goal of the proposal is to take into consideration the development of practice in the specific area in the Czech Republic by amendment of the Act on Asylum and related regulations. The inter-institutional comments proceeding finished in December 2014 and the proposal proceeded to undergo the subsequent legislative process.

#### **DEBATES IN THE MEDIA**

Key public debates in the field of migration and asylum, which took place last year on a national level, mainly focused on **reception of Syrian refugees** and **Ukrainian compatriots** and on the possible migration inflow or **the security risk posed in relation to the conflict in Ukraine**. Attention was also devoted to the following topics:

- development of migration,
- mandatory refugee quotas,
- the Schengen borders and renewal of border checks,
- access to public health insurance by foreign nationals with long-term residence permits.

# 3 LEGAL MIGRATION AND MOBILITY

## 3.1 FOREIGN NATIONALS WITH RESIDENCE PERMITS IN THE CZECH REPUBLIC – STATISTICS

### NUMBER OF FOREIGN NATIONALS WITH RESIDENCE PERMITS IN THE CZECH REPUBLIC

As of 31 December 2014, **451,923 foreign nationals<sup>8</sup> legally resided in the Czech Republic (for over 90 days)** which is 2.4 % more than at the end of 2013<sup>9</sup>. Foreign nationals made up approximately 4.3 % of the population of the Czech Republic.

As a result of the economic crisis and its impact on the situation on the Czech job market, there was a slight fall in the total number of foreign nationals legally residing in the Czech Republic during the period 2009–2010. However, there is a moderate increase in the numbers of foreign nationals from 2011.

**Table 1:** Development of numbers of foreign nationals with residence permits (for a period over 90 days) in the Czech Republic during the period 2005–2014

Year (situation as of 31/12)	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
Number of foreign nationals	278,312	321,456	392,087	438,301	433,305	425,301	436,389	438,213	441,536	<b>451,923</b>
Year-on-year change	9.4 %	15.5 %	22.0 %	11.8 %	-1.1 %	-1.8 %	2.6 %	0.4 %	0.7 %	<b>2.4 %</b>

**Source:** DAMP MoI, DAPS

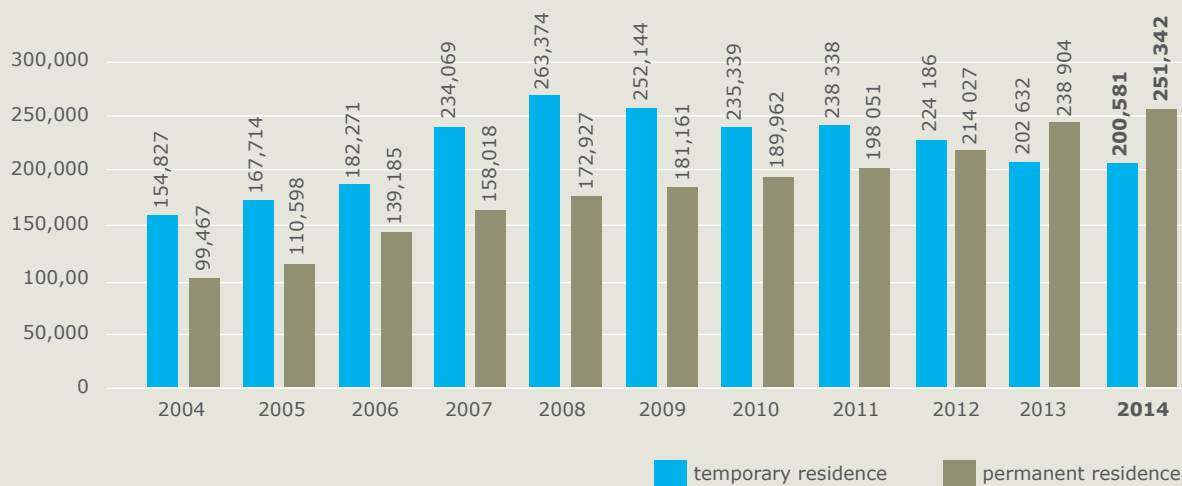
<sup>8</sup> This information included foreign nationals with residence permits in the Czech Republic registered in the Alien Information System. The real numbers of foreign nationals legally residing in the Czech Republic may differ, because the registered number of foreign nationals does not include all citizens of other EU Member States residing in the Czech Republic. Statistic summaries only record of those EU citizens, who requested or to whom confirmation of temporary residence was issued. Those, who simply exercise their rights, are not included in statistic reports.

<sup>9</sup> 441,536 foreign nationals with residence permits in the Czech Republic were registered as of 31 December 2013.

### PERMANENT AND TEMPORARY RESIDENCE

55.6 % of the total number of registered foreign nationals with residence permit resided in the country permanently (251,342) and 44.4 % of them resided in the country temporarily<sup>10</sup> (200,581) at the end of 2014.

**Graph 1:** Development of the number of foreign nationals with temporary or permanent residence permits in the Czech Republic (as of 31/12/2014)



**Source:** DAMP MoI, DAPS

Similarly to previous years, permanent and temporary/long-term residence categories showed contrary trends in development. While the number of foreign nationals with permanent residence continued to rise – there was a year-on-year increase of 5.2 % (i.e. 10,387 people) in 2014, the number of foreign nationals with temporary residence continued to fall (particularly as a result of fewer newly arriving foreign nationals from third countries). A year-on-year fall by 1.0 %, i.e. by 2,501 persons, was registered in 2014.

### CITIZENSHIP OF FOREIGN NATIONALS

Representation of foreign nationals residing in the Czech Republic according to their citizenship is practically unchanging in the long-term. Approximately 57 % of foreign

<sup>10</sup> This concerns foreign nationals with long-term visas, long-term residence permits, confirmation of temporary residence of EU citizens or temporary residence permits for family members of EU citizens.

nationals with residence permits in the Czech Republic are citizens of one of the following three countries – Ukraine (104,388), Slovakia (96,222) and Vietnam (56,666)<sup>11</sup>. The numbers of citizens from other countries are much lower.

**Table 2:** TOP 10 citizenships of foreign nationals with residence permits in the Czech Republic according to residence category (as of 31/12/2014)

Type of residence	number	percentage (%)	year-on-year change (%)	of this number			
				permanent	i.e. %	temporary	i.e. %
<b>In total</b>	451,923	100.0	2.4	251,342	55.6	200,581	44.4
of this number most foreign nationals have the following citizenship:							
<b>Ukraine</b>	104,388	23.1	-0.8	74,031	70.9	30,357	29.1
<b>Slovakia</b>	96,222	21.3	5.8	38,972	40.5	57,250	59.5
<b>Vietnam</b>	56,666	12.5	-1.3	45,582	80.4	11,084	19.6
<b>Russian Federation</b>	34,684	7.7	3.8	18,770	54.1	15,914	45.9
<b>Germany</b>	19,687	4.4	6.4	4,524	23.0	15,163	77.0
<b>Poland</b>	19,626	4.3	0.9	10,652	54.3	8,974	45.7
<b>Bulgaria</b>	10,058	2.2	10.1	3,921	39.0	6,137	61.0
<b>Romania</b>	7,741	1.7	14.2	2,542	32.8	5,199	67.2
<b>United States of America</b>	6,476	1.4	-9.2	3,175	49.0	3,301	51.0
<b>United Kingdom</b>	5,647	1.2	5.0	1,577	27.9	4,070	72.1
<b>EU citizens</b>	185,356	41.0	6.3	71,625	38.6	113,731	61.4
<b>third-country nationals</b>	266,567	59.0	-0.2	179,717	67.4	86,850	32.6

**Source:** DAMP MoI, DAPS

A year-on-year increase in the number of foreign nationals with residence permits in the Czech Republic was registered in 2014 for persons with citizenships of most EU countries. The highest absolute increase was registered in relation to citizens of Slovakia (+5,274 persons), Germany (+1,269), Romania (+964) and Bulgaria (+926). The highest absolute decrease in relation to third-country nationals was registered in relation to citizens of Ukraine (-851 persons), Vietnam (-740) and the United States of America (-658). On the contrary, the number of citizens from the Russian Federation rose by 1,269 persons.

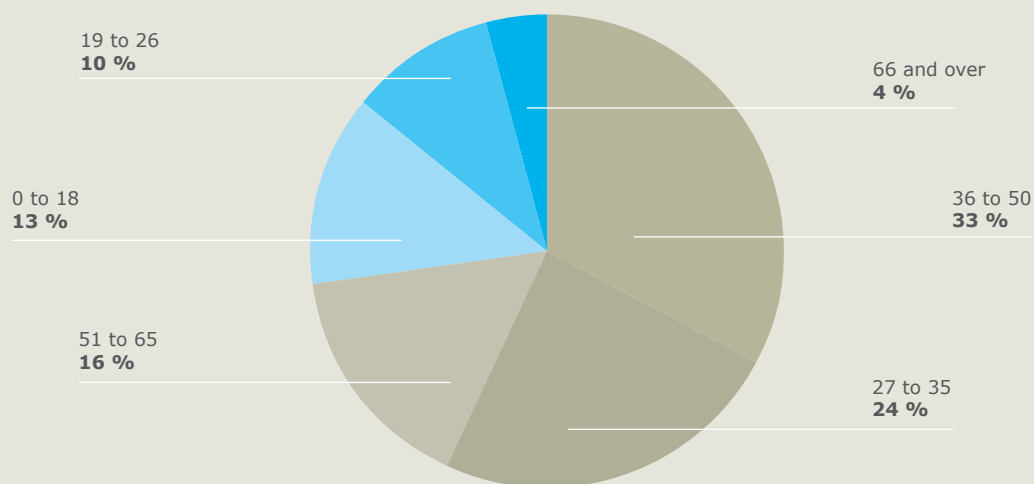
<sup>11</sup> Information as of 31 December 2014.

