



MINISTRY OF THE INTERIOR
OF THE CZECH REPUBLIC

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

EMN Annual Policy Report 2012 Czech Republic

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of the Czech Republic*

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LIST OF ABBREVIATIONS

AFA	Asylum Facility Administration
API	Advance Passenger Information Data
AVR	Assisted Voluntary Return
CEAS	Common European Asylum System
CERGE-EI	The Centre for Economic Research and Graduate Education of Charles University and the Economics Institute of the Czech Republic
CIS	Information System on Foreigners
CR	Czech Republic
DAMP	Department of Asylum and Migration Policy
DAPS	Directorate of Alien Police Service
EAC	European Asylum Curriculum
EASO	European Asylum Support Office
EC	European Commission
EC	European Communities
EEA	European Economic Area
E-GATE	Automated e-passport inspection at the border
EIF	European Fund for the Integration of non-EU immigrants
EMN	European Migration Network
EU	European Union
EUROSTAT	Statistical Office of the European Union
FRAN	Frontex Risk Analysis Network
FRONTEX	European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the EU
GACR	Czech Science Foundation
GDISC	General Directors' Immigration Services Conference
GEOMIGRACE	Geographic Migration Centre of the Department of Social Geography and Regional Development, Faculty of Science, Charles University in Prague
ICMPD	International Centre for Migration Policy Development

iFADO	False and Authentic Documents Online
ILO	Immigration Liaison Officer
IOM	International Organization for Migration
IS	Information System
ISCO	International Standard Classification of Occupations
LEAs	Legal Enforcement Agencies
LMP	Labour Market Policy (database)
MEDEVAC	Medical Evacuation Programme
MoFA	Ministry of Foreign Affairs
MoI	Ministry of the Interior
MoLSA	Ministry of Labour and Social Affairs
MP	Migration Partnership
MS	Member State
NCPI	National Contact Points on Integration
NCP	National Contact Point
NGO	Non-governmental organization
OSCE	Organization for Security and Co-operation in Europe
RILSA	Research Institute for Labour and Social Affairs
SIS	Schengen Information System
TCN	Third country national
THB	Trafficking in human beings
UAM	Unaccompanied minors
UNHCR	United Nations High Commissioner for Refugees
VIS	Visa Information System

EXECUTIVE SUMMARY

The *Annual Policy Report 2012 for the Czech Republic* provides an overview of the most significant changes and developments in the area of migration, asylum and integration during the year 2012. Its structure is set by the *Specifications for the EMN Annual Policy Report 2012* (MIGRAPOL EMN Doc 274).

LEGAL MIGRATION AND MOBILITY

During the years 2011 and 2012 the drop in the number of foreigners with residence permits had stopped and the total number of foreigners slightly increased and reached the level before the economic crisis. The number of foreign nationals (including EU nationals) residing in the Czech Republic as of 31 December 2012 was 438 213. Foreigners accounted for over 4 % of population of the Czech Republic. TCN predominate despite the economic downturn – share of TCN on the total foreign national population during the year 2012 was 63,2 % (276 820 foreigners).

As regards the area of family reunification, there were no changes to existing policies and legislation regulating family migration.

Also concerning students and researchers, the Czech Republic did not implement any new measures beyond transposition and implementation of EU legislation in this area.

Regarding topic of other legal migration from the national perspective, in 2011 the Ministry of the Interior launched a new version of its website's section for foreigners in Czech at www.imigracniportal.cz. In the area of promotion of legal migration channels, the Ministry of the Interior (DAMP) runs three main communication channels – website, telephone and email hotline – providing comprehensive information on possibilities of legal migration as well as to foreigners residing in CR already. Additionally three projects focused on non-EU immigrants were realized in 2012. From the EU perspective, the Czech Republic has during the year 2012 actively participated in sharing and exchange of information on migration with other Member States especially within EMN, FRAN, GDISC and ICMPD.

Legal migration is connected with the issue of integration. The policy of integration is embodied in the Czech Republic in the national “Strategy for the Integration of Immigrants”. Each year, a Report on Implementation of the Strategy for the current year and proposals for further steps in the subsequent year are submitted to the government.

With the topic of legal migration also relates issue of citizenship and naturalization. Since autumn 2010 the Ministry of the Interior of the CR started to prepare a draft technical plan for new legislation. During the year 2012 the Government has approved the draft law and in December 2012 the process of approval of this proposal in the Chamber of Deputy of the CR started.

IRREGULAR MIGRATION AND RETURN

Total number of 3 595 foreign nationals were apprehended (found to be illegally present) in 2012. From this, total number 3 476 persons (96,7 %) were identified at their illegal stay and 119 were apprehended at their illegal migration through the external Schengen border of CR. Overall, 95,4 % of persons revealed for illegal stay were foreigners from third countries.

As for maximising the potential of a common EU approach in the field of return, 254 third country nationals were returned through voluntary return programmes from 1 January to 31 December 2012. Moreover 110 foreign nationals were returned by voluntary transits by land in the period from 1 January 2012 till 30 November 2012. Regarding administrative and judicial expulsion, from the territory of EU Member States in cooperation with Frontex, the number of people handed over to neighbouring countries on the basis of readmission agreements was 95 during the year 2012. On the other hand, the Czech Republic accepted 351 persons (-12,7 %), all of them from neighbouring countries.

ASYLUM

In 2012, 753 persons applied for international protection in the Czech Republic. In 2012 was recorded again the lowest number of registered applications in the history of the Czech Republic within one year.

UNACCOMPANIED MINORS

5 unaccompanied minors applied for asylum. In comparison to the previous year it represents considerable decline (2011 – 8 UAMs under the procedure of international protection).

TRAFFICKING IN HUMAN BEINGS

In 2012, 4 country nationals received a permanent residence permit as victims of human trafficking. During the year 2012, 31 persons were investigated (accused) and 11 were convicted in connection with human trafficking.

MIGRATION AND DEVELOPMENT POLICY

The Czech Republic traditionally has been paying high attention to developmental aspects of international migration. As for 2012, the following activities are relevant: Pilot project 3 – migration and development within the EC Targeted Initiative on implementation of the Prague Process Action Plan, EC Targeted Initiative on reintegration under Migration Partnership with Georgia and project devoted to mitigating of negative social consequences of migration in Moldova.

1. INTRODUCTION

The policy report on migration and asylum in the Czech Republic (2012) provides an overview of the most significant political and legislative (including European Union) developments, as well as public debates, in the area of migration and asylum. In addition, it contains statistical data concerning issue of migration and asylum on the national level. The aim of this report is to provide comprehensive and reliable information in the area of migration and asylum in the Czech Republic for the year 2012¹.

This presented report has particular importance on the national level. On the other hand, information included in the ANNEX - National contribution of the Czech Republic to Commission and to EASO Annual Reports for 2012² serves especially for the needs of drafting of an Annual Report on Immigration and Asylum of the European Commission (this European Commissions' Report will be submitted to the European Council in June 2013 and to European Asylum support Office).

The report is based on desk research. Key sources were officials and experts working in the field of migration, asylum and integration. Furthermore, other important sources of information were press articles and statements of NGOs (accessible on their web-pages). More detailed information regarding methodology is included in ANNEX 1. All the sources and literature used in this report are presented in the list of sources in ANNEX 3. Moreover, the report also includes statistical data provided by national data providers (experts from different ministries and the Czech Statistical Office). It is important to take into account, that presented data are provisional. Harmonised EU statistics were not available at the time of drafting of this report.

As regards terminology, the report uses terms included in European Migration Network Asylum and Migration Glossary. Terminology based on the national definitions is explained in the text separately. More information about the terminology is contained in ANNEX 1.

¹ Also "*The Report on the Situation in the Area of Migration and Integration of Foreign Nationals in the Territory of the Czech Republic*" of the Ministry of Interior provides annually detailed information about the situation in the area of migration and asylum. Another source of information represents "*The Organisation of Asylum and Migration Policies (Factsheet: Czech Republic)*" of the European Migration Network.

² Pages no. 55 – 100.

1.1 Structure of Asylum and Migration policy

The aim of this subsection is to provide an overview of how asylum and migration policies are organised in the Czech Republic.

The **Ministry of the Interior (MoI)** is the main body responsible for immigration and asylum related issues in the Czech Republic, both at legislative and strategic levels, and the level of implementation. The **Department for Asylum and Migration Policy (DAMP)** is responsible for carrying out these tasks within the Ministry of the Interior. DAMP executes public administration in field of international protection and entry and stay of aliens. DAMP is supported by an **Analytic Centre for Border Protection and Migration**. The Refugee Facilities Administration, the Alien Police Service, the Ministry of Foreign Affairs, the Ministry of Labour and Social Affairs and other Ministries are other key actors in this area.

The **Refugee Facilities Administration**, which operates the reception, asylum and integration centres, is an agency of the Ministry of the Interior.

Directorate of Alien Police Service and **Alien Police departments of the regional police directorates** (both units of the Police of the Czech Republic under the MoI) play an important role in the implementation of the Czech migration policy. They perform mainly tasks related to the protection of borders, detection of irregular migration, application of repressive measures against foreign nationals staying in the territory of the CR in violation of Act No. 326/1999 Coll.³ and detection of crimes perpetrated in connection with crossing of state borders and with cross-border criminal activities.

The **Ministry of Foreign Affairs (MoFA)** performs its state administration responsibilities as regards short-term visas through its diplomatic missions and consular posts. The consular posts decide on short-term visa applications. As far as long-stay visas and residence permits are concerned, the applications are submitted at the consular posts, but decisions are made by the DAMP.

Together with the MoI the **Ministry of Labour and Social Affairs (MoLSA)** is in charge of the migration policy of the Czech Republic in the area of employment of foreign nationals. MoLSA deals with issues of the access of individual categories of foreign nationals to the labour market and their integration to it. It is also responsible for methodological supervision and control of the individual branches of the Labour Office of the Czech Republic.

³ Act No. 326/1999 Coll. on the Residence of Foreign Nationals in the Territory of the Czech Republic and on changes to some Acts, as amended.

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

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

1.2 General Structure of the Legal System in the Czech Republic

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

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

As the Czech Republic is an EU Member State, the *acquis communautaire* and its legislative sources are also part of the Czech legal order. The following are the most important legal provisions related to international migration and asylum:

- ***Act on the Residence of Foreigners*** (also referred to as the “Alien Act”)⁴ lays down i.a. rules concerning the entry and stay of foreign nationals (including EU citizens and their family members) in the Czech Republic including travel documents of aliens, administrative expulsion, detention and administrative offences of aliens and powers of the competent authorities.
- ***Act on Asylum*** (hereinafter referred to as “the Asylum Act”)⁵ covers international protection in the form of asylum and subsidiary protection and their proceedings.

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

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

- *Act on the Temporary Protection of Aliens*⁶ stipulates conditions of entry and stay of aliens for the purpose of temporary protection and its proceedings.
- *Act on the Police of the Czech Republic*⁷ defines the organization of the Police, its competences, procedures etc. In relation to international migration, it covers mainly identification, detention and expulsion issues and other procedures concerning aliens.
- *Act on the Protection of State Borders*⁸ governs the protection of state borders from illegal crossings and ensures the fulfilment of obligations resulting from the Schengen acquis.
- *Labour Code*⁹ and *Act on Employment*¹⁰ constitute a general framework for the employment of foreign nationals.
- *Act on Acquisition and Relinquishment of the Citizenship of the Czech Republic*.¹¹

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

⁷ Act on the Police of the Czech Republic (Act No. 273/2008, Coll.)

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

⁹ Labour Code (Act No. 262/2006, Coll.)

¹⁰ Act on Employment (Act No. 435/2004, Coll.)

¹¹ Act on the Acquisition and Relinquishment of the Citizenship of the Czech Republic (Act No. 40/1993, Coll.) In case of former citizens of Czechoslovakia, acquisition is governed by a special act - The Act on the Citizenship of Certain Former Citizens of Czechoslovakia (Act No. 193/1999, Coll.).

2. OVERVIEW OF ASYLUM AND MIGRATION POLICY DEVELOPMENTS

2.1 Political Developments

In 2012, Senate elections for a third of the seats as well as elections to regional councils in the Czech Republic (in 13 regions – except Prague) were held.

During the year 2012, important political or institutional changes in the area of migration have not taken place. As regards to the Minister responsible for asylum, migration and integration, since April 2011 the Minister of the Interior is Mr. **Jan KUBICE**. Most significant events in the area of migration and asylum are related to the drafting of the new migration legislation (see below) and new Act on the Citizenship.

2.2 Overall Developments in Asylum and Migration

2.2.1 Preparation of the New Migration Legislation

During the year 2012 the work on drafting of the new migration legislation started. This draft is generated on the basis of obligation arising from the policy statement of the Government of the Czech Republic in 4 August 2010 and also from Governmental Legislative Work Plan for 2011. Draft proposal of the new migration legislation was approved by Governmental Resolution No.121 dated 29 February 2012. During the year, consultations with the competent governmental authorities and other stakeholders (business organizations, educational institutions, non-governmental organizations etc.) occurred. The aim of the new legislation is to create easier, more compact and user-transparent legal rules.

In October 2012 the Czech National Contact Point of the European Migration Network (EMN NCP) organized a national conference on the preparation of the new migration legislation. The purpose was to inform members of the national network and other stakeholders through printed materials (brochure) about the **draft proposal of the new migration legislation** and to get suggestions for changes in this draft proposal for policy makers. At the end of the year the draft proposal was object of the interagency consultation with the aim to improve this document before it will go to the circle of interdepartmental consultations (during the first half of the year 2013). At the end of the consultations process it will be set to the Government of the CR.

2.2.2 Main Policy and Legislative Debates

In general, during 2012, the policy and public debates, in particular, were mostly centred on the following topics: already mentioned draft proposal of the new Act on the Residence of Foreigners and draft of the new Act on the Citizenship, ongoing debate on labour migration, impact of the crisis etc.