### FOREIGN NATIONALS ACCORDING TO SEX AND AGE

Men continued to predominate among foreign nationals with residence permits in the Czech Republic in 2014 (255,534 persons, i.e. 56.5 %). However, a slightly increasing percentage of women could be registered on the long-term horizon (the percentage of women among foreign nationals with residence permits was 39.6 % at the end of 2007, at the end of 2014 it reached 43.5 %).

As of 31 December 2014, persons of an economically active age clearly dominated among foreign nationals with residence permits in the Czech Republic – foreign nationals aged between 19–65 years numbered 375,511 persons and represented 83.1 % of the total number of foreign nationals. The percentage of persons within this age range fell slightly year-on-year. 58,277 persons under 18 with residence permits in this country were registered at the end of 2014, which is 12.9 %.

**Graph 2:** Age structure of foreign nationals with residence permits in the Czech Republic (as of 31/12/2014)



**Source:** DAMP MoI, DAPS



## 3.2 ECONOMIC MIGRATION

Two significant changes took place in the field of economic migration in 2014.

### 1. Implementation of Employee Cards

Act No 101/2014 Coll., which amended Act No 326/1999 Coll., on Residence of Foreign Nationals in the Territory of the Czech Republic and Act No 435/2004 Coll., on Employment, came into force on 24 June 2014. This amendment implemented the so-called EU "Single Permit Directive" (2011/98/EU). The amendment implemented a new type of a long-term residence permit for the purpose of employment called an **Employee Card**, which replaced long-term visas and long-term residence permits for the purpose of employment and Green Cards, which had been issued until then.

Two types of Employee Cards are issued:

- a) dual (authorising the holder to carry out work and reside), which are issued for vacant jobs included in the Central Register of Job Vacancies, which can be occupied by holders of Employee Cards, and
- b) non-dual (used only as residence permits), which are issued to foreign nationals on the basis of a work permit issued by the Labour Office of the Czech Republic, or to foreign nationals who have free access to the job market.

Citizens of all third countries can apply for an Employee Card. It may be issued for jobs requiring any level of professional qualifications and also for positions not requiring any qualification at all.

### 2. Implementation of the migration project *Facilitation of Procedures for Entry and Stay of Economically Significant Partners*

This migration project is intended for representatives of selected foreign investors and business partners of Czech business subjects. The Ministry of Industry and Trade is the administrator of this project. It was created within the terms of interdepartmental co-operation between central state administration bodies, as a tool to support migration of selected target groups of third-country nationals, whose entry to and residence in the Czech Republic the Czech state has a greater interest in.

The goal of the project was to fast-track migration procedures by means of preferential handling of applications for residence permits of foreign nationals. Foreign nationals are included in the project according to the decision made by the relevant administrator on the basis of fulfilment of the determined criteria.

Realisation of the project was commenced on 1 September 2014. Two other migration projects – *Fast Track* and *Welcome Package for investors* – have also been in progress since 2012.

### 3.3 FAMILY REUNIFICATION

No significant changes occurred in this field in 2014. Third-country nationals, who come to the Czech Republic with the goal of family reunification, may take advantage of a number of integration measures provided by Regional Integration Support Centres, non-governmental organisations and other partners. Foreign nationals have the opportunity to take free language courses and welcome adaptation integration courses.

New measures targeted at preventing illegal migration in cases of abuse of the process of family reunification have also been implemented. The Czech Republic continued to utilise previously implemented measures, such as inspection of common households or, in suspicious cases, simultaneous interviews of the couple in question, directed in separate rooms, for example. The degree of suspicion is evaluated case by case. This includes situations when a child who will be reaching his/her majority in the near future, applies for family reunification with parents who have lived in the Czech Republic for 10 years, or situations when a third-country national gets married after his/her illegal residence has been registered in the Schengen Information System (SIS).

### 3.4 STUDENTS AND SCIENTISTS

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

## 3.5 INTEGRATION, CITIZENSHIP

### INTEGRATION

In recent years, the Czech Republic has registered changes concerning the character and composition of immigration. This has resulted in changes in the integration requirements of foreign nationals and also changes in the priorities of the Czech Republic's integration policy. The issues related to migration and integration of foreign nationals have mainly been caused by significant restriction of job opportunities, which was related to the impact of the economic crisis and the related slight fall in immigration to the country. The economic crisis has shown that it is essential to continue to expand the integration policy with the goal of eliminating social tension in the country.

Third-country nationals made up 59.7 % of all foreigners. This number continues to fall every year. However, only a number of persons residing in the Czech Republic temporarily is falling. On the contrary, the number of foreign nationals with permanent residence continues to grow. The percentage of citizens originating from the European Union is also growing. Integration of foreign nationals is considered as increasingly important, in spite of the fact that the number of newly arriving foreign nationals has stagnated. Changes in the migration situation have also been reflected in the integration policy. Foreign nationals are provided with more knowledge and more support in order to become more independent – in all phases of their integration process.

The Ministry of the Interior of the Czech Republic acts as a coordinator of foreign nationals' integration. The key document on this topic is ***The Policy for the Integration of Foreign Nationals in the Czech Republic***. *The Updated Policy for the Integration of Foreign Nationals – Living Together* dating from 2011 is currently valid. This document defines the assignment in the field of integration of foreign nationals from the long-term perspective. Integration activities and measures are targeted on achieving mutually beneficial, harmonic coexistence, mutual recognition and understanding between foreign nationals and the majority. Prevention of the origin of social tension and potential negative tendencies in relationship between the majority and foreign nationals is also a goal of integration. The Czech Republic's integration policy also sets the goal of maintaining social cohesion, preventing the formation of enclosed immigrant communities and also preventing social isolation and exclusion of foreign nationals. The Ministry of the Interior regularly monitors and subsequently evaluates the situation and status of foreign nationals in the Czech Republic and also mutual relations between foreign nationals and the majority.

The Ministry of the Interior is the coordinator of the integration policy. However, a number of stakeholders are involved in the implementation of The Policy for the Integration of Foreign Nationals. Each of the ministries is responsible for the realisation of the integration policy within the terms of its administration. During 2014, two inter-institutional conferences took place within the terms of the board of department representatives. **Integration centres and non-governmental organisations (NGOs) are very important partners to the Ministry of the Interior.** Their direct contact with foreign nationals is their main advantage. In 2014, as in previous years, several meetings between DAMP MoI employees and NGO representatives and Regional Integration Support Centres, which are available in 13 regions of the Czech Republic, took place. The topic of meetings was mainly the discussion about the effectiveness of projects financed by the Ministry of the Interior for consultancy and assistance to foreign nationals within the areas of DAMP MoI accommodation offices, monitoring the situation of foreign nationals, information about impending changes with regard to the new EU Fund – Asylum, Migration and Integration Fund (AMIF) and optimum use of funds from the state budget and EU sources. The regional and local public administration is another important partner in the field of integration. DAMP MoI has been endeavouring to transfer the integration policy to the level of regions and municipalities for some time now. Discussions also took place on the level of the academic sphere.

**The government of the Czech Republic earmarked the amount of CZK 25 million for foreign nationals' integration in 2014 and the Ministry of the Interior received CZK 18.27 million of this amount.** Integration was also partially financed from the budgets of individual ministries or from European Union funds (the European Fund for Integration of Third-country Nationals 2007–2013 and the European Social Fund), for example.

In compliance with the Policy, the Ministry of the Interior focused on supporting the awareness of foreign nationals and the majority, a range of integration measures scaled according to the duration and purpose of the foreign national's residence in the Czech Republic, cooperation with regional and local public administration, support of inter-cultural dialogue, realisation of new integration tools, etc. Third-country nationals with long-term residence permits remained the target group. Integration focused on foreign nationals in vulnerable positions as a priority – mainly female foreign nationals. Attention was also given to integration of children and young adult foreign nationals.

In 2014, **municipal projects** continued to be one of the key integration tools on a local level. The aim of these projects was to provide municipal self-governments (towns/cities and city districts) the impulse and support to create their own integration strategies

on the basis of their knowledge of local conditions. The advantage of these projects is direct cooperation between all those involved in integration in one place. Conferences between statutory cities, which are held on an annual basis, are another important part of municipal projects. The projects were supported by the Ministry of the Interior from the state budget on the basis of proceedings for subsidies to municipalities in support of foreign nationals' integration on a local level. Municipalities participated by covering at least 10 % of the costs. The MoI supported municipal projects by the total amount of CZK 7.481 million in 2014.

### CITIZENSHIP

Act No 186/2013 Coll., on Czech Citizenship and on amendments to some acts (the Czech Republic Citizenship Act), came into force on 01/01/2014.

The new legislation fully abandons the principle of a single citizenship and allows the possibility of dual (or multiple) citizenship. The Czech Republic Citizenship Act explicitly determines that there is no legal entitlement to being granted Czech citizenship. The Ministry of the Interior decides on applications for citizenship.

**Table 3:** Number of citizens to whom Czech citizenship was granted during the period from 2004–2014

Year	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
Foreign nationals granted CZ citizenship	1,495	1,177	1,355	1,027	1,087	1,017	947	1,414	1,565	2,210	4,915

**Comment:** The data for 2004 to 2013 does not include Slovak Republic citizens

**Source:** MoI of the CR

**Czech citizenship was granted to 4,915 foreign nationals in 2014.** In 79 cases this concerned people who were granted protection in the Czech Republic in the form of asylum. It is evident that the significant increase in granted citizenships was caused by legislative changes.

In 2014, Czech citizenship was granted most frequently to citizens of Ukraine – 2,077 (947 in 2013). Czech citizenship was also granted to citizens of Russia – 481 (142 in 2013), Slovakia – 396 (143 in 2013), Romania – 311 (only 29 in 2013) and Vietnam – 298 (166 in 2013).

### 3.6 VISA POLICY AND SCHENGEN COOPERATION

#### VISA POLICY

Stays of up to 90 days within the Schengen Area are part of the common Union visa policy. Member States are consequently involved in formulating of this policy, which most notably affects the topic of determination of third countries, the citizens of which must have a visa to enter a Schengen state, and countries whose citizens are exempt from this duty. The opportunity of arranging such agreements on a bilateral basis for holders of diplomatic, service and special passports was left under national competence.

One of the **goals of the visa policy** is to have the highest possible coverage of consulates in third countries. The opportunity of concluding an agreement with another Member State on representation with regard to issuing the short-term Schengen visas is also possible. In 2014, the Czech Republic concluded agreements on representation with Poland and Switzerland and extended existing agreements with France, Belgium and Hungary. The Czech Republic is now represented in the following destinations: Cape Town (South African Republic), Khartoum (Sudanese Republic), Abidjan (Ivory Coast Republic), Bishkek (Kyrgyz Republic) and Lubumbashi (Democratic Republic of the Congo).

Russia is the key country for the Czech Republic from the aspect of the number of issued visas. However, in 2014, probably with regard to the situation in Ukraine, the number of submitted applications fell by approximately 20 %. The situation is more stable in other consulates.

An important visa policy topic is the endeavour to **prevent the potential for forgery of these visas**. Biometric data (fingerprints), which are submitted in the process of the visa application and subsequently checked during entry across the external border of any Schengen Area Member State, was chosen as one tool to prevent forgery. The process of implementing biometric data at consulates and external borders is called VIS roll-out and should be completed in November 2015, when the last regions will be covered. The Czech Republic covers regions in compliance with a schedule, which was approved on the EU level, and is simultaneously prepared to collect biometric data at the external border, as of November 2014.

In 2014, a discussion was initiated about the proposed amended text of the **Visa Code** (the main legal framework for execution of visa policy in the field of short-term Schengen visas), the purpose of which is particularly to improve the effectiveness of

issue of Schengen visas, while maintaining security criteria. The first reading of this legal regulation was realised by the end of 2014. The Czech Republic was involved in this discussion throughout the whole period by means of its representatives.

#### **SCHENGEN COOPERATION**

In April 2014, the Czech Government accepted the *National Schengen Plan 2014 for the Period 2014–2020*. The planned goals of the National Schengen Plan 2014 should also include:

- achieving of accepted standards for implementation of Schengen Acquis,
- proper implementation of recommendations arising from Schengen evaluation,
- preparation of the Czech Republic for the planned evaluation of internal borders.

A new **Act on Protection of the State Borders of the Czech Republic** is undergoing legislative procedure. The new act should replace the existing act with the goal of assuring its better comprehensibility (it should remove provisions, which are not applicable or are duplicated) in the context of the membership of the Czech Republic within the terms of Schengen cooperation. The new act should also specify the obligations of carriers and airport operators arising on the basis of European legislative and non-legislative documents.

# 4

## INTERNATIONAL PROTECTION INCLUDING ASYLUM

### 4.1 APPLICANTS FOR INTERNATIONAL PROTECTION IN THE CZECH REPUBLIC

Since 2003, the Czech Republic has been experiencing a fall in numbers of registered applicants for international protection<sup>12</sup>, when 11,400 applicants were registered in the country. In 2013, 707 applications were registered. The number of applicants in 2013 fell to the historically lowest number. A significant decrease occurred gradually from 2004 in relation to the Czech Republic's accession to the European Union after the implementation of the so-called Dublin Regulation, which determines the criteria according to which a Member State is responsible to examine applications for international protection.

#### APPLICATIONS FOR INTERNATIONAL PROTECTION

The year 2014 is the first year since 2003 when the number of submitted applications increased. **Altogether 1,156 foreign nationals applied for international protection in 2014.** The situation in this area can be regarded as stable in the Czech Republic.

**Table 4:** Number of applicants for international protection in the Czech Republic during the period 2004–2014

Year	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
Number of applicants	5,459	4,021	3,016	1,878	1,656	1,258	833	756	753	707	1,156
Year-on-year difference in %	-52.1	-26.3	-25.0	-37.7	-11.8	-24.0	-33.8	-9.2	-0.4	-6.1	+63.5

**Source:** DAMP MoI

<sup>12</sup> The international protection status represents the right of people who are persecuted in their country of origin to apply for protection in the Czech Republic. This protection is granted in the form of asylum or in the form of subsidiary protection. Granting of international protection is anchored in international law, with the goal of protecting basic human rights of a specific category of people outside their country of origin, who lack national protection in their own country.



Comparing to other EU Member States, the number of applicants for international protection in the CR continues to be below-average. The CR registered significantly fewer applicants for asylum than neighbouring Germany, Austria or Poland. As well as in 2013, the CR was in 2014 only marginally affected by increased migration of Syrian refugees or irregular migrants travelling to Italy across the Mediterranean Sea and then to other EU Member States (particularly to Germany, France, United Kingdom and the Scandinavian countries).

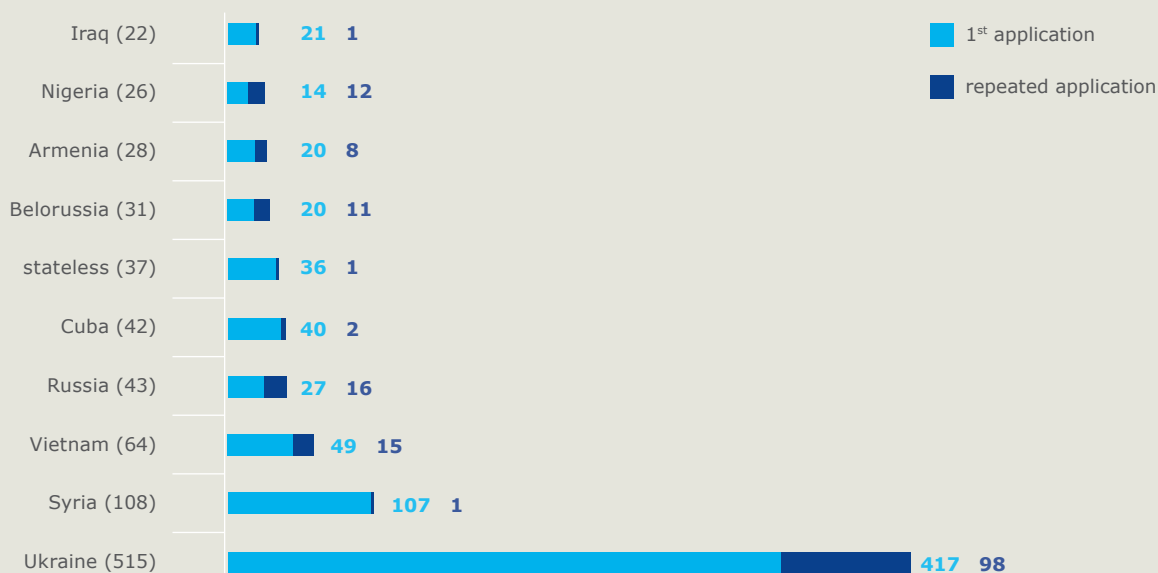
In 2014, the main **source countries** of applicants for international protection remained very much the same as in 2013. However, the order of the 10 most frequent countries of origin changed. Citizens of Ukraine remained the largest group of applicants in 2014, submitting nearly half of all applications (44.6 %). Applicants from Syria were the second largest group with much fewer numbers, and submitted 9.3 % of all submitted applications. The third largest group consisted of the citizens of Vietnam (5.5 %). These three groups together submitted more than half (60.0 %) of all applications for international protection.

Since 2004, Ukraine citizens have been the largest group of applicants. In 2014, Ukraine citizens submitted 515 applications, which is about 257.7 % more compared year-on-year. Concerns regarding the unstable political-security situation in the country and also possible mobilisation were the most frequent reasons for submitting an application.

Syrians were the second largest group of applicants for international protection during the monitored year. 108 applications were submitted by the Syrians. This represented a year-on-year increase of 56.5 %. The civil war in the country was almost always the reason for applying for international protection. However, this is a very low number in comparison to the whole Europe.

The third largest group was represented by Vietnamese citizens who submitted 64 applications. The most frequent reasons for submitting an application were economic and family problems. The same as Ukraine citizens, Vietnamese citizens frequently stated the fact that they have nowhere to return to in their country of origin due to extended residence in the Czech Republic as a reason for submission of their application.

Other large groups included citizens of the Russian Federation (43 applications). Their main reason for submitting an application was the issue of different sexual or religious orientation. This group was followed in number by applicants from Cuba (42 applications), stateless persons (37), Belorussia (31), Armenia (28), Nigeria (26) and Iraq (22).

**Graph 3: TOP 10 nationalities of applicants for international protection in 2014**

**Source:** DAMP MoI

Men remained predominant among applicants for international protection in 2014. Men made up 65.2 % (754 persons), women only 34.8 % (402 persons) of all applications.