Media attention was centred on several main topics during the year 2012 – especially criminality of foreigners. This concerns mainly the Vietnamese marijuana cultivators and producers and dealers of synthetic drugs.

As regards visas and residence permits, certain interest of media was drawn again to the problems of foreigners related to the extension of residence permits.

Concerning initiatives of the NGOs active in the field of migration and integration, the statements and criticism regarding the application of the new rules of the Ministry of Labour and Social Affairs (limited prolongation of work permits, requested nostrification and recognition of education), draft of legal intention of the new Act on the Residence of Foreigners and the draft of the new Act on the Citizenship were the most distinctive in the year 2012.

3. LEGAL MIGRATION AND MOBILITY

3.1 Residence Permits Statistics¹²

The number of foreign nationals (including EU nationals) residing in the Czech Republic as of 31 December 2012 was **438 213**. In comparison to previous year, the number was similar to that at the end of that year (as of 31 December 2011 the number was 436 389). Foreigners accounted for over **4 %** of population of the Czech Republic.

It is necessary to distinguish between citizens of countries forming the EU and other countries that are bounded by the Treaty on the European Economic Area and foreigners from non-EU countries. While before the crisis (2008) the growth of the total number of foreigners with residence permits in the Czech Republic was caused particularly by high increase in the number of foreigners from third countries, in 2011 and 2012 the situation was different; the number of TCN have been falling especially with regard to limited job opportunities and the total number of foreigners grew only due to higher annual gains of EU citizens (see table below).

Table 1: Foreigners in the CR holding legal residence permit in 2010 – 2012 (as at 31 December)

Year (as at 31.12.)	2010		2011		2012	
	Number of foreigners	Annual change	Number of foreigners	Annual change	Number of foreigners	Annual change
Total	425 301	<i>-1,8%</i>	436 389	<i>2,6%</i>	438 213	<i>0,4%</i>
EU citizens	136 098	<i>-1,2%</i>	151 981	<i>11,7%</i>	161 393	<i>6,2%</i>
Non-EU citizens	289 203	<i>-2,2%</i>	284 408	<i>-1,7%</i>	276 820	<i>-2,7%</i>

Source: DAMP MoI

The Group of most numerous nationalities living in the CR has not long changed. TCN predominate despite the economic downturn. Third-country nationals share on the total foreign national population during the year 2012 was **63,2 % (276 820 foreigners)**. EU nationals represented **36,8 % (161 393)** of the total population of foreign nationals in the CR

In 2012, the difference between foreigners with the status of permanent residence and temporary stay, decreased. At the end of the year, in the case of TCNs was for the first time recorded even higher number of foreigners with the status of permanent residents (**151 476**) than with the status of temporarily stay on the territory of the CR (**125 344**). An overview of the statistics regarding temporary stay and permanent residence of foreigners in the CR is contained in the following paragraphs.

¹² Statistics are based on national definitions and are provisional. Final and official statistics based on the Regulation on migration statistics (862/2007) will be available at the Eurostat database Cronos. Data source: IS CIS.

3.1.1 Long-term Visa

In 2012, **14 588** applications for long-term visa (over 90 days) were registered at the embassies of the Czech Republic. Compared to 2011, the total number of submitted applications for this kind of visa (abroad plus on territory) decreased of 14,4 % (-2 453).

The most common purpose of these applications were educational activities in the CR (education – 39,3 %, other educational activities – 17,5 %). Another frequent purpose constituted the remunerated activities (around 28 % from the total number of applications), but their numbers were far below levels before the onset of the economic crisis in the CR in late 2008. Family reunification was the second most common purpose (around 14 % of applications).

During 2012, the MoI issued in total 14 541 decisions on applications for long-term visa (annual decline of 6,4 %). Overall, the visa was granted in **10 023** cases (annual decline of 4,2 %).

More than 67 % of long-term visas were granted in order to participate in educational activities in the CR (48,8 % of visas for educational reasons and 18,5 % for other educational activities). The most numerous group with issued visas for educational activities were nationals of USA (1 876), Russia (1 695), Kazakhstan (588) a Turkey (538). Long-term visas for the purpose of employment were mostly granted to citizens of USA (202), Japan (132), Croatia (132), Ukraine (124), Korea (122) and Bosnia and Herzegovina (118) and represented in total 14,9 % of all issued long-term visas.

3.1.2 Long-term Residence Permit

In 2012, **9 770** third country nationals applied for a long-term residence permit. This represents a decrease of 28,7 % in comparison to 2011, when 13 711 applications were submitted.

After the higher numbers recorded at the beginning of the year 2012 (1 229 applications in January, 1 541 applications in February), the numbers of applications in the following months did not exceed 900 and the trend had rather a downward character later in the year.

Applications for a residence permit submitted at the Czech embassies abroad¹³ constituted 21,5 % of the total number of filled applications. These applications submitted mostly citizens of Ukraine (638), Russia (434) and Belarus (434).

¹³ As a result of transposition of the of the EC Council Directives into national law, a foreigner may in certain cases apply for a residence permit without having previously resided in the Czech Republic on the basis of a long-term visa. This concerns the long-term residence for the purpose of family reunification, residence permit for study purposes, residence permit for scientific research or long-term residence for the purpose of protection and long-term residence permit for a resident of another Member EU State.

The total number of applications for a residence permit in 2012 was dominated by citizens of Russia (2 340, i.e. 24 %). The second most represented nationality were citizens of Ukraine (1 475, i.e. 15,1 %), who were followed by citizen of USA (734, i.e.7,5 %), Kazakhstan (569, i.e. 5,8 %) and Vietnam (508, i.e. 5,2 %). The top-10 newly joined the citizens of Turkey (261, i.e. 2,7 %), who submitted two times more applications than in the previous year.

In 2012 the most of applications were submitted for the purpose of studies (3 089, i.e. 31,6 %). Similar number of applications were filed for the purpose of family reunification (3 016, i.e. 30,9 %). The third most common purpose constituted an employment (1 535, i.e. 15,7 %) (see table below).

Table 2: Applications for long-term residence permit according to purpose (2012)

Purpose	Number	%
business (self-employed person)	229	2,3
business (legal entity)	401	4,1
employment	1 535	15,7
family reunification	3 016	30,9
Studies	3 089	31,6
scientific research	167	1,7
Other	1 333	13,6
TOTAL	9 770	100,0

Source: IS CIS

Beyond these applications additional **59 176** applications for the renewal of existing long-term residence (annual drop of 9,1 %) and **11 214** requests for changing of the purpose of long-term residence permit (annual decline of 1,4 %) were submitted in 2012.

In the procedure for granting a residence permit the MoI issued in total **11 530** decisions in 2012. Overall, long-term residence permit was granted in 9 965 cases. In 13,6 % the decision was negative (the request was refused or the procedure was stopped). Below is the overview of most frequent nationalities whose applicants were issued long-term residence permit.

Table 3: Long-term residence permits according to citizenship (2012)

Citizenship	Number	%
Russia	2 515	25,2
Ukraine	1 446	14,5
Kazakhstan	692	6,9
Vietnam	647	6,5
USA	645	6,5
Japan	425	4,3
Korea	417	4,2
India	291	2,9

Belarus	212	2,1
China	202	2,0
TOTAL	9 965	100,0

Source: IS CIS

In total, the most frequent purpose of granted residence permits were studies (3 109, i.e. 31,2 %) and family reunification (3 076, i.e. 30,9 %). To a lesser extent, the permits were granted for the purpose of employment (1 584, i.e. 15,9 %) and business (741, i.e. 7,4 %) (see table below).

Table 4: Long-term residence permits according to purpose (2012)

Purpose	Number	%
business (self-employed person)	141	1,4
business (legal entity)	600	6,0
employment	1 584	15,9
family reunification	3 076	30,9
Studies	3 109	31,2
scientific research	150	1,5
Other	1 305	13,1
TOTAL	9 965	100,0

Source: IS CIS

Ratio of men and women who have been granted a long-term residence permit was balanced.

As regards applications for the renewal of existing long-term residence, 50 315 decisions were issued in 2012. Residence permit was extended in 42 788 cases, 14,8 % of decisions were negative.

3.1.3 Permanent Residence Permit

In 2012, the MoI registered **29 319** applications for permanent residence. This represents more than 80 % increase in submitted applications in comparison to the previous year 2011.

The highest increase in the number of applications, more than doubled, has been registered by the foreigners from Ukraine and Vietnam.

Also in the area of issued decisions in 2012, there was also a significant year on year increase. Overall, 20 606 cases were decided, which means that the annual increase in the number of issued decisions reached 71,2 %.

From the total number of the decisions, in **17 724** cases the decision was positive. The most represented nationalities with the issued permanent residence were citizens of Ukraine (44,3 %), Slovakia (15,2 %), Vietnam (12,7 %), Russia (6,7 %) and Mongolia (3,8 %).

During the year 2012 the permanent residence permit was not granted in 2 234 cases (14 %). In other 642 cases the proceeding was stopped. In total, 2 876 decisions were negative. Nearly 59 % of all negative decisions were issued to nationals of Ukraine, followed by Vietnamese (10 %) and citizens of Russia (6,8 %).

3.2 Economic Migration

A partial decrease in the total number of foreigners legally residing in the territory of the Czech Republic occurred during the period 2009 – 2010 due to the economic crisis and its impact on the situation on the Czech labour market. Whereas until 2008 (especially from 2006 to 2008) the CR recorded a high annual increase particularly in economically motivated migration, in 2009, the growth of newly arrived foreigners significantly fell down and for the first time in more than a decade a year on year decline in the total number of foreigners with residence permits in the CR was recorded. This downward trend persisted also in 2010. During the two following years the drop had stopped and the total number of foreigners with residence permits slightly increased and reached the level before the economic crisis.

3.2.1 Promoting Legal Migration Channels

As regards promotion of legal migration channels, the Ministry of the Interior (DAMP) runs three main communication channels – **website, telephone and email hotline** – providing comprehensive information on possibilities of legal migration as well as to foreigners residing in CR already. Additionally three projects focused on non-EU immigrants were realized in 2012.

MoI constantly updates an official website (www.immigrationportal.cz). Over the past year its visit rate tripled. The site is available in English and important information is also being updated in Russian. The website advises on practical issues related to living in the CR; a list of approved applications is also published every week. The website is run by a Content Manager backed up by a team of website staff.

The telephone as well as email hotline works on daily basis (both in English and in Czech). Around **1000 emails** and **3000 phone calls** are answered every month.¹⁴ Currently, the MoI is also working on updating of the information published on the European Migration Portal, as well as Your Europe Portal.

In 2012 three integration projects were realized – partially funded by the European Fund for the Integration of non-EU immigrants (EIF). All the materials are focused on providing information on procedures for prolonging and applying for residence permits, on how to keep a legal residence

¹⁴ Data source : DAMP MoI

status after arriving to the CR, validity of the residence, possibilities for employment and entrepreneurship, social and health insurance payments, warning about possible risks (including those, which could lead to an illegal stay in the CR). First project is an **information brochure** for non-EU immigrants migrating to the CR distributed prior their departure from the country of origin on Czech embassies. Second project is in a form of **adaptation-integration courses** for foreigners to be passed within three months of their arrival to the CR. Third project is an **animated instructional video** which will be screened at the MoI offices together with a leaflet available on spot.

The effectiveness of all abovementioned measures is being assessed via discussions with partners (MoI Departments for Asylum and Migration Policy, NGOs, Centres of Integration for Foreigners, etc.)

3.2.2 Situation on the Labour Market

The Czech Republic analyses and anticipates skills needs to achieve harmony between labour market demand and supply of qualified labour. Ministry of labour and social affairs (MoLSA) has prepared a two-year project (working title: “*Forecasting Skill Needs*”; starting in 2013), which will be able to cover this issue systematically under one institution. So far the issue is dealt by several subjects listed below:

The National Observatory of Employment and Training provides information about the development of human resources, collects data and analyses trends in education and the labour market in the context of social and economic changes.

The Research Institute for Labour and Social Affairs (RILSA), The Centre for Economic Research and Graduate Education of Charles University and the Economics Institute of the Czech Republic (CERGE-EI) have developed statistical-mathematical model that provides quantitative projections of employment for the five years period.

The National Institute of Education maps the situation of graduates in the labour market and analyses the quality of secondary and higher vocational education in the Czech Republic.

The Labour Office of the Czech Republic analyses regional labour markets and in some cases provides views of the future development of demand and supply in the Czech labour market.

SkillsNet is the significant professional platform for anticipating skill needs at the European level. The National Observatory of Employment and Training is a representative of the Czech Republic in this network. In the framework of international cooperation the Research Institute for Labour and Social Affairs together with the University of Warwick run a project aimed at estimating the educational needs in the regions of the Czech Republic.

MoLSA analyses the labour market in the half-year interval document "*The Analysis of Trends in Employment and Unemployment*". This material provides a detailed overview of the development of employment and unemployment in the Czech Republic and employment policy measures implemented in the relevant year.

MoLSA publishes "*Information on Unemployment in the Czech Republic*" a monthly analysis of the development of the registered unemployment rate. There are briefly commented the latest developments in unemployment, the total number of applicants, the number of vacancies, the number of job seekers receiving unemployment benefits.

Furthermore, MoLSA sends monthly information on the latest developments in the labour market in the document "*Monitoring Report on the Development of Selected Indicators of the Labour Market in the Czech Republic*" to the European Commission and regularly provides data on participants and expenditure on active employment policy to Eurostat to "Labour Market Policy database" (known as the LMP database).

The Labour Office of the Czech Republic prepares annually an analysis entitled "*Report on the Situation on the Labour Market*" describing character of the region, development of employment and unemployment trends, foreigners in the labour market, active employment policy and development outlook for the labour market in the next period.

Regional branches of the Labour Office and the private employment agencies cooperate in matching the persons seeking employment with employers seeking workforce. The Employment agencies may perform these activities on the basis of an agreement with the Labour Office. The regional branch of the Labour Office may broker employment of job seekers through an employment agency. The regional branch of the Labour Office may include job seekers into the shared brokerage of employment on the basis of an individual action plan.

In the Czech Republic there are not any specific schemes neither for particular professions (except scientists, which is regulation on EU level) nor particular sectors. However CR has a system of Green Cards which is aimed only to third country nationals coming from certain countries. Since 2012, Green Card or Blue Card holder (third-country national) employed with staff leasing company cannot be temporarily assigned to work with other employer. More information to the highly qualified workers are provided in the following sections:

Highly Qualified Workers

Czech integration policy attempts to attract highly educated foreigners, especially managers and specialists.

Green Card¹⁵

As regards the **Green Card project**, this system started in 2009 in order to alleviate the administrative burden of employers of foreigners, as well as of foreigners who seek work and residence permits in the Czech Republic.

The Green Card is issued by the MoI, and it is a combination of a residence permit and a work permit in one document. There are **three types** of Green Cards:

- type A: for skilled personnel who attained higher education and key personnel
- type B: for workers occupying jobs for which an apprenticeship certificate is required as the minimum
- type C: for other workers

Green Card may only be applied for by a citizen of the state stated in the regulation of the MoI No.461/2008 Coll. In 2012 there were 12 countries: Australia, Bosnia and Herzegovina, Montenegro, Croatia, Japan, South Korea, Canada, Macedonia, New Zealand, Serbia, Ukraine and the United States. During 2012, the amendment of this ministerial regulation has been prepared in an interagency collaboration with the aim to extend the list of states¹⁶.

Overall **308** foreigners submitted application for Green Card in 2012. In comparison to previous year it constitutes a growth of 26,2 %. In most cases foreigners applied for a Green Card type C (116, i.e. 37,7 %), on the contrary at least for Card type A (87, i.e. 28,2 %).

The most numerous group of foreigners who applied for the Green Card represented (as the year before) the citizens of Ukraine (267, 86,7 %) who made the vast majority of applications for the Card type C, followed by citizens of USA, however with the significant distance (26 in total, i.e. 8,5 %).

Table 5: Applications for Green Card according to citizenship and type of Card (2012)

Citizenship	Type of Green Card			Total	i.e. %
	Type A	Type B	Type C		
Ukraine	73	81	113	267	86,7
USA	8	18		26	8,5
Australia	2	2		4	1,3
Korea			3	3	1,0
Canada	1	2		3	1,0
Japan	1	1		2	0,6
Serbia	2			2	0,6

¹⁵ Source od statistisc : DAMP MoI

¹⁶ Decree of MoI No.29 of 31 January 2013, establishing a list of countries whose nationals are eligible to apply for a Green Card, entered into force on 20 February 2013.

New Zealand		1		1	0,3
Total	87	105	116	308	100,0
<i>i.e. %</i>	28,2	34,1	37,7	100,0	-

Source: IS CIS

In 2012, **24** foreigners requested **extension of validity of Green Card** (12 for Card type A, 12 for Card type B). The validity of Card type C is not possible to extend.

MoI issued 320 decisions within the procedure of granting Green Cards. **174** Cards were issued, which means, that success rate reached 54,4 % in 2012. **144** applications were rejected and **2** administrative proceedings were terminated. See below an overview of issued Green Cards according to nationality and type of Card.

Table 6: Green Cards according to citizenship and type of Green Card (2012)

Citizenship	Type of green Card			Total	<i>i.e. %</i>
	Type A	Type B	Type C		
Ukraine	59	35	39	133	76,5
USA	8	21		29	16,6
Korea			4	4	2,3
Australia	2	1		3	1,7
Japan	1	1		2	1,1
Canada		1		1	0,6
New Zealand		1		1	0,6
Serbia		1		1	0,6
Total	70	61	43	174	100,0
<i>i.e. %</i>	40,2	35,1	24,7	100,0	-

Source: IS CIS

As for sex, around **two thirds** of granted Green Cards were granted to men.

Concerning decision in procedure of extension of validity of the Green Card, 26 decisions were issued. **25** of them were positive (11 of type A, 14 of type B) and in **one** case administrative proceeding was terminated.

[EU Blue Card](#)¹⁷

In the Czech Republic **the system of EU Blue Cards** based on the EU Directive 2009/50/ES was introduced of 1 January 2011¹⁸.

This Card, which is issued by the MoI, is awarded only to high-skilled workers and may be issued only for a job vacancy registered in a special database on the basis of decision of an employer.

¹⁷ Source of statistics: DAMP MoI

¹⁸ Duly completed university education or higher vocational education, the duration of which was at least 3 years, is deemed to be a high level of skills.

In 2012, in total **97** foreigners submitted an application for granting of Blue Card. Compared to previous year it constitutes a growth of 45,3 %.

The total number of applications was dominated by citizens of the Russia (34, i.e. 35 %) and Ukraine (22, i.e. 22,7 %). Other nationalities followed in a considerable distance (fewer than ten applications).

Table 7: Applications for Blue Card according to citizenship (2012)

Citizenship	Total	<i>i.e. %</i>
Russia	34	35,0
Ukraine	22	22,7
India	7	7,2
USA	6	6,2
Korea	3	3,1
Tajikistan	3	3,1
Belarus	3	3,1
Japan	2	2,1
Kazakhstan	2	2,1
Israel	2	2,1
Other	13	13,3
Total	97	100,0

Source: IS CIS

MoI issued 101 decisions on granting Blue Card. **79** Cards were granted (i.e. success rate reached 78,2 % in 2012), **16** applications were rejected and **6** administrative proceedings were terminated. Table below provides overview of issued Blue Cards according to citizenship.

Table 8: Blue Cards according to citizenship (2012)

Citizenship	Total	<i>i.e. %</i>
Russia	30	38,0
Ukraine	12	15,2
India	6	7,6
USA	6	7,6
Uzbekistan	5	6,3
Korea	4	5,1
Belarus	4	5,1
Japan	2	2,5
Other	10	12,6
Total	79	100,0

Source: IS CIS

As for sex, the majority of Blue Cards holders, were men (73,4 %) and the most represented age group were TCNs between 20 – 34 years of age (58,2 %).

Furthermore, during 2012, **3** foreigners applied for **extension of validity of Blue Card**. MoI decided during that period about **2** applications, both decisions were positive.

Intra-corporate Employees of Foreigner Investors

The Ministry of Industry and Trade in cooperation with the Ministry of the Interior, the Ministry of Labour and Social Affairs, and the Ministry of Foreign Affairs run in 2012 the project „*Accelerated Procedure for Intra-corporate Transfers of Foreign Investors' Employees*“ with the aim of addressing the current needs of employers – international firms and Czech businesses in the Czech Republic. The project lays down rules and deadlines for accelerated transfers of intra-corporate employees of foreign investors (major companies operating internationally, innovative businesses, production undertakings, major companies operating in services) for the employees to work in the Czech Republic. The objective of the project is to streamline the entry procedure in order to provide Czech Republic with enough skilled workforce to maintain and increase its competitiveness.

3.2.3 Cooperation with Partner / Third Countries for Economic Migration

The Czech Republic participates in **Mobility Partnerships** with Republic of Moldova, Georgia and Armenia and indicated its preparedness to join the negotiated Partnership with Azerbaijan as well, including the flagship projects implemented within their frameworks. As for Moldova, labour migration has been promoted in the EC-targeted initiative led by Sweden, a follow-up project of which has recently been launched. In Georgia, the EC-targeted initiative led by the Czech Republic includes the topic of labour migration as well. A very similar project in terms of objective and scope, under leadership of France, is expected to be launched soon in Armenia.

The Czech Republic is also actively involved in activities of the **Prague process** particularly in its capacity of the leading state of the Process as well as the leading country one of the pilot project on circular migration implemented under an EC-targeted initiative on the implementation of the **Action Plan of the Process**. The aim of the pilot project, in the first phase, is to summarize and analyse existing practices in the area of circular migration and consequently in the second phase, to come up with common principles and concrete guidance how to manage the circularity to avail migrants, their families and communities, both from the perspective of sending and receiving countries. The pilot project already started in September 2012 and involves 15 states from EU,

South Eastern Europe, Western CIS, Southern Caucasus, Russia and Central Asia. The results of the pilot project will contribute to discussion with other platforms such as the **Panel on Asylum and Migration of Eastern Partnership and Migration Dialogue between EU and Russia**.

3.3 Family Reunification

In 2012, there were no changes to existing policies and legislation regulating family migration.

3.3.1 Statistics¹⁹

14 % of applications for long-term visa (i.e. **2 044** from 14 588) submitted in 2012 were for the purpose of family reunification. The majority of the applications were submitted by the citizens of Russia (454 persons), Vietnam (380 persons) and Ukraine (220). Visas for this reason amounted to 11,3 % of all long-term visa granted in 2012 (1 137 from the total number 10 023). The highest number of visas issued for the reason of family reunification was granted to the citizens of Korea (181), Japan (166), Russia (158) and USA (154).

As regards long-term residence permits, in **3 016** cases (i.e. 30,9 %) foreigners submitted an application for the purpose of family reunification. Citizens of Ukraine (771), Russia (461) and Vietnam (433) filed the majority of the applications.

14,3 % (**8 433** cases) of applications for extension of the long-term residence permit were connected with the purpose of family reunification.

3 076 long-term residence permits for this purpose were issued in 2012 (i.e. 30,9 % of all issued long-term residence permits).

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

3.4 Students and Researchers

The Czech Republic did not implement any new measures beyond transposition and implementation of EU legislation.

¹⁹ Data source : DAMP MoI

3.4.1 Statistics²⁰

In 2012, long-term residence permits for the purpose of education were granted in **3 109** cases and **150** permits were granted to researchers.

Furthermore, **4 895** foreigners obtained national visa for education reasons (48,8 % of all issued long-term visas) and **1 856** foreigners (18,5 %) the visa for the purpose of other educational activities.

3.5 Other Legal Migration

As a large amendment of the immigration law was adopted at the turn of 2010/2011 and the Ministry of the Interior took over remaining residence-related agendas from the Alien Police Service, the Ministry felt need to take responsibility for an up-to-date and comprehensive immigration website. On 27 June 2011, the Ministry of the Interior launched a new version of its website's section for foreigners in Czech at www.imigracniportal.cz. In addition to the comprehensive information on possibilities of legal migration, the site focuses on foreigners already residing in the CR. The website gives an advice on practical issues related to entry and residence in the CR; a list of approved applications from all offices in the country is also published every week.

As regards topic related to other legal migration from the EU perspective, the Czech Republic has actively participated in sharing and exchange of information on migration with other Member States within the **European Migration Network (EMN)**, **Eurostat**, **Frontex Risk Analysis Network (FRAN)**, **General Directors' Immigration Services Conference (GDISC)** and the **International Centre for Migration Policy Development (ICMPD)**.

3.6 Integration

In the Czech Republic, the policy of integration is embodied in the national "Strategy for the Integration of Immigrants". The Ministry of the Interior plays the coordinating role in implementing the Strategy. Each year, a Report on Implementation of the Strategy for the current year and proposals for further steps in the subsequent year is submitted to the government.

In 2012 there was an update of the Strategy for the Integration of Immigrants; it highlights the connection between successful immigration and integration and opens a debate about obligatory orientation courses and transition from A1 to A2 language competency level with regard to conditions for the granting permanent residence permits.

²⁰ Data source : DAMP MoI

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

A number of integration projects and activities have been implemented during the year 2012. These projects were focussed especially on the following areas:

Promoting Integration through Participation: Socio-economic Contribution of Migrants

Language courses are provided mainly by Regional Foreign Nationals Integration Support Centers (in 11 out of 14 regions of the Czech Republic) and NGOs – main target is to help immigrants to reach level A1 (Common European Framework for Languages) which is required from third-country nationals applying for permanent residence permit.

Special funds are available for schools providing Czech language courses for their students and for support of teachers working in multicultural classes.

Access of immigrants to employment and public and social services is supported by NGOs` and Regional Foreign Nationals Integration Support Centres` assistance projects funded by European Social Fund and European Fund for Integration of Third-Country Nationals.

Social-Cultural Orientation Courses are provided mainly by Regional Foreign Nationals Integration Support Centres on a voluntary basis.

Promoting Integration through Participation: Rights and Obligations – Achieving Equal Treatment and Belonging

Special “*Welcome Course*” for newly arrived immigrants was developed in the year 2012 in close cooperation between the Ministry of the Interior and NGO Slovo 21 (immigrants create majority of its staff). These one day courses with information about rights and obligations should be provided on compulsory basis in the near future.

As regards the right to vote in local elections for third country nationals is conditioned by permanent residence in the Czech Republic and a bilateral agreement between the Czech Republic and country of origin. Since no such agreement is presently signed with third country, the Czech Republic does not carry out any monitoring in this area.

Promoting Action at Local Level

So called “*Emergency Integration Programs*” were subsidized in 8 communities by the Ministry of the Interior of the Czech Republic in the year 2012. These projects are based on a very close cooperation of the ministry and municipalities and consist of activities such as social and law counselling, language courses, social-cultural minimum, support of education in schools and cultural exchange. The local government, which is subsidized by the ministry and carry out project, hires NGOs or local stakeholders to provide these tailor-made services.

Involvement of Countries of Origin

“*Pre-departure Package*” was developed in close cooperation among the Ministry of the Interior, Ministry of Foreign Affairs and NGO Slovo 21 in the year 2012.