In 2014, 229 minors (19.8 %), i.e. 97 more people than in previous year, applied for international protection. These were mainly citizens of Yemen, Somalia and Myanmar. In the same year, 6 applications submitted by unaccompanied minors were registered. These foreign nationals were citizens of Syria and Vietnam. All of them were over 15.

#### **INTERNATIONAL PROTECTION PROCEDURE**

In 2014, the Ministry of the Interior issued 1,050 decisions concerning granting of international protection and 480 decisions in proceedings to extend subsidiary protection.

International protection in the form of asylum or subsidiary protection was granted by the Ministry of the Interior to 376 foreign nationals. Subsidiary protection was extended in the case of another 478 people.

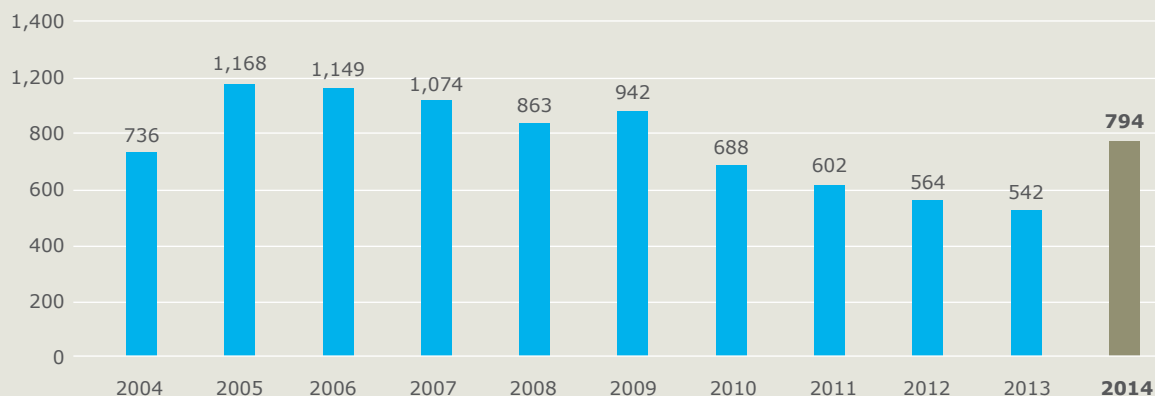
In 2014, international protection in the form of asylum was granted to 82 applicants. Asylum was most frequently granted to nationals of Ukraine (25 cases). Subsidiary protection was granted in 294 cases. A total of 674 negative decisions were issued in 2014.

## APPLICATION OF THE DUBLIN REGULATION

The Dublin Regulation, Council Regulation (EC) No 604/2013, determines the criteria according to which a Member State is responsible to examine an application for international protection. These criteria include the issued visa or residence permit, first application for international protection in the Member State or family relations.

In 2014, the Czech Republic registered 794 so-called Dublin cases. During this period, applications most frequently concerned citizens from Kosovo (101 people), followed by Ukraine (84 people), Syria (39 people) and Afghanistan (21 people).

**Graph 4:** Development of Dublin cases during the period 2004–2014

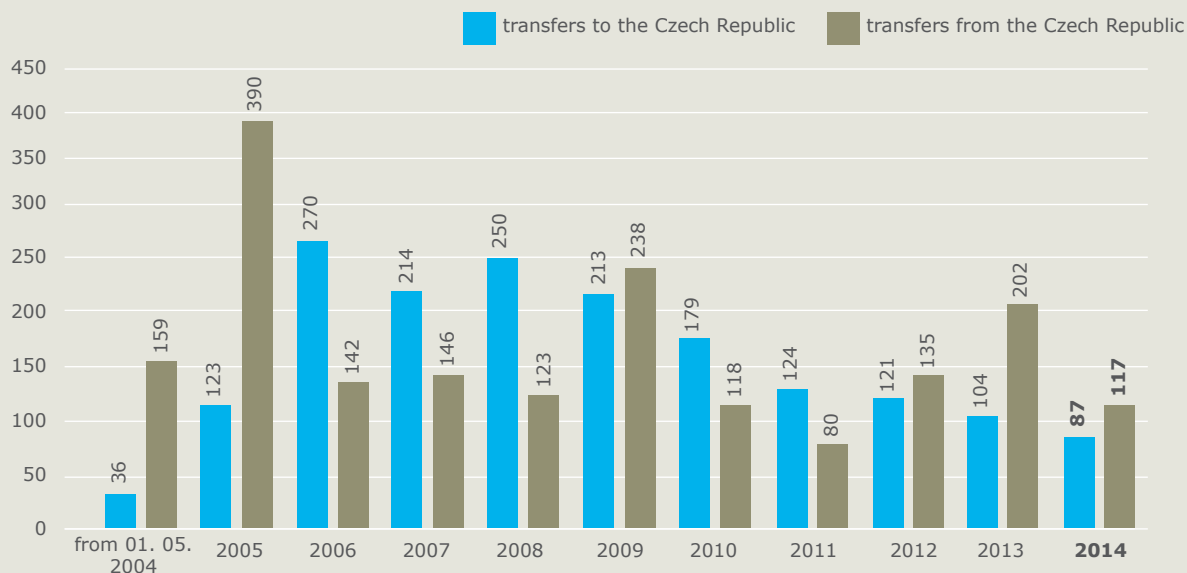


**Comment:** In 2012 and 2014 the statistics of so-called Dublin cases did not include requests for information.

**Source:** DAMP MoI

In 2014, a total of 87 transfers were realised to the Czech Republic within the terms of Dublin procedures. Most people were transferred to the Czech Republic from Sweden (14 people), Norway and the Netherlands (12 people each), Finland and Switzerland (9 people each).

During the same period, 117 transfers were realised from the Czech Republic to another Member State. Most people were transferred from the Czech Republic to Hungary (61 people), Poland (18 people) and Austria (12 people).

**Graph 5:** Realised transfers from and to the Czech Republic during the period 2004–2014

**Comment:** In 2012 and 2014 the statistics of so-called Dublin cases did not include requests for information.

**Source:** DAMP MoI

## 4.2 ASYLUM FACILITIES IN THE CZECH REPUBLIC

The **Refugee Facilities Administration of the Ministry of the Interior** is the operator of reception, accommodation and Integration Asylum Centres. Accommodation, catering, psychological, social, educational and consultancy services are provided here. Leisure time activities are also assured.

The Refugee Facilities Administration of the Ministry of the Interior assured services for applicants for international protection and beneficiaries of international protection in seven asylum facilities of three different types in 2014:

**Reception Centre (hereinafter the RC)** is mainly intended for accommodating newly arriving applicants for international protection, until the time of completion of basic reception procedures: confirmation of identity, initiation of proceedings concerning granting of international protection, entrance interview and social investigation, prescribed entrance medical examination.

Applicants cannot leave the RC freely. Accommodation, catering, basic hygienic supplies and medical care are provided here and the applicants have social and psychological services available and may take part in leisure time activities, visit art workshops, etc. RCs are located in the transit area of the international Václav Havel Airport and in Zastávka (South Moravian Region).

**Accommodation Centre (hereinafter the AC)** is mainly used to accommodate applicants who have completed the prescribed reception procedures in the RC, throughout the duration of proceedings in the case of their application for international protection. Applicants are free to leave the centre or use the option of private residence. Similar services are provided as those provided at the RC. Emphasis is placed on social work supplemented by leisure time activities. Child centres, art workshops, libraries, tearooms, playgrounds and sports equipment are all available here and clients may take part in various cultural events and trips. Special attention is given to vulnerable groups, which include unaccompanied minor applicants, single mothers with children, the elderly, physically, mentally, or socially handicapped people and victims of physical or mental abuse. ACs are located in Kostelec nad Orlicí (Hradec Králové Region) and Havířov (Moravian Silesian Region).

**Integration Centre (hereinafter IAC)** is intended for beneficiaries of international protection and those who have been registered in the State Integration Programme and applied for temporary accommodation at the IAC. The period spent at the IAC (max. 18 months) is intended mainly for learning Czech language and arranging independent housing and employment. Accommodation at the IAC is subject to a fee. The rights and obligations of people, who have been granted international protection, are the same on the job market and in the social and medical sphere as the rights and obligations of Czech citizens. The centre's employees, together with employees of non-governmental organisations, may provide IAC clients with the required advice and assistance if they are interested. There is an IAC in Jaroměř (Hradec Králové Region), Předlice (Ústí Region), in Brno (South Moravian Region) and in Havířov (Moravian Silesian Region).

#### 4.3 INTEGRATION OF BENEFICIARIES OF INTERNATIONAL PROTECTION

The *State Integration Programme* (SIP) is being implemented in the Czech Republic. This programme focuses on people who have been granted international protection in the form of asylum or subsidiary protection. Similarly to previous years, the project focuses mainly on **teaching Czech language, arranging housing and assistance with entry to the job market.**

Free tuition of the Czech language is in the competence of the Ministry of Education, Youth and Sports and is organised by the Refugee Facilities Administration and the Association of Teachers of Czech as a Foreign Language.

The Refugee Facilities Administration assured tuition of Czech at Integration Asylum Centres. Czech language classes were intended for all age categories and tuition was also arranged for vulnerable people (with medical handicaps). In 2014, courses for beneficiaries of international protection were merged according to their advancement in Czech language. In 2014, 2,754 hours of Czech language were taught. The Association of Teachers of Czech as a Foreign Language also taught Czech language outside Integration Asylum Centres. From January to December 2014, 6,829.5 hours of Czech were taught.