Cooperation, Consultation and Coordination of Stakeholders

Civil society is mainly represented and involved in integration policy-making and measures through participation of NGOs. The Ministry of the Interior use formal way how to inform NGOs about current changes, funding and development in the field of integration. Special information seminars are organized in the premises of the ministry. These seminars are also open for debate and exchange of views.

Some NGOs also act as consultants in the process of approval of “The Policy for Integration of Immigrants” and their valuable remarks are often incorporated. Together with Regional Foreign Nationals Integration Support Centres and some municipalities, NGOs are primary receivers of financial support on integration and thus they do also implement the integration measures.

Regional Foreign Nationals Integration Support Centres organise Regional platforms on integration in each region. These platforms have 15 – 20 participants (local stakeholders, NGOs, municipalities, etc.).

National web page on integration (www.cizinci.cz) has been regularly updated. This web page also contains a list of NGOs` projects with short description, main legislative and non-legislative materials, connection to webpage on statistics, etc.

Regarding development from the EU perspective, two Czech **NGOs** (Association of Citizens Assisting Immigrants and Counseling Center for Integration) participated regularly on European Integration Forum, the Ministry of the Interior controls update of European website on Integration (Country info) and actively cooperates in National Contact Points on Integration.

3.7 Citizenship and Naturalisation

A proposal of the Act on Citizenship of the Czech Republic was rejected by the government several times in the past. In 2010, the new government decided to re-schedule it to 2013. Hence a new legislation on acquisition and loss of Citizenship of the Czech Republic was being prepared. Since autumn 2010 the Ministry of the Interior of the CR started to prepare a draft technical plan for new legislation. The plan was commented on by other related ministerial sectors during the year 2011 and discussed by the Legislative Council of the Government at the turn of 2011/2012. During the year 2012 the Government has approved the draft law and in December 2012 the process of approval of this proposal in the Chamber of Deputy of the CR started. It is planned that it will come into force on 1 January 2014.

3.7.1 Citizenship Statistics²¹

In 2012, nationality of the Czech Republic was granted to **1 565** foreign nationals (the figure does not include Slovak citizens). In comparison with the year 2011, this number constitutes a growth of 151 persons. Of these, Czech citizenship was granted to 91 persons who had previously been granted asylum in the Czech Republic.

The most numerous group of foreigners who received Czech citizenship during 2012 were citizens of Ukraine (512 persons).

During the year 2012, the Ministry of the Interior denied granting nationality of the Czech Republic in **277** cases, which is a drop by 66 cases.

Regarding our common history, Slovak citizens have a specific option when applying for Czech citizenship: they can acquire Czech citizenship either by being granted nationality or by declaring it. In 2012, **331** Slovak nationals acquired citizenship of the Czech Republic, which represents a decrease of 47 persons as compared with previous year.

3.8 Managing Migration and Mobility

3.8.1 Visa Policy

²¹ Data source : DAMP MoI

As far as biometric visas are concerned, the Czech Republic follows the decisions (including the deadlines) concluded at the EU level in relation to the Visa Information System. At the moment biometric visas are being issued at Czech embassies in Morocco, Tunisia, Egypt, Algeria, Libya; Israel, Jordan, Lebanon, Syria; Iran, Iraq, Kuwait, Saudi Arabia, United Arab Emirates. In Afghanistan biometric visas will be issued if a visa section opens.

With regard to Schengen visas, since 25 October 2010 the Czech Republic has represented Spain in Moldova and has been represented by Spain in Bolivia, the Dominican Republic, Ecuador, Jamaica, Equatorial Guinea. Since 1 July 2010 the Czech Republic has been represented by Portugal in Angola, Guinea-Bissau, Cape Verde, Mozambique, Sao Tome and Principe and Timor L'Este. Since 1 November 2010 the Czech Republic has represented France in Donetsk (Ukraine) and has been represented by France in Anguilla, Benin, British Virgin Islands, Brunei, Burkina Faso, Dominica, Djibouti, Gabon, Grenada, Haiti, Fiji, Cameroon, Comoros, Congo/Brazzaville, Laos, Mauretania, Montserrat, Papau New Guinea, Central African Republic, St. Lucia, St. Vincent and The Grenadines, Togo and Vanuatu. Since 4 December 2011 the Czech Republic has represented Slovakia in the Philippines, Ghana, Mongolia, Pakistan and Algeria and has been represented by Slovakia in Kenya. Since 1 December 2012 the Czech Republic has been represented by Belgium in Burundi, Rwanda and the Democratic Republic of Congo.

3.8.2 Schengen Governance

The Czech Republic has not carried out any significant changes in relation to the Schengen governance during the year 2012.

3.8.3 Border Monitoring

Concerning cooperation with respect to border control, two security actions (“**MRAZÍK**” and “**IKAR**”) were undertaken by the Police of the Czech Republic in cooperation with custom administration during the year 2012 at the public international airports. Another action (“**OLYMP**”) was undertaken by the Police of the Czech Republic at the Václav Havel Airport Prague in connection with detection of illegal migration.

Furthermore, during the year 2012, the CR took part in several international actions, for example: “**BADLER**” – an international police operation, which was focussed on mapping flows of illegal migration on the main road, airport, water and rail routes within the EU; “**JUPITER**” – the task of the operation was to increase the security on the land borders with the help of special

deployed technique – vehicle equipped with the thermovision”; “**MINERVA**” – joint operation on the external sea border (in three ports in the south of Spain) with the aim to detect illegal migration connected with the mobility from the North Africa to Europe across the sea border; “**POSEIDON**” – the operation with the aim to increase security on the Greek-Turkish land border outside and to reduce illegal crossings through it” etc.

3.8.4 Frontex

Regarding participation of the CR in Frontex activities, it is important to remind, that the Czech Republic has external air border only. In the framework of our territory, Frontex joint operations take place at international airports only.

In 2012, the Czech Republic participated in the joint operations “**Flexi Force 2012**” and “**Focal Points 2012 Air**” taking place at the international airport – Václav Havel Airport Prague. These operations were organized on the basis of risk analysis provided by Frontex. The Czech Republic participated actively in joint operations in other member states at sea border (“**Minerva 2012**”), land border (“**Neptune 2012**”, “**Focal Points 2012 Land**”, “**Jupiter 2012**”, “**Eurocup 2012**” and “**Poseidon 2012 Land**”) and air border (“**Flexi Force 2012**”, “**Focal Points 2012 Air**”).

4. IRREGULAR MIGRATION AND RETURN

4.1 Irregular Migration

4.1.1 Statistics of Foreign Nationals Apprehended in the Territory²²

In 2012, total number of **3 595** foreign nationals were apprehended (found to be illegally present). This represents a 7,0 % growth in comparison with previous year (+235 persons). From this total number 3 476 persons (96,7 %) were identified at their illegal stay and 119 were apprehended at their illegal migration through the external Schengen border of CR. Overall, 95,4 % of persons revealed for illegal stay were foreigners from third countries.

380 persons were repeatedly registered as illegally migrating in the CR during the year 2012 (i.e. 10,6 % from the total number of 3 595 identified persons). In comparison with the year 2011 it constitutes a growth of 25,8 % (+78 persons). Citizens of Ukraine were the most repeatedly uncovered persons at the illegal migration (156 persons, i.e. 41,1 % from the total number of 380).

4.1.2 Exchange of Information

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

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

²² Data source: DAPS

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

4.1.3 Prevention

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

4.1.4 Strategic Response to EU Action on Migration Pressures

Concerning combating illegal migration, several strategic priorities areas for EU action (see below) are included in the action paper called “*Strategic Response to EU Action on Migration Pressures*”:

Priority I: Strengthening Cooperation with Third Countries of Transit and Origin on Migration Management

The Czech Republic is fully engaged into the process of the implementation of the readmission agreements concluded between the EU and the third countries. In 2012 the Czech Republic has concluded the implementing protocols with following countries:

- Moldova (signed on 29 November 2011, entered into force 1 March 2012)
- Russia (signed on 8 December 2011, entered into force 1 May 2012)
- Montenegro (signed on 27 April 2011, entered into force 1 February 2012)
- Albania (signed on 16 April 2012, entered into force 1 September 2012)
- Bosnia and Herzegovina (signed on 18 September 2012, not yet entered into force)
- Serbia (signed on 18 December 2012, not yet entered into force).

The Czech Republic has already finished the negotiations with Ukraine. The CZ is waiting for official information from Ukraine in order to launch the internal approval procedure in the CZ.

CZ has submitted the proposal of the text of the implementing protocol to the readmission agreement with Georgia in June 2011. Georgia answered with its counterproposal, to which CZ gave its suggestions in April 2012. Since then the CZ does not have any news.

CZ plans for the year 2013 to start the negotiations on the implementing protocols with Macedonia and Armenia and for the following year with Pakistan.

CZ has not yet concluded the implementing protocols with Sri Lanka, Macao and Hongkong because of very low number of illegal migrants from these destinations.

The Czech Republic acknowledges high importance of cooperation with regions of destination and transit when tackling issues of migration to EU, including phenomenon of mixed migration flows. To handle this issue responsibly means to establish such mechanisms that allow identifying asylum seekers and vulnerable groups within the huge mixed flows and provide them with necessary treatment.

Regarding the prevention of irregular migration in connection with the specific geographical regions (irregular migration from the Southern Mediterranean countries, the Eastern Partners, the Western Balkans and the Western Mediterranean and the African Atlantic coast), the Czech Republic launched several specific cooperation activities (for e.g.: the Czech Republic deployed two experts for stolen vehicles at the Slovenian-Croatian border).

Priority II: Enhanced Border Management at the External Borders

As regards agreements with third countries, CR has not established new cooperation with third countries in 2012 and it does not intend to do so in near future.

Concerning new border control developments, the Czech Republic fully operates the system “**OBZOR**” which automatically processes API data on passengers. This system enables to check the correctness of the delivered data, to set up the basic analytic profiles as well as to screen persons through databases. It also enables data mining in data archive. In 2012, three e-gates were put into operation for the purpose of automated checks on passengers who hold biometric passports and are older than 18 years. CZ does not use other systems and, for the time being, it does not intend to introduce any.

Regarding relevant (planned) developments to ensure more effective control of the external land, sea and air borders, from 1 January 2013, the staff number of Alien Police Inspectorate at the

international airports – Václav Havel Airport Prague and Brno-Tuřany – will be increased to 442 and 64 employees respectively. Currently the curriculum for further professional training in the area of border control is being revised and also advanced courses of English and Russian language were introduced. An advanced course of German language is in preparation.

The Czech Republic has external air border only, hence Frontex joint operations in the territory of CR take place at international airports only. In 2012, the Czech Republic participated in the joint operations taking place at the international airport and actively in joint operations in other member states at sea, land air border (see section 3.8.4).

Another additional (planned) activities that contribute to the strengthening of security and preventing irregular migration at the external borders are connected with extracting information provided by Risk Analysis Department within Directorate of Alien Police Service, extracting information from analyses performed by Frontex, PULSAR, observing Frontex Media Monitor as well as extracting information from daily event summaries.

Priority III: Preventing Irregular Migration via the Greek-Turkish Border

Concerning the ensuring of effective border controls in place at the Greek-Turkish border, the Czech Republic sent two police officers to participate in the joint operation “*Poseidon 2012 Land*” at the Greek-Turkish land border in 2012. At the time of this deployment, the Greek state organized a parallel operation where almost 2000 Greek police officers were deployed at that border and, at the same time, a fence was built at the border in the zone where the river Evros does not make up the natural border any more and where the biggest influx of illegal migrants occurs.

In 2012, there were no bilateral activities with Turkey (to assist the Turkish authorities to strengthen their capacity to combat irregular migration and to ensure the dignified return of third-country migrants through escorted transit and assisted voluntary return projects via Turkey).

Priority IV: Better Tackling of Abuse of Legal Migration Channels

Possible migration risks are monitored continuously by relevant state authorities. Concerning the monitoring of effects of visa free regimes the Czech Republic did not introduce any further specific measures in 2012 (the Czech Republic has not been registering high numbers of applicants for international protection from such countries).

In terms of returns (forced and voluntary), the persons from visa-free third countries are generally treated in the same way as the persons from third countries who have the obligation to possess visa. The Czech Republic acts in this field in accordance with the Return Directive 2008/115/EC. Accelerated return procedures may be applied only in accordance with specific readmission agreements and respective implementing protocols.

With regard to measures to prevent overstaying in case of visa-free third country nationals, these are based on law and are not different from those applying to the third country nationals with the obligation to possess visa. The key measure obliges all third country citizens to apply for a visa for over 90 days only through embassies of the Czech Republic abroad. It is not allowed to apply for long-term visa in the territory of the Czech Republic. Applicants are informed by embassies of the Czech Republic. They can also find detailed information concerning conditions of legal migration on web pages of the Ministry of the Interior and Ministry of Foreign Affairs.

In the field of international protection the list of safe countries is used. If a citizen of that country submits an application for international protection than it is possible to consider such application as manifestly unfounded, in accordance with Section 16, paragraph 1, point. d) of the Act No. 325/1999 Coll.

Priority V: Safeguarding and Protecting Free Movement by Prevention of Abuse by Third-country Nationals

Within the Directorate of Alien Police Service (DAPS), the main unit responsible for collecting and analysing information on irregular migration at the strategic level is, as previously mentioned, the Risk Analysis Department. The department collects information and makes analysis thereof in regular intervals – daily, weekly, monthly, half-yearly, yearly (a yearly report on illegal migration in the Czech Republic.)

Another competent body in the area of risk analysis is the Analytic Team of DAPS whose duty is to assess retrospectively (monthly) the fulfilment of tasks in the area of irregular migration and, on the basis of assessed risks and initiative to submit proposals for solutions to the director of DAPS.