The Ministry of the Interior is responsible for the area of arranging housing. In 2014, housing for 320 entitled people was arranged in 139 integration flats.

The area of assistance with entering the job market is in the competence of the Ministry of Labour and Social Affairs. This mostly concerns provision of re-qualification and other consultancy and also motivational programmes offered to unemployed people, to whom international protection was granted in the form of asylum or subsidiary protection.

#### **4.4 RESETTLEMENT**

Together with local integration and possibility of voluntary return, the resettlement is one of three basic methods of achieving a permanent solution ("durable solution") for long-term unsatisfactory refugee situations. In practice, this concerns selection of people and their transfer from the state of their first asylum to a third country, which is ready to receive them, grant them international protection and assure access to all key human and civic rights. In addition to the granting of international protection to spontaneously arriving refugees, resettlement is considered to be a supplementary institute in the refugee protection system in the developed world. The key goal of resettlement programmes is of a humanitarian character, i.e. provision of the required assistance and protection to the most at-risk groups of refugees, which have no perspective of a safe and dignified life apart from resettlement and whose potential return to their country of origin could result in the risk of persecution or humiliating or inhuman treatment.

The Czech Republic applied for realisation of a resettlement programme in 2008 by accepting the *National Resettlement Programme Concept* (government resolution dated 27 July 2008, No 745/2008), by which it confirmed its readiness to participate in resolving global refugee issues and help refugees within the terms of a commonly shared burden in the refugee area alongside other advanced countries by means of this humanitarian tool. Between 2008 and 2012, the Czech Republic effectively resettled three groups of Burmese refugees from Malaysia and Thailand, in total 120 people, and offered them protection within its territory and hope for a safe and dignified life and participated in their integration into the Czech society.

In 2014, the Czech Republic was also involved in cooperation with the United Nations High Commissioner for Refugees (UNHCR<sup>13</sup>) on emergency resettlement of people in immediate danger and in assisting family reunification in the field of resettlement. In 2014, the Czech Republic also participated in all key activities in this field realised on a European and international level.

During the second half of 2014, the Czech Republic also commenced preparations for resettlement of a small group of Syrian refugees from Jordan – 15 families with small children, who required immediate medical care. This programme will be implemented in 2015.

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<sup>13</sup> United Nations High Commissioner for Refugees.

# 5 UNACCOMPANIED MINORS

In 2012, the Czech Republic approved the new *Concept for Protection and Care of Unaccompanied Minor Aliens, Including Applicants for International Protection*. This Concept set new rules concerning treatment of minor foreign nationals who arrive in the Czech Republic without a legal guardian and also modified the system of care and conditions for integration of this group.

The numbers of unaccompanied minors in the Czech Republic have a falling tendency overall. The number of unaccompanied minors can be counted in tens and there are only a few unaccompanied minor applicants for international protection.

It was not necessary to implement any changes in the system of care and treatment of minor applicants for international protection, mainly due to their low number.

**Six unaccompanied minors applied for international protection in 2014.** These minors came from Vietnam and Syria. The aforementioned number represents an increase compared to 2013, when 2 unaccompanied minors applied for international protection.

**Table 5:** The numbers of unaccompanied minors applying for international protection during the period 2004–2014

Year	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
Number of unaccompanied minors applying for international protection	95	106	92	56	36	9	4	8	5	2	6

**Source:** DAMP MoI

Unaccompanied minors and victims of human trafficking as well as people with disabilities, older people, pregnant women, single parents with minor children, people with mental medical disorders and people who are victims of abuse, rape or other serious form of



mental, physical or sexual abuse, belong to the so-called vulnerable groups according to the European Parliament and Council Directive 2013/33/EU of 26 June 2013, which lays down standards for the reception of applicants for international protection.

# C ADDRESSING TRAFFICKING IN HUMAN BEINGS

## 6.1 LEGAL FRAMEWORK

The Czech Republic is aware of the importance of the fight against human trafficking. It adheres to the so-called 4 P: prevention, protection, prosecution and partnership, which are key elements of the *National Strategy in the Fight against Human Trafficking in the Czech Republic for the Period 2012–2015*. The National Strategy in the Fight against Human Trafficking in the Czech Republic, which will be completed in September 2015, also contains the instruction “to realise complex evaluation of the *Programme for Support and Protection of Victims of Human Trafficking* until 2015”.

The Czech Republic proposed abovementioned Programme in 2003. Since 2008, the Programme has been modified several times on the basis of implementation of updated internal guidelines. Thanks to these updates, the process for legalising residence of potential victims was fast-tracked. The time limit for making a decision (so-called crisis intervention), i.e. the period during which the victim is able to come to a decision on whether to cooperate with bodies active in criminal proceedings, was extended to 60 days, in exceptional cases to 90 days (during this period, the victims are provided with all types of services and support).

Complex legal analysis of tools used in the fight against crimes connected to human trafficking and labour exploitation were worked out within the framework of the *Exposure of Human Trafficking for the Purpose of Forced Labour or Labour Exploitation* project. This analysis was intended to help law enforcement bodies understand the phenomenon of human trafficking and its legal basis. A book titled *Human Trafficking for the Purpose of Labour Exploitation in Theory and Practice* was also published in Czech and in English within the terms of this project.

## 6.2 MEASURES

In 2014, activities in the field of fight against human trafficking were mainly aimed at educational programmes intended for the relevant groups of experts (members of the police force, prosecutors, judges) and expert trainings at the Academy of Justice and other workshops.

Training of the Alien Police Service (APS) took place in September according to the handbook of the European Agency for Managing Operative Cooperation at the External Borders of EU Member States (FRONTEX). The purpose of this training was to increase the awareness of police officers of the issue of human trafficking and also to acquaint them with indicators helping to uncover potential victims. The training course was also intended to improve the ability of police officers to direct an interview of possible victims of human trafficking. The course was attended by APS police officers from Czech international airports and also by representatives of the Refugee Facilities Administration. This course will take place regularly at the Higher Police School and Secondary Police Academy of the Ministry of the Interior in Holešov and will be intended for various units of the Alien Police.

Amendment No 141/2014 Coll., to Act No 40/2009 Coll. (Penal Code), came into force in August 2014. In relation to measures dating from 2012, i.e. evaluation of use of the tools for eliminating the crime of human trafficking for the purpose of labour exploitation, this amendment modified the facts of the case so that they correspond more to real cases of labour exploitation, thereby simplifying prosecution of this crime. In 2014, the Czech Republic also participated in the working group for a project on *Addressing Demand in Anti-trafficking Efforts* coordinated by the International Centre for Migration Policy Development (ICMPD).

### 6.3 COOPERATION

Cooperation between involved stakeholders contributes to the effectiveness of the fight against human trafficking. Two meetings of the Interdepartmental Coordination Group for the Fight Against Human Trafficking took place in 2014. This group was appointed in 2008 by the government resolution. It serves as a platform for provision of information between members of the interdepartmental group and also for coordination of activities in the fight against human trafficking on a national level. Members of this group, which are governmental and non-governmental organisations, contribute to the annual report on human trafficking in the Czech Republic and provide commentaries to strategic documents concerning this issue.

The Czech Republic is also involved in implementation of several international projects and cooperates with major source countries and international organisations (Organisation for Security and Cooperation in Europe (OSCE), ICMPD etc.). The Czech Republic also actively participates in conferences of the National Rapporteurs platform and equivalent mechanisms, which are held by the European Commission and the currently presiding EU Member State.

## 6.4 STATISTICS

In 2014, one third-country national was granted a long-term residence permit for the purpose of protection (as a victim of human trafficking cooperating with the relevant bodies).

From January to December of the same year, 16 people were prosecuted (investigated) and 6 of them were convicted in connection with the human trafficking.

**Table 6:** Number of people prosecuted and convicted in connection with the human trafficking during the period 2012–2014

Year	2012	2013	2014
Number of people prosecuted for human trafficking	31	25	16
Number of people convicted for human trafficking	11	20	6

**Source:** SPD of MoI, Ministry of Justice

# 7 INTERNATIONAL COOPERATION AND PROJECTS, MIGRATION AND DEVELOPMENT

## 7.1 INTERNATIONAL COOPERATION AND PROJECTS

International cooperation in the field of migration followed in the activities commenced in previous years. Within the terms of relations with the European Union and Schengen Area Member States, the Czech Republic cooperated with European Union bodies, including their agencies such as FRONTEX and the European Asylum Support Office (EASO). It also focused on enhancing practical and operative cooperation in all aspects of migration, asylum and protection of state borders.

Cooperation with main transit and source countries of immigration into the Czech Republic, particularly countries neighbouring the European Union, continued to be developed. On the level of the European Union, the Czech Republic continued to participate in development and implementation of *Global Approach to Migration and Mobility* tools which represents a concept framework for the external migration policy of the European Union. Development of the east and south-east dimensions of the Global Approach to Migration, particularly within the framework of the *Prague Process*, which represents the main multilateral migration dialogue, was fundamental for the Czech Republic.

Dialogues with eastern partners within the terms of the Eastern Partnership and participation in bilaterally concluded *Mobility Partnerships with Moldova, Georgia and Armenia* are also key for the Czech Republic. The Czech Republic continued to take part in migration dialogues with other important countries and regions of relevance to the migration situation in the European Union (e.g. EU-Russia migration dialogue). Preparation of the EU's position for negotiations within the terms of the EU-China migration dialogue was also an important milestone.