At the international level, there is a very good information exchange with the German Federal Police and with the Slovak Police. The cooperation is based on international agreements on police cooperation. CR has also concluded a bilateral agreement with the Polish Border Guard and has agreed on the information flow.

Department of Controlling and Documenting Investigations of Crime is the competent unit of DAPS responsible for the area of abuse of free movement, frauds and other criminal activities of foreign nationals. The data relating to the above mentioned acts are gathered by police officers during fieldwork service, namely in the framework of: Detecting and subsequent processing criminal acts, monitoring risk factors and cooperation with other state administration authorities at both national (Criminal Police and Investigation Service, Unit for Combating Organized Crime, National Drug Headquarters) and international level. The information exchange with German and Polish police authorities plays an important role.

According to our existing knowledge and experience in this area, the reasons for irregular immigration of third country nationals into the Czech Republic are, in particular, of economic and social nature. The criminal activities of third country nationals including irregular migration are becoming highly organized and latent. The unit of DAPS responsible for the detection of irregular documents is the Department of Documents. The measures taken by this department include especially the following: training activities, mutual information exchange and use of technical devices for document checks

4.2 Return

As for maximising the potential of a common EU approach in the field of return, measures taken to organize swift, sustainable and effective return using a common EU approach comprise in particular: 1) Voluntary returns in cooperation with the International Organization for Migration (IOM), 2) Voluntary transits by land (hereinafter referred to as „Annex 39“), 3) Administrative and judicial expulsion from the territory of EU member states in cooperation with Frontex.

4.2.1 The Voluntary Returns²³

The Czech Republic funds a national program of assisted voluntary returns (AVR), which allows irregular third country nationals as well as former asylum seekers to receive assistance related to the return to countries of origin.

The voluntary returns in the Czech Republic are performed by two agencies. First of them is Asylum Facility Administration of Ministry of the Interior (AFA), which has a specific voluntary return programme, focused only on asylum seekers / former asylum seekers. The second one is International Organization for Migration (IOM), which has a common voluntary return programme.

²³ Data source : DAMP MoI and DAPS

In the Czech Republic, the voluntary returns in cooperation with IOM are organized in two cases: Firstly, a foreign national being detained in an alien detention facility can submit an application for a voluntary return with IOM by using the IOM application form. If he/she fulfils the other conditions for an administrative expulsion, the Directorate of Alien Police Service (DAPS) requests IOM to mediate the performance of administrative expulsion by means of voluntary return and subsequently to account all the expenditures connected with the flight ticket and assistance.

Similar procedure is applied also in the other case where a foreign national is not detained in an alien detention facility but he/she is registered as an undesirable person and he/she wants to depart voluntarily by the deadline specified in the departure order.

In cooperation with IOM, there were **209** cases of administrative expulsion through voluntary returns in the period from 1 January to 31 December 2012.

In 2012, the Return Centre has been established as a common platform for strategic management of voluntary returns, as well as implementation and coordination of wide scope of activities related to voluntary return process like return counselling, dissemination of information on voluntary return programme and also support, organizing and performance of voluntary returns. Administration of the Return Centre has been entrusted to IOM. Within the Return Centre, all governmental agencies involved in the field of voluntary returns and return policy (Ministry of the Interior, Directorate of Alien Police Service and Asylum Facility Administration) together with IOM perform the strategic management of voluntary returns activities and reintegration activities.

254 third country nationals were returned through voluntary return programmes from 1 January to 31 December 2012.

4.2.2 Voluntary Transits by Land

The principle of Annex 39 is recognition of decisions on return including the deadline for departure from the territory by way of exchange of forms between the member states concerned. In these cases, it is therefore not necessary for a foreign national to possess visa which would authorize him/her to transit the territory of a particular member state. Transit by land can be applied only in case of third-country nationals who have been issued an exit order and they really want to leave the territory of the Czech Republic by the given deadline. This type of return is only for those foreign nationals who will transit and leave the territory of EU member states by land. It is not for the foreign nationals who want to leave the territory by air departing from another member state. **110** foreign nationals were returned in the period from 1 January 2012 till 30 November 2012.

For the sake of uniformity of procedure and for the purpose of exchange of experience with Annex 39 between EU member states, as well as exchange of experience with organisation of voluntary returns in cooperation with IOM, the Polish Border Guard organized a two-day study meeting on 19 – 21 November 2012.

4.2.3 Administrative and Judicial Expulsion from the Territory of EU Member States in Cooperation with Frontex

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

Negotiations on and conclusion of readmissions agreements is a prerequisite of successful fight against irregular migration and it is at the forefront of the Ministry of the Interior.

See below the list of all bilateral and EU readmission agreements, which were either negotiated or concluded in 2012.

List of readmission agreements negotiated and achieved during 2012

Type of readmission agreement (EU or bilateral)	Third countries involved	Status
Bilateral	Kosovo	Signed in June 2011; entered into force in February 2013
Bilateral	Kazakhstan	Before signature, the next step is awaited from Kazakhstan
Bilateral	Russia – implementing protocol to the EU-Russia readmission agreement	Signed in December 2011; entered into force in May 2012
Bilateral	Montenegro – implementing protocol to the EU-Montenegro readmission agreement	Signed in April 2011, in December 2011 notification to COM; entered into force in February 2012
Bilateral	Ukraine – implementing protocol to the EU-Ukraine readmission agreement	negotiated
Bilateral	Moldova – implementing protocol to the EU-Moldova readmission agreement	Signed in November 2011; entered into force in March 2012
Bilateral	Serbia – implementing protocol to the EU-Serbia readmission agreement	Signed in December 2012
Bilateral	Georgia – implementing protocol to the EU-Georgia readmission agreement	Draft Implementing protocol submitted in June 2011; negotiated
Bilateral	Bosnia and Herzegovina – implementing protocol to the EU-BH readmission agreement	Signed in September 2012
Bilateral	Albania – implementing protocol to the EU-Serbia	Signed and entered into force in 2012

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	readmission agreement	
EU	Turkey	Initiated on 21 June 2012, not yet signed
EU	Cape Verde	Preparatory stage in EP.
EU	Armenia	Preparatory stage in EP.
EU	Azerbaijan	New mandate negotiated in 2012, the text before finalising

Source: DAMP MoI

The number of people handed over to neighbouring countries on the basis of readmission agreements was **95** during the year 2012. In comparison to the previous year, the number constitutes increase of 11,8 %. On the other hand, the Czech Republic accepted **351** persons (-12,7 %), all of them from neighbouring countries.

In addition, the Czech Republic takes part in **joint return operations**. Until now, the Czech Republic did not organize any Frontex joint return operation. The Czech Republic was only a participant in such operations. The last participation of the Czech Republic in a return operation was on 12 September 2012 where a Nigerian national was returned to Nigeria. In this case, members of Air Marshall Department of Czech Police were present in flight as escort officers. Participation in joint return operations is useful and effective for the Czech Republic in particular with regard to the return measures in case of foreign nationals who refuse to return to their country of origin.

4.2.4 Strategic Response to EU Action on Migration Pressures

Concerning combating illegal migration, also the priority area connected with return practices for EU action is included in the previously mentioned paper called “***Strategic Response to EU Action on Migration Pressures***” (Priority VI: Enhancing Migration Management, Including Cooperation on Return Practices).

5. INTERNATIONAL PROTECTION INCLUDING ASYLUM

5.1. International Protection Statistics²⁴

In 2012, **753** persons applied for international protection in the Czech Republic. This number constitutes 0,4 % decline compared to previous year (only 3 persons less), whereas the trend of declining number of asylum seekers in the Czech Republic, which was registered since 2003, has almost stopped. In 2012 was recorded again the lowest number of registered applications in the history of the Czech Republic within one year.

Table 9: Number of applicants for international protection in the CR during 2003 – 2012

Year	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012
Number of applications	11 400	5 459	4 021	3 016	1 878	1 656	1 258	833	756	753
Annual change (%)	+34,4	-52,1	-26,3	-25,0	-37,7	-11,8	-24,0	-33,8	-9,2	-0,4

Source: DAMP MoI

Year on year stagnation in the number of applications and also monthly statistics of applications without major fluctuations prove the overall stabilization of the issue of international protection in the CR. The reducing of the number of asylum seekers began in connection with the accession of the CR into the EU in 2004 and it relates mainly to the application of the Dublin Regulation, which sets the criteria for determining the MS responsible to assess an application for international protection.

In comparison to other EU countries the numbers of applicants for international protection in the CR are rather below average. In the context of the issue of international protection in the EU member states, the CR still maintains the position of transit, not the destination country, which would be preferred by the applicants.

From the total number of registered applications for international protection were **244** repeated applications. The number of foreigners, who applied for international protection for the first time, reached the number of **509**.

The most numerous citizenships among seekers for international protection were Ukraine (174), Syria (68), Belarus (54), Vietnam (54) and Russia (40). In comparison with 2011, a significant growth was recorded for the nationals of Syria (+295,7 %) due to the war conflict in the country and Armenia (+100 %), who belong to TOP 10 of applicant's nationalities. On the other hand, the number of asylum seekers from Mongolia (-46,3 %) and Belarus (-23,9) fell down the most.

²⁴ Data source: DAMP MoI

The Ministry of the Interior granted international protection to **198** persons in 2012. From the total number of decisions within the proceeding for granting international protection represented the positive decision 24,3 % (i.e. some form of international protection was granted by every fourth decision). Asylum status was granted in **49** cases and subsidiary protection in **149**.

In addition, subsidiary protection was renewed in **176** cases. The extension of additional protection occurred in 95,7 % of procedures.

5.2 Common European Asylum System

To support further development of the Common European Asylum System, the Czech Republic carried out EAC training, which is considered a vital tool to enhance implementation of CEAS at the national level, throughout 2012 focused on three modules translated to the Czech language (“*International Refugee Law and Human Rights*”, “*COF*”, “*Drafting and Decision Making*”) with more than 60 employees trained. Moreover, the Czech Republic offered its trainer to deliver training of an EAC module in Slovakia, which can be seen as a good example of regional cooperation in development of CEAS.

5.3 Cooperation with the European Asylum Support Office (EASO)

The Czech Republic actively cooperated with EASO and contributed to its activities, mainly by:

- Secondment of two national experts to EASO Centre for Training, Quality and Expertise;
- Nomination of experts to both Asylum Intervention Pool (4 experts) and Training and Expert Pool (3 experts)
- Active participation in EASO meetings, working groups and NCP networks

The Czech Republic was not provided by EASO with any targeted assistance or emergency support. However, the Czech Republic benefited from general assistance provided by EASO to the MS under the scope of its mandate, mainly in the training field (train-the-trainers courses, management of the training platform).

5.4 Intra-EU Solidarity Including Relocation

As regards intra-EU solidarity including Relocation, the CR offered assistance of its experts through **Asylum Intervention Pool and Training and Expert Pool** managed by EASO (none of them has been deployed so far).

During the year 2012 the Czech Republic did not participate in any relocation activities, neither on bilateral nor on EU level.

5.5 Enhancing the External Dimension Including Resettlement

Regarding the cooperation with relevant non-EU countries to strengthen their asylum systems, “*Asylum*” had been one of modules of the capacity building of Ukrainian authorities GDISC ERIT that was the Czech Republic implementing together with other EU MS in 2008 – 2010. The project contributed to significant strengthening of the national asylum system in Ukraine. Situation of Ukraine as a transit country through which mixed migration flows go was considered when cooperating on this topic with Ukraine.

Ministry of the Interior carried on with conducting humanitarian evacuations of citizens with medical problems (“*MEDEVAC Programme*”). The idea of the MEDEVAC Programme is to cure patients from war-ridden countries or areas otherwise in need where adequate medical treatment is not available. In 2012 patients with war-related injuries and congenital heart diseases from Libya (7), Myanmar (3), and Syria (12) were transported in order to be treated in Czech hospitals.

In 2012, Czech Republic offered durable solution to 25 Burmese refugees from Malaysia under its annual resettlement program.

6. UNACCOMPANIED MINORS AND OTHER VULNERABLE GROUPS

6.1 Unaccompanied Minors

The Czech Republic adopted in 2012 a new “*Concept of Protection of and Care for Unaccompanied Minors, including Asylum Seekers*”, setting new rules for dealing with minor aliens who arrive in the Czech Republic without their legal guardians as well as the system of care and integration of this group in the CR.

The reason for the change in approach to the issue is a significant change in the structure of foreign population in the Czech Republic since the previous “*Concept of Care for Alien Minors*” was adopted 10 years ago. It was based on existence of a special facility for children of foreigners. Now, the Czech Republic registers an increasing number of foreign nationals whose minor children find themselves in need of temporary or permanent foster care. By contrast, the number of unaccompanied minors applying for asylum is insignificant.

During 2012, 5 unaccompanied minors applied for asylum. It represents considerable decline in comparison to the previous year (2011 – 8 UAMs under the procedure of international protection). These UAMs came from the Afghanistan, Belarus, Myanmar and Ukraine.

7. ACTIONS AGAINST TRAFFICKING IN HUMAN BEINGS

7.1. Measures

The Czech Republic acknowledges the importance of the need to fight against trafficking in human beings and focuses on all aspects regarding combating this crime according to the so-called **4 Ps: prevention, prosecution, protection and partnership**. In the spirit of these pillars a new *“National Strategy to Combat Trafficking in Human Beings in the Czech Republic for the Period 2012 – 2015”* had been drafted where holistic and multidisciplinary approach was underlined.

Czech Republic developed in 2003 special *“Programme on Support and Protection of Victims of Trafficking in Human Beings of the Ministry of Interior of the Czech Republic (Programme)”*. Since 2008 the Programme experienced several changes that were implemented through the updated internal acts. Thanks to the updates the process of legalisation of the stay of presumed victims was accelerated, the reflection period was extended to 60 days, in exceptional cases to 90 days (during the reflection period a victim has to decide whether he or she wants to cooperate with LEAs, all types of services and support are provided to the victim).

There is a task in the new National Strategy to Combat THB in the Czech Republic to *„Carry out a Complex Evaluation of the Programme on Support and Protection of Victims of Trafficking till 2015“*.

As regards measures to prevent trafficking in human beings and to increase the prosecution of traffickers, the new *“National Anti-THB Strategy”* also focuses on improving prosecution.

Complex legal analysis of the tools to fight the crime of trafficking for the purpose of labour exploitation is now being carried out in the framework of the project *“Discovering Trafficking for the Purpose of Forced Labour or Labour Exploitation”*. This tool should allow understanding of the THB phenomenon and its legal basis by law enforcement authorities.

In the reporting period the core of the anti-THB activities was concentrated on the educational activities focused on relevant groups of professionals – police officers, prosecutors, judges (also consular officers, of the Refugee Facility Administration); expert trainings at Judicial Academy; different workshop (on Nigerian Organised Crime with the focus on THB).

Several courses for law enforcement authorities have been organised also at international level – in the framework of ICMPD project *“Capacity Building for Combating Trafficking for Labour Exploitation”* etc.

New amendments to the law on employment have been in force since January 2012, which aim at elimination of THB for the purpose of labour exploitation/violation of labour law.

7.2 Cooperation

Cooperation among stakeholders is an important element and effective way of combat. In 2012 there were two meetings of the **Inter-ministerial Coordination Group on the Fight Against Trafficking in Human Beings**. The group which was established in 2008 on the basis of Government Resolution serves as a platform for information exchange and coordination activities in the fight against trafficking at national level. Members of this group - NGOs and governmental organisations – also contribute to the annual status reports and comment on the crucial strategic documents regarding trafficking.

The Czech Republic is also involved in several international projects and cooperates with important source countries (e.g. project “**ZERO**” with Ukraine, expert missions to Ukraine and Romania) and international organisations (OSCE, ICMPD etc.).

7.3 Statistics

Regarding the statistics connected with the year 2012, **4** country nationals received a permanent residence permit as victims of human trafficking.

From January till December 2012 **31** persons were investigated (accused) and **11** were convicted in connection with human trafficking.

8. MIGRATION AND DEVELOPMENT POLICY

8.1 Projects

The Czech Republic traditionally has been paying high attention to developmental aspects of international migration. In past a lot of projects were implemented in neighbouring countries (Ukraine, Moldova, Southern Caucasus, Western Balkans) in which the CR tried to combine capacity building and policy making aspects with broader social and economic consequences in migration. The projects thus usually also addressed cooperation with local communities, work with potential migrants, assistance to returned migrants in launching small business etc. As for 2012, the following activities are relevant:

The Czech Republic is in lead of Pilot project 3 – migration and development within the **EC Targeted Initiative on implementation of the Prague Process Action Plan**. The pilot project deals specifically with issue of circular migration.

The Czech led **EC Targeted Initiative on reintegration under Migration Partnership with Georgia** contains strong developmental aspects, mainly support of launching small business, utilisation of knowledge obtained in EU MS etc.

The Czech NGO Caritas Prague together with Czech Development Agency has recently implemented **project devoted to mitigating of negative social consequences of migration in Moldova**. Prolongation of the project is expected.

8.2 Remittance

Prominent role of the issue of remittances within the Migration and Development agenda is widely recognized. There is no uniform approach to the issue of remittances. Institutions, such as Ministry of the Interior, Ministry of Finance, Ministry of Foreign Affairs, Ministry of Labour and Social Affairs, Czech Statistical Office, Czech National Bank etc., deal with the topic or comment it independently.

Ministry of the Interior has launched interagency discussion in order to formulate future policy solutions of how to make services related to remittances transfers from the Czech Republic more transparent and the environment more competitive.

As for finance regulations (Anti Money Laundering – Combating the Financing of Terrorism, system of payments), there were no relevant legislative changes concerning remittances in 2012.

Preliminary outputs of a 3-year research²⁵ of remittances of Ukrainian immigrants were presented in October 2012. The research was conducted by the Geographic Migration Centre (**GEOMIGRACE**) at the Faculty of Science, Charles University in Prague and co-financed by a grant from Czech Science Foundation (GACR).

8.3 Diaspora

With regard to how diaspora groups may be further involved in EU development initiatives, and how EU Member States may support diaspora groups in their efforts to enhance development in their countries of origin, representatives of the Ministry of the Interior and Vietnamese diaspora met several times in 2012, one of the main topics having been the direct support of the second generation of Vietnamese in the Czech Republic. As a result thereof, teaching of Vietnamese language will be provided by some of Regional Foreign Nationals Integration Support Centers and social counseling will be also provided by members of community who will receive special trainings from Czech NGOs.

8.4 Exchange of Information

The area of provisions and exchange of information to support policy development can be “virtually” divided into EU level and Regional and National level.

On the EU level, the Czech Republic participates in sharing and exchange of information on migration within the European Migration Network (**EMN**) via ad-hoc queries, studies, analysis, websites and other form of outputs. EMN ad-hoc queries provided invaluable information to DAMP in the process of drafting a new legislative proposal in migration policy.

Furthermore the Czech Republic contributed to all **EASO** activities aimed at exchange of information in 2012. Information exchange is also undertaken with regard to Frontex Risk Analysis Network (**FRAN**), General Directors’ Immigration Services Conference (**GDISC**), the International Centre for Migration Policy Development (**ICMPD**) and **EUROSTAT**.

On the regional and national level, a system of national contact points has been established that ensures regular and timely exchange of relevant information within the **EC Targeted Initiative on Implementation of the Prague Process Action Plan**. Migration profiles of the participating countries have also been drafted within the Initiative in order to develop solid information database allowing truly evidence based policy making of migration in the Eastern dimension.

²⁵ Project entitled: „*Migration and Development – Economic, Social and Socio-economic Impacts of Migration on the Czech Republic, as Migration Target Country, and Ukraine, as Migration Source Country (with a specific focus on the analysis of remittances)*”.

A network of contact points devoted to issue of transit irregular migration which was established recently under Salzburg Forum is another example of sub-regional platform providing information exchange in area of migration.

Further, EMN also provides space for exchange of information at national level, such as through the round-table discussion with stakeholders from different sectors on the new legislative proposal in migration policy (October 2012).

9. IMPLEMENTATION OF EU LEGISLATION

9.1 Transposition of EU Legislation 2012

9.1.1 Newly Transposed/Adapted EU Acts

Directive 2011/51/EU of the European Parliament and of the Council of 11 May 2011 amending Council Directive 2003/109/EC to extend its scope to beneficiaries of international protection

- **Required date of transposition:** by 20 May 2013.
- **State of play:** will be transposed by 1 May 2013 **Details:** Transposition prepared by the Ministry of the Interior. The proposed amendment of the law was on 17 October 2012 approved by the Government and subsequently forwarded for review and approval to the Parliament of the Czech Republic. Directive will be transposed into following acts:
 - Act No. 325/1999 Coll. on Asylum and Amendment to Act No. 283/1991 Coll., on the Police of the Czech Republic, as amended (the Asylum Act)
 - Act No. 326/1999 Coll., on the Residence of Foreign Nationals in the Territory of the Czech Republic

Directive 2011/95/EU of the European Parliament and of the Council of 13 December 2011 on standards for the qualification of third-country nationals or stateless persons as beneficiaries of international protection, for a uniform status for refugees or for persons eligible for subsidiary protection, and for the content of the protection granted (recast)

- **Required date of transposition:** by 21 December 2013
- **State of play:** will be transposed by 1 May 2013 and in parts by 1 January 2014
- **Details:** Transposition prepared by the Ministry of the Interior in cooperation with the Ministry of Labour and Social Affairs. The proposed amendment of the law was on 17 October 2012 approved by the Government and subsequently forwarded for review and approval to the Parliament of the Czech Republic. Directive will be transposed into following acts:
 - Act No. 325/1999 Coll. on Asylum and Amendment to Act No. 283/1991 Coll., on the Police of the Czech Republic, as amended (the Asylum Act)
 - Act No. 326/1999 Coll., on the Residence of Foreign Nationals in the Territory

of the Czech Republic

- Act No. 359/1999 Coll., on social and legal children's protection

9.1.2 Particular Corrections in the Directives Already Transposed

2012 was not set as deadline for none of the relevant Directives.

9.2 Experiences, Debates in the (non-) implementation of EU Legislation

Already mentioned **draft proposal of the new Act on the Residence of Foreigners** and **draft of the new Act on the Citizenship** were accompanied by some discussions in the media and among experts during the year 2012. This is to say that discussions were primarily focused, as in previous years, on national measures rather than on the implementation of EU legislation.

LIST OF ANNEXES:

Annex 1: Methodology and Definitions

METHODOLOGY

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

The analysis of press articles made by the Ministry of the Interior during 2012 and of relevant information and statements of major NGOs active in this field published on their websites was also used, specifically concerning the public and political debates.

TERMS AND DEFINITIONS

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

Annex 2: Overview of Statistics Used in the Report

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Table 5: Applications for Green Card according to citizenship and type of Card (2012)

Table 6: Green Cards according to citizenship and type of Green Card (2012)

Table 7: Applications for Blue Card according to citizenship (2012)

Table 8: Blue Cards according to citizenship (2012)

Table 9: Number of applicants for international protection in the CR during 2003 – 2012

Annex 3: Bibliography / References /Sources

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- EMN, *Specifications for the EMN Annual Policy Report 2012*
- EMN Synthesis Report, *Immigration of International Students to the EU*

National Legal Acts:

- Act No. 326/1999 Coll. on the Residence of Foreign Nationals in the Territory of the Czech Republic and on changes to some Acts, as amended.
- Act on Asylum (Act No. 325/1999, Coll.)
- Act on Temporary Protection of Aliens (Act No. 221/2003, Coll.)
- Act on the Police of the Czech Republic (Act No. 273/2008, Coll.)
- Act on the Protection of State Borders (Act No. 216/2002, Coll.)
- Labour Code (Act No. 262/2006, Coll.)
- Act on Employment (Act No. 435/2004, Coll.)

- Act on the Acquisition and Relinquishment of the Citizenship of the Czech Republic (Act No. 40/1993, Coll.)
- Act on the Citizenship of Certain Former Citizens of Czechoslovakia (Act No. 193/1999, Coll).
- Act No. 359/1999 Coll., on Social and Legal Children's Protection
- Decree of MoI No.461/2008 Coll. defining the list of states, whose citizens can apply for s Green Card
- Decree of MoI No.29 of 31 January 2013, establishing a list of countries whose nationals are eligible to apply for a Green Card

EU legislation:

- EU Directive 2009/50/ES on the conditions of entry and residence of third country nationals for the purpose of highly qualified employment
- Directive 2011/51/EU of the European Parliament and of the Council of 11 May 2011 amending Council Directive 2003/109/EC to extend its scope to beneficiaries of international protection
- Directive 2011/95/EU of the European Parliament and of the Council of 13 December 2011 on standards for the qualification of third-country nationals or stateless persons as beneficiaries of international protection, for a uniform status for refugees or for persons eligible for subsidiary protection, and for the content of the protection granted (recast)

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ANNEX 2012

NATIONAL CONTRIBUTION OF THE CZECH REPUBLIC TO COMMISSION AND TO EASO ANNUAL REPORTS

The Annex has been structured as a Common Template and includes specific spaces for EMN NCPs to provide information and statistics in relation to developments at national level that have been developed to implement EU policy, legislative and financial instruments, or any developments which were the result of actions at EU level in relation to specific policy topics.

The information collected shall be used to inform the Commission's Annual Report on Immigration and Asylum, and shall be the only source of factual information at (Member) State level for the topics covered by the Report. Thus when providing information, as with all EMN Common Templates, it is important to emphasise that the content should be as relevant to the topic under consideration, and as concise, as possible. You should aim to provide only one or two paragraphs for each of your responses. It should also, where relevant, describe concrete actions or measures, for example, resulting from the entry into force of new legislation. Examples are given in each of the sub-sections. You will be given the opportunity to describe your (Member) State activities in more detail in your National Annual Policy Report. If there has been no significant development, then this should be explicitly stated in the relevant section.

You should also foresee liaising with respective EASO NCPs as information requested in this template will also serve to inform EASO's Annual Report. In addition, information collected in this Template should also be coordinated with information made available at (Member) State level via National Contact Points on Integration (NCPis), the Frontex Risk Analysis Network (FRAN) and National Rapporteurs working against Trafficking in Human Beings.

To ensure consistency and to facilitate your work, examples of elements to consider in relation to the various topics are given. Note that you should differentiate clearly between actions undertaken by your government or public authorities and those by civil society or NGOs, for example, which should only be described in the National developments section.

The **key statistics** that will illustrate each topic of the Annex and be presented in the Commission's Annual Report on Immigration and Asylum will come from Eurostat, once available. These key statistics are in line with Council Regulation 862/2007 on Union Statistics on migration and international protection and will provide some "headline" statistics in the area of migration, international protection and external border management.

In addition, EMN NCPs are requested to try to provide some statistics (even tentative) which are not available through Eurostat but are relevant for some of the topics relevant to the Commission's Annual Report. We would, therefore, request that you provide, where possible and even if tentative, statistics on any of the following:

- First residence permits 2012, by reason;²⁶ (Section 1.1)
- The unemployment rate of third-country nationals;²⁷ (Section 1.5.1)

²⁶ These data are generated by Eurostat, but are usually not available for the publication of the Commission's Annual Report on Immigration and Asylum in May 2012.