In relation to realisation of its priorities in the field of asylum and migration, the Czech Republic worked closely with international organisations, particularly the International Centre for Migration Policy Development and the UN High Commissioner for Refugees. The Czech Republic cooperated with the ICMPD in the framework of the Prague Process (administration of a pilot project for development and migration) and during implementation of projects within the terms of the *Mobility Partnership with Moldova*. As regards UNHCR, cooperation focuses on the supporting refugees in their countries and regions of origin and on resettlement.

## PRAGUE PROCESS

The Prague Process represents a political initiative originating from the ministerial conference *Building Migration Partnerships*, which was held in Prague on 28 April 2009. During this conference, the participating states accepted a *Joint Declaration of Migration* determining principles and measures supporting close cooperation in the field of migration.

*The Prague Process Action Plan for the period 2012–2016* was accepted during the ministerial conference in Poznan, Poland, on 4 November 2011. This Action Plan outlines 22 specific activities in 6 thematic areas, which should be implemented during the specific period. During the period 2012–2016, the Czech Republic and another six leading states will be implementing an initiative co-financed by the European Union under the title of *Support for the Implementation of the Prague Process and its Action Plan*, also known as the *Prague Process Targeted Initiative*. The project is led by Poland together with the Czech Republic, Germany, Hungary, Romania, Slovakia and Sweden.

Four pilot projects, prepared in compliance with the Global Approach to Migration and Mobility, focusing on the fight against illegal migration, support of legal migration, asylum and reinforcement of the link between migration and development, took place in 2014. The Czech Republic led the project on migration and development (specifically focusing on circular migration). Within the terms of this project, a workshop took place in May 2014 in Yerevan, Armenia, and a final workshop took place in September 2014 in Prague, Czech Republic. The main outcome of the project was a publication of a handbook on circular migration. Another round of projects was launched towards the end of 2014 and these projects will be implemented in 2015. The Czech Republic and Hungary lead the project on legal migration with the focus on student mobility, which will continue until the end of 2015 and will be concluded by a final conference in Prague.

## ERIS PROJECT

Within the terms of the European Commission's *Thematic Programme for Cooperation with Third Countries in the Field of Asylum and Migration*, the Czech Republic leads a project focusing on the issue of integration of foreign nationals in the Russian Federation with the title *Development of Joint Principles, Procedures and Standards on the Integration of Labour Immigrants between the Russian Federation and European partners* (ERIS). This concerns a project for cooperation between migration bodies in the Czech Republic, the Russian Federation and Austria in the field of foreign nationals' integration, implementation of which began in February 2013 and will continue for two

years. The overall project goal is to contribute to further development of the migration management system in the Russian Federation, the Czech Republic and Austria, focusing on integration policies for labour immigrants.

**PROJECT CAPACITY BUILDING FOR MANAGING LABOUR MIGRATION AND RETURN WITHIN THE FRAMEWORK OF EU MOBILITY PARTNERSHIP**

The project focusing on capacity building of authorities in Moldova, with the goal of improving the possibility of labour reintegration of returned Moldovan migrants, continued in 2014. This is a flagship Mobility Partnership project with Moldova, which is led by Sweden, and with the Czech Republic (the MoI and the MoLSA) as a partner.

**FIRMM PROJECT IN MOLDOVA**

The project titled *Supporting the Republic of Moldova to Implement the EU-Moldova Action Plan on Visa Liberalisation*, FIRMM, which will continue until June 2015, was launched in Moldova in 2013. The overall goal of the project is to contribute to successful implementation of the visa liberalisation action plan, particularly to create a set of measures in addressing illegal migration. The main aim of the project is to help Moldova to implement a visa liberalisation plan. The project was initiated by the Moldovan Ministry of the Interior and takes place within the terms of the EU Mobility Partnership with Moldova for over 2.5 years and with a budget of EUR 1.2 million (co-financing is EUR 240,000). The project is implemented by the ICMPD. The Czech Republic is one of the project partners together with other Member States.

## 7.2 HUMANITARIAN PROJECTS

**ASSISTANCE TO COUNTRIES AFFECTED BY THE MASSIVE INFLUX OF SYRIAN REFUGEES IN 2014**

The Czech Republic is not a target country for asylum seekers from Syria. In spite of this, the Czech Republic monitors the critical situation in Syria and related migration with great concern as it is clear that this is a humanitarian tragedy, which has serious impact on migration and asylum situation in the European Union. The Czech Republic considers the stabilisation of Syrian refugees at the site of their current residence to be the main priority. This is why it provides funds for humanitarian aid for the population in Syria and for the requirements of refugees in neighbouring countries, particularly in Lebanon and Jordan. **The total amount of humanitarian aid and other assistance of the Czech Republic, provided in relation to the conflict in Syria between**

**2012–2014, is now more than CZK 140 million.** The Czech Republic has been also involved in the *Regional EU Programme for Protection and Development in the Near East* (Jordan, Lebanon and Iraq) on the basis of a financial contribution amounting to CZK 10 million. This programme included both elements of protection of refugees and economic and stabilisation elements for the refugee situation.

In relation to this and in relation to further destabilisation of the situation in the Near East, the Czech Republic also began preparing a permanent *Programme by the Ministry of the Interior for Assistance of Refugees in their Regions of Origin and Prevention of Mass Migration* at the end of 2014. The programme concerns areas, in which armed conflicts, or possibly humanitarian or natural disasters (e.g. earthquakes) have occurred, which caused mass migration of the affected inhabitants – mainly the region of the Near East, which has been affected by conflict in Syria, in 2015.

Within the terms of this programme, the Czech Republic will participate more actively in united joint activities with other EU Member States to provide direct aid to refugees in their countries of origin or in neighbouring regions hosting a large refugee population and direct assistance to affected states. Such solutions should have a positive impact on subsequent migration pressure in the direction of the EU and provide protection and sources of subsistence to refugees, who will simultaneously not lose contact with their home country throughout the duration of the conflict or catastrophe and will not have to undergo risky and exhausting journeys in search of safety in Europe. **The Czech Republic will release up to CZK 100 million per year for this programme.** During this period, a greater number of refugees will benefit significantly from this programme than the number of refugees which the Czech Republic could receive for the same amount.

***PROGRAMME FOR HUMANITARIAN MEDICAL EVACUATION OF INJURED INHABITANTS – MEDEVAC PROGRAMME***<sup>14</sup>

The Programme for Humanitarian Medical Evacuation of Injured Inhabitants is primarily intended for seriously ill children from regions affected by war or otherwise, who cannot be treated under local conditions. The MEDEVAC programme is implemented by the Ministry of the Interior in close cooperation with departments of the ministries of Defence, Foreign Affairs and Health.

In relation to the increasing number of armed conflicts in the world (Libya, Syria, Ukraine), the MEDEVAC programme has resumed the activities aimed at war injuries

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<sup>14</sup> *Medical Evacuation.*



of adult persons again from 2011. The year 2014 was strongly affected by political events in Ukraine and the ongoing crisis in the Near East. In 2014, the MEDEVAC programme consequently focused on these events. On the basis of two resolutions by the Government of the Czech Republic, the Ministry of the Interior realised in total **two medical-humanitarian transports** of injured Ukrainian nationals to the Czech Republic, in close cooperation with the ministries of Foreign Affairs, Defence and Health. This concerned civilians who were victims of a violent conflict with the police forces. **In total, 39 patients were transported to the Czech Republic and 2 people as legal guardians of minors.** At the end of 2014, the last Ukrainian patient was still in the Czech Republic undergoing treatment. One patient died in the Czech Republic as a result of injuries.

On the basis of a joint agreement between the ministries of Foreign Affairs, Health and the Interior, the MEDEVAC programme for Syrian Refugees from Jordan continued during the second half of 2014. The programme was realised in the form of short-term dispatching of three Czech specialised medical teams to Jordan. This concerned specialised teams from the Teaching Hospital in Motol (Cardiothoracic surgery, Orthopaedics) and Bulovka Hospital (Plastic and Reconstruction Surgery).

Within the terms of the MEDEVAC Programme, 210 patients were treated in the CR between 1993 and 2014 (mostly children) from Bosnia and Herzegovina (17), Kosovo (40), Russian Federation (1), Iraq (42), Pakistan (10), Afghanistan (14), Cambodia (10), Libya (20), Syria (14), Myanmar/Burma (3) and Ukraine (39).

#### **REPATRIATION OF COMPATRIOTS**

The new rules for **repatriation of compatriots**, who wish to return to the Czech Republic, were approved at the end of 2014. The government realised a programme aiming at compatriots interested in returning to the Czech Republic which represents their former homeland or the homeland of their ancestors. Thanks to the new government policy principles connected to resettlement of people with proven Czech origins living abroad, the Czech Republic is capable of providing effective assistance to those compatriots who express their interest in returning to the Czech Republic. If interested in returning to the country, compatriots may count on assistance in the form of a lump sum of CZK 50 thousand for each adult and CZK 20 thousand for each minor person, with up to six months free accommodation at a facility operated by the Ministry of the Interior and with an offer of language or integration courses, during their integration into society. The group of people who may obtain this assistance in the form of facilitation of visa entry was also specified. The government expects help provided by

a non-governmental organisation during provision of assistance to compatriots. This contractually bound organisation for 2014 and 2015 is the Archdiocese Caritas Prague. The Ministry of the Interior will assure potential financial assurance from its budget. Several tens of compatriots from Ukraine, whose repatriation is planned for 2015, expressed their interest in this form of assistance in 2014.