²⁷ Based on the ILO definition, Eurostat defines unemployed persons as those aged 15 to 74 who: (1) are without work; (2) are available to start work within the next two weeks; and (3) have actively sought employment at some time during the previous four weeks. The unemployment rate is the number of people unemployed as a percentage of the labour force. The labour force is the total number of people employed plus unemployed. Current deviations from the definition of unemployment in the EU Labour Force Survey: Spain, Sweden, Italy and United Kingdom: Unemployment is restricted to persons aged 16-74. In Spain and Italy the legal minimum age for working is 16. Employment data used for

- The number of visas issued (including the number of Schengen visas and national visas); (Section 1.6.1)
- The number of third-country nationals being returned to their home country as part of forced return measures, the number of third-country nationals being returned voluntarily and, within these, the number of third-country who returned as part of an assisted return programme and, if available, the number of persons among the returned (forcibly or voluntarily) who had applied for international protection and were served with a final negative decision; (Section 2.2)
- The number third-country nationals relocated to your Member State; (Section 3.3.2)
- The number third-country nationals resettled in your Member State (Section 3.4.2)
- The number of unaccompanied minors (UAMs), differentiating between those applying and those not applying for asylum (Section 3.5)
- The number of third-country nationals receiving a residence permit as victims of human trafficking; and the number of traffickers arrested and convicted. (Section 5.4).

Standardised Tables have been added in the Annex to the specification template to provide these statistics. In keeping with the practice of Eurostat, your statistics should be rounded up or down to the nearest 5. Please provide, if possible, these additional (tentative) statistics initially for the first nine months of 2012, i.e. from January 2012 to September 2012 inclusive. Then, and if possible, provide statistics for the whole of 2012 at the time of submitting your Final and complete National Report. In addition, for all the additional statistics that you provide, please give the source.

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

In specific cases, when one (Member) State report on figures related to other(s) (Member) State(s) (e.g. resettlement figures) and the figures provided by one (Member) State differed from those provided by another (Member) State, discrepancies will be discussed trilaterally, between the concerned EMN NCPs, the Commission and the EMN Service Provider(ICF GHK-COWI). In order to assist your gathering of the necessary information, and if needed, each EMN NCP is encouraged to make contact with your relevant Ministry(ies) and other relevant entities (e.g. your corresponding National Contact Points on Integration (NCPI), EASO NCP, national Frontex risk analysis Network (FRAN) member etc.

1. LEGAL MIGRATION AND MOBILITY

1.1 Key Statistics

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

1.2 Promoting legal migration channels

Please describe any (planned) measures to improve the provision of information on the routes to and conditions of legal migration for third-country nationals. These could include, for example, information campaigns, websites, specific centres, referring to any approaches that combine information with pre-departure measures, for example, upgrading skills and / or proficiency in EU languages, and also the role and impact of the EU Immigration Portal in your (Member) State.

Italy includes also those above 74. Unemployment rate can be broken by groups of country of citizenship, age groups and sex.

Ministry of the Interior (Department for Asylum and Migration Policy) runs three main communication channels - website, telephone and email hotline - providing comprehensive information on possibilities of legal migration as well as to foreigners residing in CR already.

Ministry of the Interior (MoI) constantly updates an official website (www.immigrationportal.cz). Over the past year its visit rate tripled. Currently, the MoI is also working on updating of the information published on the European Migration Portal, as well as Your Europe Portal.

In 2012 three projects providing information on procedures for prolonging and applying for residence permits, on how to keep a legal residence status after arriving to CR, validity of the residence, possibilities for employment and entrepreneurship, social and health insurance payments and warning about possible risks (including those which could lead to an illegal stay in CR) were realized. First project provides information to migrants prior their departure, second project is in a form of adaptation-integration courses for foreigners within the first three months of their arrival to CR and the third project is an animated instructional film together with a leaflet.

The effectiveness of all abovementioned measures is being assessed via discussions with our partners (MoI Departments for Asylum and Migration Policy, NGOs, Centres of Integration for Foreigners, etc.)

1.3 Economic migration

1.3.1 Satisfying labour market needs

Describe whether and how your (Member) State analyses its labour market and skills needs / shortages, and any cooperation with other (Member States), for example, through the Public Employment Services. Please describe the (planned) introduction of any new labour migration policies or changes to the existing ones, e.g. introduction of quota, lists of professions, agreement with specific third countries, use of private recruitment agencies / services, etc.). Also consider the effect of the economic crisis on labour migration (e.g. revision of quota, reduction of professions listed, etc.) and how economic migration is considered to contribute to economic growth.

The Czech Republic analyses and anticipates skills needs to achieve harmony between labour market demand and supply of qualified labour. Ministry of labour and social affairs (MoLSA) has prepared a two-year project (working title: "Forecasting skill needs"; starting in 2013), which will be able to cover this issue systematically and centrally.

In the Czech Republic there are not any specific schemes for particular professions, except scientists (as regulated on EU level), not even for particular sectors. However we have a system of Green Cards which is aimed only at third country nationals coming from countries listed in the legal regulation. The Czech Republic will extend the lists of countries (one list of countries for the type A (for qualified employees with university education and key personnel) of Green Cards and a second list of countries for all three types of Green Cards) whose citizens could apply for the green in the territory of the Czech Republic. Since 2012 a green card or blue card holder (third-country national) employed with staff leasing company cannot be temporarily assigned to work with other employer.

MoLSA participates in the new system of economic migration with the Ministry of Interior of the Czech Republic (see point 1.5.4 - "Pre-departure package").

1.3.2 Skills Recognition

Describe any (planned) measures to improve the validation of diplomas, qualifications and skills of third-country nationals and labour matching between your (Member) State and third countries (including online employment, etc.), including any measures introduced for already resident third-country nationals (in the context of better integration). Describe any exchanges of practical

information and co-operation with other EU Member States. Describe any specific measures to avoid brain waste. Consider also how such measures will contribute to economic growth.

The regional branch of the Labour Office of the Czech Republic requires an official recognition of foreign studies and degrees in case when a third country national foreigner applies for a work permit.

The Ministry of Education, Youth and Sports of the Czech Republic is a competent authority for the official recognition of the foreign diplomas. In practice the official recognition of the foreign diplomas is done by the following competent bodies:

- The Office of Regions of the Czech Republic (Department of Education) for the recognition of Elementary, Secondary, Vocational, High School diplomas.
- The National Academic Recognition Centre for the recognition of university diplomas - non-regulated occupations (employer requires university-educated employee).
- Regulated professions - conditions for competence are established and tested in a special way, on the basis of authorization by the competent recognition authorities.

1.3.3 Cooperation with partner / third countries for economic migration

Please provide information on any (planned) EU level or bilateral agreements (e.g. Mobility Partnerships), which help to implement policies for labour migration. List them (see table below), including the third countries with which they have been concluded, and provide details of their content and the rationale for concluding the agreement. Please also indicate whether any of these favour circular migration, and specify which third countries are involved, including from the Southern Mediterranean²⁸ and Eastern Partnership²⁹. In the framework of Mobility partnerships (and Common Agendas) please advise whether Migration and Mobility Resource Centres (MMRCs) have / will be set up in the partner countries.

The Czech Republic participates in Mobility Partnerships with Republic of Moldova, Georgia and Armenia and indicated its preparedness to join the negotiated Partnership with Azerbaijan as well, including the flagship projects implemented within their frameworks.

The Czech Republic is also actively involved in activities of the Prague process particularly in its capacity of the leading state of the Process as well as the leading country one of the pilot project on circular migration implemented under a EC-targeted initiative on the implementation of the Action Plan of the Process.

The results of the pilot project will contribute to discussion with other platforms such as the Panel on Asylum and Migration of Eastern Partnership and Migration Dialogue between EU and Russia.

Type of agreement	Third countries involved	Main purpose and rationale for the agreement
(EU or bilateral)		

1.3.4 Highly qualified workers

Please describe any (planned) measures to facilitate access of highly qualified workers. Refer to the implementation of the EU Blue Card Directive. Describe any incentive mechanisms for highly qualified workers on top of the transposition and implementation of EU legislation. Consider also

²⁸ Morocco, Algeria, Tunisia, Libya and Egypt.

²⁹ Ukraine, Belarus, Moldova, Georgia, Armenia and Azerbaijan.

how such measures will contribute to economic growth. (Information relating to the mitigation of 'brain drain' should be provided in Section 4.4).

Attempts to attract highly educated foreigners, especially managers and specialists: MoLSA is planning to prepare a list of occupations for highly educated foreign employees according to the International Standard Classification of Occupations (ISCO).

Blue cards are issued only for high-skilled workers and can be issued only for a job vacancy registered in a special database on the basis of decision of an employer.

The Ministry of Industry and Trade in cooperation with the Ministry of the Interior, the Ministry of Labour and Social Affairs, and the Ministry of Foreign Affairs runs the project „Accelerated procedure for intra-corporate transfers of foreign investors' employees“. It is aimed at addressing current needs of employers - international companies in the Czech Republic and Czech businesses.

1.3.5 Students and researchers

Please describe any (planned) measures to facilitate greater mobility of students and researchers, also as a pathway towards meeting labour market needs. Describe any incentive mechanisms in place for students and researchers on top of the transposition and implementation of EU legislation. Consider also how such measures will contribute to economic growth. (Information relating to the mitigation of 'brain drain' should be provided in Section 4.4).

No new measures are planned. We do not have implemented any measures besides the transposition and implementation of EU legislation.

1.4 Family Reunification

Please describe any new policies / legislation or changes to existing policies and legislation regulating family migration. Consider also your (Member) State's human rights obligations, reception capacity and the extent to which the family member's capacity to integrate is being taken into account in the admission procedure, e.g. knowledge of the country's language, level of education, professional background, other. Please also describe any concrete (planned) measures to further promote the integration of third-country nationals coming for the purpose of family reunification

There were no changes to existing policies and legislation regulating family migration.

1.5 Integration³⁰

1.5.1 Promoting integration through participation: socio-economic contribution of migrants

Please describe (planned) measures for the integration of third-country nationals through their increased socio-economic contribution, including measures to enhance language skills; improve attainment on the education system; and improve access to social and health services. Describe any specific measures to meet the needs of vulnerable groups of migrants. Describe also how EU funding (e.g. the European Fund for the Integration of Third-Country Nationals and the European Refugee Fund) is being (better) used to support migrants' participation.

NB Information in relation to labour market integration should be provided in Section 1.3.2.

Language courses are provided mainly by Regional Foreign Nationals Integration Support Centers (in 11 out of 14 regions of the Czech Republic) and NGOs - main target is to help immigrants to reach level A1 (Common European Framework for Languages) which is required from third-country nationals applying for permanent residence permit.

³⁰ Please also refer to the European Agenda for the Integration of third-Country nationals, COM(2011)455 final.

Special funds are available for schools providing Czech language courses for their students and for support of teachers working in multicultural classes.

Access of immigrants to employment and public and social services is supported by NGOs` and Regional Foreign Nationals Integration Support Centres` assistance projects funded by European Social Fund and European Fund for Integration of Third-Country Nationals.

Social-Cultural Orientation Courses are provided mainly by Regional Foreign Nationals Integration Support Centres on a voluntary basis.

Annual average unemployment rates of (Member) State citizens versus third-country nationals residing in the (Member) State for 2012

	Third country nationals	Total national population
Unemployment rate (%)		

1.5.2 Promoting integration through participation: rights and obligations – achieving equal treatment and belonging

Please describe measures taken to increase migrants' participation in the democratic process. These might include for example, increasing the participation of migrant representatives (including women) in the design and implementation of integration policies; outreach programmes and work placements to build capacity within migrant organisations and encourage support at local level; and measures to enhance democratic participation, for example, training mentors, granting voting rights in local elections etc.

Special "Welcome course" for newly arrived immigrants was developed in the year 2012 in close cooperation between the Ministry of the Interior and NGO Slovo 21 (immigrants create majority of its staff). These one day courses with information about rights and obligations should be provided on compulsory basis in the near future.

The right to vote in local elections for third country nationals is conditioned by permanent residence in the Czech Republic and a bilateral agreement between the Czech Republic and country of origin. Since no such agreement is presently signed with third country, the Czech Republic does not carry out any monitoring in this area.

1.5.3 Promoting action at local level

Please describe any relevant activity with the active involvement of local authorities, e.g. addressing integration challenges in disadvantaged urban areas; improving multi-level cooperation between different levels of governance. You should also describe how EU funding is being applied to improve local, more targeted approaches to integration.

So called "Emergency Integration Programs" were subsidized in 8 communities by The Ministry of the Interior of the Czech Republic in the year 2012. These projects are based on a very close cooperation of the ministry and municipalities and consist of activities such as social and law counselling, language courses, social-cultural minimum, support of education in schools and cultural exchange. The local government, which is subsidized by the ministry and carry out project, hires NGOs or local stakeholders to provide these tailor-made services.

1.5.4 Involvement of countries of origin

Countries of origin may play a role in the integration of migrants before departure, during stay in the EU, and on return. Please describe any measures to support integration involving countries of origin at any / all of these stages. Pre-departure measures may include provision of information on visas and work permits, language training, vocational training, recognition of qualifications and skills; measures during stay may include support to diaspora communities, promotion of transnational entrepreneurship, increasing trade between countries of origin and stay; measures to

support return may include developing a rights-based framework for re-integration and for temporary and circular migration.

“Pre-departure package” was developed in close cooperation among the Ministry of the Interior, Ministry of Foreign Affairs and NGO Slovo 21 (immigrants create majority of its staff) in the year 2012.

1.5.5 Cooperation, consultation and coordination of stakeholders

Please describe any additional information not included above on the processes for cooperation, consultation and coordination of national, regional and local authorities, including civil society, countries of origin and with EU level institutions and actors. Please describe relevant activity, such as the development of a national website and / or forum on integration, development of information exchanges between institutions, and possible contributions to the European Integration Forum, the European Website on Integration and the National Contact Points on Integration.