### **7.3 MIGRATION AND DEVELOPMENT**

Czech aid to developing countries is coordinated by the Ministry of Foreign Affairs and specific projects are implemented by the Czech Development Agency (CzDA).

In 2014, the most significant recipients of Czech foreign development cooperation were Moldova, followed by Ethiopia, Bosnia and Herzegovina and Mongolia. The Czech Republic primarily provided aid in ten priority countries. The list now includes Ukraine, where the priority is to restore the country affected by the conflict and improve public administration. In 2014, the CzDA devoted CZK 478 million from the state budget on development cooperation abroad.

# 8 IRREGULAR MIGRATION INCLUDING SMUGGLING

## 8.1 IRREGULAR MIGRATION IN THE CZECH REPUBLIC

Since 2008 (after becoming a part of the Schengen Area in December 2007), two basic categories of irregular (illegal) migration in the Czech Republic have been defined:

### 1. **Illegal crossing of the external Schengen border of the Czech Republic**

– foreign national who crossed the external Schengen border of the Czech Republic (airports) illegally or tried to cross it illegally are observed in this category.<sup>15</sup>

**2. Illegal residence** – this category includes foreign national found in the Czech Republic, including the transit area of airports, who violated legal conditions set for the residence of foreign nationals.

Within the terms of evaluation of the long-term development of illegal migration after the Czech Republic became a part of the Schengen Area, the highest annual number of irregular migrants to date was reported in 2014.

Even though the development in the last years has shown that the Czech Republic is becoming a destination country for many foreign nationals, it continues to be a transit country for third-country nationals who intend to get to other European countries.

### STATISTICS

During the period between 01/01/2014 and 31/12/2014, **4,822 foreign nationals were found to be illegally present in the Czech Republic**. In comparison to 2013, this is an increase by 669 people (i.e. +16.1 %). Of the aforementioned total number, **4,641 people (i.e. 96.2 %) were found to be illegally residing** and **181 people** were found to be **illegally crossing the Czech Republic's Schengen border**.

Third-country nationals made up 95.5 % of the total number of people detected to be illegally present during the monitored year (in absolute numbers this concerned 4,428 third-country nationals illegally residing and 177 people in relation to illegal crossing of

<sup>15</sup> The external Schengen border can only be crossed by air in the Czech Republic.

the external Schengen border). The percentage of EU<sup>16</sup> citizens was 4.5 % (in absolute numbers this was 213 EU nationals illegally residing and 4 people in relation to illegal crossing of the Schengen border).

**Table 7:** Illegal migration in the Czech Republic – 2014 – TOP 10 according to category

Illegal migration in the CR 01/01/2014–31/12/2014					
Illegal residence	People found	i.e. %	IM across the ESB of the CR	People found	i.e. %
<b>Total</b>	4,641	100.0	<b>Total</b>	181	100.0
			of this number Czech citizens were		
			foreign nationals	181	100.0
of this number EU citizens	213	4.6	of this number EU citizens	4	2.2
third-country nationals	4,428	95.4	third-country nationals	177	97.8
of this number citizens of the 10 most frequent countries			of this number citizens of the 10 most frequent countries		
Ukraine	1,020	22.0	Russia	54	29.8
Kuwait	450	9.7	refugee	20	11.0
Libya	406	8.7	Ukraine	15	8.3
Russia	381	8.2	Afghanistan	10	5.5
Vietnam	301	6.5	Ghana	7	3.9
Saudi Arabia	231	5.0	Turkey	7	3.9
Kosovo	183	3.9	Armenia	5	2.8
Syria	142	3.1	Syria	4	2.2
Slovakia	129	2.8	Kazakhstan	4	2.2
China	71	1.5	Democratic Republic of the Congo	4	2.2

**Comment:** Data processed by APS

From the aspect of citizenships, the traditionally biggest group of foreign nationals found to be illegally present in 2014 were citizens of Ukraine (1,035 people, i.e. 21.5 %). Citizens of this country have remained in first place in the illegal migration statistics since 2008, but their percentage of the total number of persons found to be illegally present has gradually been falling. In 2008, 41.7 % of the people found to be illegally present were Ukraine citizens. In 2014, this number fell to 21.5 %. Other countries included in the statistics of illegal migration are citizens of Kuwait (451 people, i.e. 9.4 %), Russia (435, i.e. 9.0 %), Libya (406, i.e. 8.4 %) and Vietnam (304, i.e. 6.3 %).

Citizens of the abovementioned 10 countries made up over 70 % of the total number of foreign nationals found to be illegally present. The TOP 10 countries have undergone significant changes within the terms of long-term development. Citizens of Kuwait,

<sup>16</sup> The term "European Union citizens" is understood to mean citizens of EU Member States, and citizens of states bound by the EEA Agreement (Iceland, Lichtenstein, Norway, Switzerland). These people have the same status of citizens of EU Member States according to the Act on Residence of Foreign Nationals.

Libya and Saudi Arabia only appeared in the TOP 10 in 2013, but the number of Kuwait citizens in particular has risen (Kuwait was 5<sup>th</sup> in 2013, and 2<sup>nd</sup> in 2014 in the statistics). Citizens of Kosovo and Syria are newly included in the TOP 10.

Of the total number of 4,822 citizens, who were apprehended in relation to illegal migration in the Czech Republic, these were 3,278 men (i.e. 68.0 %) and 1,492 women (i.e. 30.9 %) and 52 children (i.e. 1.1 %).

632 people were registered to be repeatedly found to be illegally present in the Czech Republic<sup>17</sup> (i.e. 13.1 % of the total number of 4,822 foreign nationals found to be illegally present).

## 8.2 FACILITATING IRREGULAR MIGRATION

After the Czech Republic became a part of the Schengen Area (December 2007), the sphere of facilitating illegal migration across state borders (smuggling) moved more towards facilitating illegal residence in the Czech Republic (in the form of sham marriage, abuse of the institute of consensual declaration of paternity by parents, arrangement of forgeries of various confirmations necessary for residence or sham formal registration of foreign nationals in limited liability companies), and cases of aiding migrants travelling to West European countries are also being investigated. The role of communication technology, such as websites or Internet communication portals, is also becoming more important in recent years. This enables faster and simpler contact between migrants and people who help them in facilitation of illegal migration in a specific manner.

An invitation to a person from the third country continues to be frequently abused. Abuse of the institute of an invitation seems to be fairly risky from the security aspect. For foreigners from third countries, an invitation is the fastest and least demanding method of entering the Schengen Area. Organisers exploit people, particularly from socially weaker groups and even homeless people. The people providing the invitation often do not even know the invited persons and have never met them.

Regarding illegal migration and smuggling, it mostly concerns illegal transit migration, i.e. individuals who illegally enter the Czech Republic with the intention to continue to another country of the Schengen Area. Irregular migrants are frequently transported in passenger vehicles or vans or taxis, with the help of people of the same citizenship,

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<sup>17</sup> The persons are screened in the "Illegal entry and residence of individuals" database in the current year and previous year.

who already have a status of legal residence in West European countries. International trucks, buses and rail carriages are also abused.

Migration of foreign nationals travelling to EU on the basis of “seeking a co-traveller” adverts on website is a stable trend. This type of website allows vacant places to be offered and the opportunity to purchase transport by a private vehicle to a previously arranged destination. Passenger cars with German, Hungarian, Romanian, Serbian, Belgian and even Danish international number plates, which return from abroad back to Germany, are used for example. Parties interested in transport agree on a meeting point and payment for the driver by means of a website, e-mail or mobile phone and arrange transport to the arranged specific country.

### **STATISTICS**

108 crimes were registered in relation to facilitating illegal residence or illegal crossing of borders, during which time 97 people were prosecuted.<sup>18</sup> Last year, 103 people were sentenced (25 people for organising and enabling illegal crossing of state borders and 78 people for the crime of aiding illegal residence in the Czech Republic).<sup>19</sup>

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<sup>18</sup> Source: Police Presidium

<sup>19</sup> Source: Ministry of Justice of the Czech Republic

# 9 RETURNS

## 9.1 DECISIONS ON ADMINISTRATIVE EXPULSION AND EXECUTION OF SUCH DECISIONS

In 2014, a total of **2,149 foreign nationals with issued legally effective decisions on administrative expulsion** were registered, which is an increase by 129 people, i.e. +6.4 % compared to the last year. The largest group of foreign nationals with an issued legally effective decision on administrative expulsion consisted of Ukraine citizens (815 people; i.e. -6,8 %), the same as in 2013. This was followed by a much smaller number of Libyan citizens in the second place (228 people; i.e. +178,0 %), in regard to which a significant increase in numbers was registered. Libyans were followed by countries such as Vietnam (152 people; i.e. -15,6 %), Kuwait (143 people; i.e. +34,9 %) and Russia (122 people; i.e. +15,1 %). These TOP 5 countries whose citizens were issued a legally effective decision on administrative expulsion in 2014 made up nearly 70 % of the total number of people with issued legally effective decisions on administrative expulsion in 2014.

The greatest year-on-year increase in the number of people in this category was registered in relation to citizens of Libya, Kuwait and Saudi Arabia. This mainly concerns cases of spa guests who stayed longer than was permitted by their visa.

In 2014, a legally effective and enforceable decision on administrative expulsion **was executed in cases of 175 foreign nationals**, which represents a small decrease in comparison to the same period in the previous year (-10 people, i.e. -5.4 %). Most decisions on administrative expulsion were executed in cases of citizens of Ukraine (53 persons, i.e. +6.0 %), a group, which made up 30 % of the total number of expelled foreign nationals. Citizens of Vietnam also dominated the statistics of administrative expulsion (33 persons, i.e. -32.7 %).

As well as in 2013, also in 2014 the main **reason for the issuance of a decision on administrative expulsion**<sup>20</sup> was particularly the violation of the residence conditions (2,036 cases, i.e. 73.2 % of the total number of cases), where the percentage of the total

<sup>20</sup> One administrative expulsion decision may contain multiple legal grounds.

number of cases rises slightly compared to 2013. The next most frequent reason, with a much lower percentage though, was the violation of the Employment Act (387 cases, i.e. 13.9 %) and failure to abide the decision on administrative expulsion (187 cases, i.e. 6.7 %). The greatest proportional decrease compared to 2013 was registered in relation to decisions on administrative expulsion related to illegal crossing of state borders (39 cases, i.e. -33.9 %).

In the case of failure to abide the decision on administrative expulsion, this behaviour of a foreign national may be qualified as the crime of obstruction of an official decision.

## 9.2 DECISION ON THE OBLIGATION TO LEAVE THE COUNTRY

In the past, foreign nationals found to be illegally present were usually sanctioned by the decision on administrative expulsion. In December 2010, legislation transposing the so-called **Return Directive**<sup>21</sup> came into force, which regulates the procedure by EU Member States in the field of return policy and which states that third-country nationals shall be returned on a voluntary basis at the first place. If this is not a case, he/she may be expelled by the state authorities. This Directive came into force in December 2010. In 2014, **329 decisions to impose the obligation to leave the country** were issued. In the year-on-year comparison, this represented a marked increase by 137 decisions (i.e. by 71.4 %).

## 9.3 VOLUNTARY RETURNS

### **VOLUNTARY RETURNS PROVIDED BY THE REFUGEE FACILITIES ADMINISTRATION OF THE MINISTRY OF THE INTERIOR**

Each foreign national fulfilling the set time limit specified in the provisions of Section 54a of Act No 325/1999 Coll., Asylum Act is entitled to ask for repatriation – voluntary, dignified and safe return to his/her country of origin or a third country, with expenses covered from the state budget. The right to voluntary return is not acknowledged automatically. Each request is evaluated individually. The Refugee Facilities Administration of the Ministry of the Interior bears the costs for repatriation, taking into account whether the foreign national meets the conditions according to the Section 54a of the Act quoted

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<sup>21</sup> European Parliament and Council Directive 2008/115/EC on common standards and procedures in Member States for returning illegally staying third-country nationals.



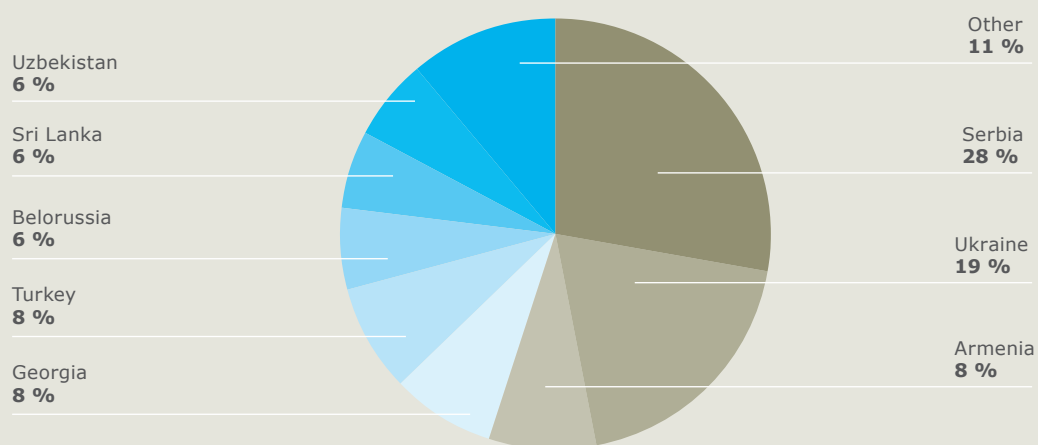
above, taking into account the opinion of the Department for Asylum and Migration Policy, the applicant's financial situation and the degree of cooperation provided by the foreign national, his/her medical and mental condition, family and social situation and other factors.

During realisation of voluntary return, the Refugee Facilities Administration of the Ministry of the Interior provides applicants with free purchase of air-tickets or tickets to the destination country, direct assistance with departure, advice and, in the event that the client's destination to his/her chosen destination cannot be assured, a contribution may be provided towards transport to the required destination. The Refugee Facilities Administration of the Ministry of the Interior may also provide additional essential assistance, leading to the foreign national's successful return.

If necessary, the Refugee Facilities Administration of the Ministry of the Interior cooperates on repatriation with the International Organisation for Migration (IOM) or the Czech Red Cross (CRC). In order to protect the personal data of an applicant for international protection, the Refugee Facilities Administration of the Ministry of the Interior does not come into direct contact with foreign authorities of the country of origin.

**In total, 49 people submitted an application for voluntary return in 2014. 36 of these people were returned to the required countries,** in 13 cases voluntary return did not take place for various reasons. The most frequent destination countries were Serbia, Ukraine, Armenia, Georgia and Turkey.

**Graph 6:** Realised repatriations in 2014



**Source:** DAMP MoI

**Table 8:** Realised repatriations in 2014

Country of return	Number of people	Country of return	Number of people
Serbia	10	Sri Lanka	2
Ukraine	7	Uzbekistan	2
Armenia	3	Cuba	1
Georgia	3	Russia	1
Turkey	3	Syria	1
Belorussia	2	Vietnam	1
		<b>Total</b>	<b>36</b>

**Source:** DAMP MoI

#### **VOLUNTARY RETURNS ASSURED BY THE INTERNATIONAL ORGANISATION FOR MIGRATION**

In the field of voluntary returns, the Ministry of the Interior maintains a long-standing partnership with the International Organisation for Migration, which assures not only realisation of voluntary returns, but also all related consultancy and assistance essential for successfully returning the third-country nationals, on the basis of contractual arrangements.

In 2014, IOM employees provided 856 consultations to foreign nationals within the terms of the return consultancy programme. Voluntary return was realised in relation to 169 foreign nationals, which represents 56 % foreign nationals, who contacted the IOM with a request for consultation.

Citizens of Ukraine (30 people), Romania and Vietnam (27 people each), Mongolia (18 people), Uzbekistan (11 people) and Russia (9 people) were the most frequent participants of voluntary return programme.

# ANNEXES

## ANNEX NO 1: METHODOLOGY AND DEFINITIONS

EMN Annual Policy Report on Asylum and Migration 2014 was elaborated mainly on the basis of materials provided by the Ministry of the Interior which is responsible for asylum, migration and integration policy in the Czech Republic. Other ministries and the Directorate of the Alien Police Service were also important sources of information.

The report is based on statistical data from Czech Police information systems and the Department for Asylum and Migration Policy of the MoI.

The EMN reports and studies in the relevant areas, particularly technical part 1 of the EMN Annual Policy Report for 2014, which was elaborated by the relevant EU Member States and Norway at the beginning of 2015, were also utilised to a greater degree.

Analysis of press articles in the field of asylum and migration for 2014 and relevant information and statements by non-governmental organisations published on the relevant websites was also used for the purpose of this report.

Terminology was used in compliance with national practice and legislation. Definitions of terms contained in the EMN Asylum and Migration Glossary and its third edition were also used.

## **ANNEX NO 2: LIST OF SOURCES AND LITERATURE**

### **SOURCES**

Ministry of the Interior

Ministry of Labour and Social Affairs

Ministry of Foreign Affairs

Ministry of Finance

Directorate of the Alien Police Service

Czech Statistical Office

Refugee Facilities Administration

International Organisation for Migration

**LITERATURE**

MoI CR Report on the situation in the field of migration and integration in the Czech Republic in 2013

MoI CR, working versions of the Report on the situation in the field of migration and integration in the Czech Republic in 2014

EMN, EMN National Annual Report 2014, annex 1, national contribution of the Czech EMN Contact Point

EMN, Specification of the assignment of the EMN National Annual Report 2014

EMN, Asylum and Migration Glossary 3.0

Czech Statistical Office, The Foreigners in the Czech Republic 2014

EMN, Policies, practices and data on unaccompanied minors in 2014

EMN, Admitting third-country nationals for business purposes, 2015

**LEGISLATION**

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

Act No 216/2002 Coll., on Protection of the State Borders of the Czech Republic and on amendments to some acts (the Act on Protection of State Borders), as amended

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

Act No 221/2003 Coll., on Temporary Protection of Aliens, as amended

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

Act No 273/2008 Coll., on the Police of the Czech Republic, as amended

Act No 186/2013 Coll., on Czech Republic Citizenship, and on amendments to some acts

Act No 586/1992 Coll., on Income Tax, as amended

Act No 40/2009 Coll., Penal Code

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

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

European Parliament and Council Directive 2011/98/EU on single application procedure for a single permit for third-country nationals to reside and work in the territory of a Member State and on the common set of rights for third-country workers legally residing in a Member State

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

Council Regulation (EC) No 604/2013 (so-called Dublin III Regulation)

## **INTERNET SOURCES**

[www.mvcr.cz](http://www.mvcr.cz)

[www.suz.cz](http://www.suz.cz)

[www.mzv.cz](http://www.mzv.cz)

[www.mpsv.cz](http://www.mpsv.cz)

[www.policie.cz](http://www.policie.cz)

[www.emncz.eu](http://www.emncz.eu)

[www.migraceonline.cz](http://www.migraceonline.cz)

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