Civil society is mainly represented and involved in integration policy-making and measures through participation of NGOs. The Ministry of the Interior use formal way how to inform NGOs about current changes, funding and development in the field of integration. Special information seminars are organized in the premises of the ministry. These seminars are also open for debate and exchange of views.

Some NGOs also act as consultants in the process of approval of “The Policy for Integration of Immigrants” and their valuable remarks are often incorporated.

Together with Regional Foreign Nationals Integration Support Centres and some municipalities, NGOs are primary receivers of financial support on integration and thus they do also implement the integration measures.

Regional Foreign Nationals Integration Support Centres organise Regional platforms on integration in each region. These platforms have 15-20 participants (local stakeholders, NGOs, municipalities, etc.).

National web page on integration (www.cizinci.cz) has been regularly updated. This web page also contains a list of NGOs` projects with short description, main legislative and non-legislative materials, connection to webpage on statistics, etc.

Two Czech NGOs (Association of Citizens Assisting Immigrants, Counseling Center for Integration) participated regularly on European Integration Forum, the Ministry of the Interior controls update of European website on Integration (Country info) and actively cooperates in National Contact Points on Integration.

1.6 Managing Migration and Mobility

1.6.1 Visa Policy

Please describe (planned) developments in relation to the implementation of the Visa Code and the Visa Information System (VIS), including developments in relation to biometric visas, for example the share of visas issued which are biometric, regions covered, pilot measures and testing, cooperation between (Member) States` consulates and the set up joint consular services for visas.

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

As far as biometric visas are concerned, the Czech Republic follows the decisions (including the dates) concluded at the EU level in relation to the Visa Information System. At the moment biometric visas are being issued at Czech embassies in Morocco, Tunisia, Egypt, Algeria, Libya;

Israel, Jordan, Lebanon, Syria; Iran, Iraq, Kuwait, Saudi Arabia, United Arab Emirates. In Afghanistan biometric visas will be issued if a visa section opens.

With regard to Schengen visas, since 25 October 2010 the Czech Republic has represented Spain in Moldova and has been represented by Spain in Bolivia, the Dominican Republic, Ecuador, Jamaica, Equatorial Guinea. Since 1 July 2010 the Czech Republic has been represented by Portugal in Angola, Guinea-Bissau, Cape Verde, Mozambique, Sao Tome and Principe and Timor L'Este. Since 1 November 2010 the Czech Republic has represented France in Donetsk (Ukraine) and has been represented by France in Anguilla, Benin, British Virgin Islands, Brunei, Burkina Faso, Dominica, Djibouti, Gabon, Grenada, Haiti, Fiji, Cameroon, Comoros, Congo/Brazzaville, Laos, Mauretania, Montserrat, Papua New Guinea, Central African Republic, St. Lucia, St. Vincent and The Grenadines, Togo and Vanuatu. Since 4 December 2011 the Czech Republic has represented Slovakia in the Philippines, Ghana, Mongolia, Pakistan and Algeria and has been represented by Slovakia in Kenya. Since 1 December 2012 the Czech Republic has been represented by Belgium in Burundi, Rwanda and the Democratic Republic of Congo.

<i>Visas issued in 2012</i>		
	Schengen Visas	National Visas
Visas		

1.6.2 Schengen Governance

Please describe any recent developments in relation to Schengen Governance. For example, where relevant, you could include any (planned) actions in relation to the new Schengen acquis, temporary suspension of Schengen, developments in relation to Regulation (EU) No 1342/2011 facilitating border crossing for Kaliningrad area etc.

The Czech Republic has not carried out any significant changes in relation to the Schengen governance.

2. IRREGULAR MIGRATION

NB. The questions in this Section have the purpose of reporting activities in Member States that have contributed to the six Strategic Priority Areas outlined in the Strategic Response to EU Action on Migratory Pressures.³¹

2.1 Strategic Priorities

Priority I: Strengthening cooperation with third countries of transit and origin on migration management

The relevant challenges in the Strategic Response for this sub-section are in particular:

1.2. Ensure implementation of all EU readmission agreements to their full effect

Please describe activities undertaken to support the implementation of EU readmission agreements (implementing protocols, cooperation (including diplomatic pressure) with third countries to encourage implementation)

The Czech Republic is fully engaged into the process of the implementation of the readmission agreements concluded between the EU and the third countries. In 2012 the Czech Republic has concluded the implementing protocols with following countries:

³¹ 8714/1/12 REV 1 <http://register.consilium.europa.eu/pdf/en/12/st08/st08714-re01.en12.pdf>

- Moldova (signed on 29 November 2011, entered into force 1 March 2012)
- Russia (signed on 8 December 2011, entered into force 1 May 2012)
- Montenegro (signed on 27 April 2011, entered into force 1 February 2012)
- Albania (signed on 16 April 2012, entered into force 1 September 2012)
- Bosnia and Herzegovina (signed on 18 September 2012, not yet entered into force)
- Serbia (signed on 18 December 2012, not yet entered into force).

The Czech Republic (CZ) has already finished the negotiations with Ukraine. The CZ is waiting for the official information from Ukraine in order to launch the internal approval procedure in the CZ. CZ has submitted the proposal of the text of the implementing protocol to the readmission agreement with Georgia in June 2011. Georgia answered with its counterproposal, to which CZ gave its suggestions in April 2012. From this time the CZ does not have any news.

CZ plans for the year 2013 to start the negotiations on the implementing protocols with Macedonia and Armenia and for the following year with Pakistan.

CZ has not yet concluded the implementing protocols with Sri Lanka, Macao and Hongkong because of very low number of illegal migrants from these destinations.

1.3. Enhance the capacity of countries of origin and transit to manage mixed migration flows

Please describe any specific developments to equip countries of first asylum with the means to guarantee refugee protection and to better manage mixed migration flows.

The Czech Republic acknowledges high importance of cooperation with regions of destination and transit when tackling issues of migration to EU, including phenomenon of mixed migration flows. To handle this issue responsibly means to establish such mechanisms that allow to identify asylum seekers and vulnerable groups within the huge mixed flows and provide them with necessary treatment.

14-7 Prevention of irregular migration from (a) the Southern Mediterranean countries; (b) the Eastern Partners; (c) the Western Balkans; and (d) the Western Mediterranean and the African Atlantic coast

Please describe any specific cooperation activities in your Member State to prevent irregular migration in relation to the specific geographical regions outlined above.

(a) The Southern Mediterranean countries do not represent a priority region in view of irregular migration headed to the Czech Republic. That is why no preventive measures were taken in the territory of the Czech Republic in 2012. Thus our participation in operational activities organized by Frontex in that region is limited. One member of our national EBGT (European Border Guard Team) was deployed at the international airport in Rome.

(b) “The Action Plan of the Prague Process” in which countries from wider Eastern region including Eastern Partners and Western Balkans are involved proposes several concrete objectives in area of tackling irregular migration. These are implemented in a recently launched EC-Targeted Initiative within which one of pilot projects specifically addresses the issue. Information and experience exchange in area of combating irregular migration is also promoted by Asylum and Migration Panel of the Eastern Partnership.

(c) In 2012, the Czech Republic deployed two experts for stolen vehicles at the Slovenian-Croatian border. This measure was taken on the basis of Frontex' request with regard to a high number of detected stolen vehicles which came from the Czech Republic. With regard to a growing pressure on the Hungarian-Serbian land border, the Czech Republic intends to deploy further experts in the

Western Balkan region in 2013 (experts for stolen vehicles; debriefing experts – for interrogations of detained migrants).

(d) see b)

Priority II: Enhanced border management at the external borders

The relevant challenges in the Strategic Response for this sub-section are in particular:

II.2 Preventing and combating irregular immigration by ensuring strong and efficient border control

Agreements with third countries

Please list any new or planned agreements, and other forms of bilateral and multilateral cooperation with third countries, specifying which countries, specifically in order to strengthen the control of external borders. This could include the provision of border equipment, training of border guards, etc. Any specific measures to combat irregular migration should be set out in Section 2

We have not established new cooperation with third countries in 2012 and we do not intend to do so in near future.

Border control including Frontex operations

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

The Czech Republic fully operates the system “OBZOR” which automatically processes API data on passengers. This system enables to check the correctness of the delivered data, to set up the basic analytic profiles as well as to screen persons through databases. It also enables data mining in data archive. In 2012, three e-gates were put into operation for the purpose of automated checks on passengers who hold biometric passports and are older than 18 years. We do not use other systems and, for the time being, we do not intend to introduce any.

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

Such actions have not been taken.

c. Please describe any relevant (planned) developments to ensure more effective control of the external land, sea and air borders, such as reinforcing border control staff, providing training, increasing overall resources etc.

From 1 January 2013, the staff number of Alien Police Inspectorate at the international airports Praha-Ruzyně and Brno-Tuřany will be increased to 442 and 64 employees respectively. Currently we are revising the curriculum for further professional training in the area of border control and we have also introduced advanced courses of English and Russian language. An advanced course of German language is in preparation.

d. Please describe whether your (Member) State has benefited from / has provided any support with regard to border control in case of specific and disproportionate pressures in your / in another (Member) State. Also provide information on your (Member) State’s relevant participation in Frontex activities, by type of activity (e.g. joint operations).

The Czech Republic has external air border only. In the framework of our territory, Frontex joint operations take place at international airports only. In 2012, the Czech Republic participated in the

joint operations Flexi Force 2012 and Focal Points 2012 Air taking place at the international airport Praha-Ruzyně. These operations were organized on the basis of risk analysis provided by Frontex. The Czech Republic participated actively in joint operations in other member states at sea border (EPN Minerva 2012), land border (Neptune 2012, Focal Points 2012 Land, Jupiter 2012, Eurocup 2012 and Poseidon 2012 Land) and air border (Flexi Force 2012, Focal Points 2012 Air). In 2012, none of the member states was exposed to an excessive pressure of illegal migration requiring a deployment of Rapid Intervention Units of Frontex.

e. Please describe any additional (planned) activities not already described above that contribute to the strengthening of security and preventing irregular migration at the external borders e.g. (i) use of advanced passenger information in accordance with Directive 2004/82/EC; (ii) identification of irregular migration routes - specifically inside the Schengen area.

Extracting information provided by Risk Analysis Department within Directorate of Alien Police Service, extracting information from analyses performed by FRONTEX, PULSAR, observing FRONTEX Media Monitor as well as extracting information from daily event summaries.

Priority III: Preventing irregular migration via the Greek-Turkish Border

The relevant challenges in the Strategic Response for this sub-section are in particular:

III.1 Ensuring effective border controls are in place at the Greek-Turkish border

Please describe activities to support Operation Poseidon and Attica. Also, describe any other activities undertaken to increase operational capacity at the Greek-Turkish border

In 2012, the Czech Republic sent two police officers to participate in the joint operation Poseidon 2012 Land at the Greek-Turkish land border. At the time of this deployment, the Greek state organized a parallel operation where almost 2000 Greek police officers were deployed at that border and, at the same time, a fence was built at the border in the zone where the river Evros does not make up the natural border any more and where the biggest influx of illegal migrants occurs.

III.2 Combating irregular immigration transiting Turkey to EU

Please describe any bilateral activities to assist the Turkish authorities to strengthen their capacity to combat irregular migration and to ensure the dignified return of third-country migrants through escorted transit and assisted voluntary return projects via Turkey.

There was no bilateral activity with Turkey.

Priority IV: Better tackling of abuse of legal migration channels

The relevant challenges in the Strategic Response for this sub-section are in particular:

IV.1 Prevent an increase in unfounded asylum applications as a direct consequence of introducing visa free regimes in third countries and decrease the number of overstayers in the Schengen area

Please describe any measures introduced to monitor the effects of visa free regimes in your Member State. What have been the results of these monitoring activities? Describe here any key findings – especially in relation to the impact of visa free regimes on the number unfounded asylum applications registered in your Member State.

Possible migration risks are monitored continuously by relevant state authorities. Concerning to the monitoring of effects of visa free regimes the Czech Republic did not introduce any further specific measures in 2012 (the Czech Republic has not been registering high numbers of applicants for international protection from such countries).

IV.2 Combating and preventing irregular migration caused by visa liberalisation

Please describe measures taken to ensure the accelerated and swift return of persons from visa-free third countries found to be making unfounded asylum applications, to be overstaying permissions to stay or otherwise abusing legal migration channels.

With the persons from visa-free third countries is, in terms of returns (forced and voluntary), generally treated in the same way as persons from third countries who have the visa obligation. The Czech Republic acts in this field in accordance with the Return Directive 2008/115/EC. Accelerated return procedures may be applied only in accordance with specific readmission agreements and respective implementing protocols.

With regard to measures which preventing overstay permission to stay in case of visa-free third country nationals, these have legislative foundation and are not different from those which are applied to the third country nationals with a visa obligation. The key measure imposes the obligation for all third country citizens to apply for a visa for over 90 days only through embassies of the Czech Republic abroad. It is not allowed to apply for long-term visa in the territory of the Czech Republic. Applicants are informed by embassies of the Czech Republic. They also can find detailed information concerning conditions of legal migration on web pages of the Ministry of the Interior and Ministry of Foreign Affaires.

In the field of international protection the list of safe countries is used. If a citizen of that country submits an application for international protection than it is possible to consider such application as manifestly unfounded, in accordance with Section 16, paragraph 1, point. d) of the Act No. 325/1999 Coll.

Priority V: Safeguarding and protecting free movement by prevention of abuse by third-country nationals

The relevant challenges in the Strategic Response for this sub-section are in particular:

V.1 Improve the understanding of abuse of free movement rights by third country nationals and organised crime aiming at facilitating irregular immigration

Please describe Member State activities taken to gather, analyse and share information on the fraud and abuse of free movement. In particular, describe any monitoring activities that have worked particularly well and any efforts taken to improve monitoring tools and procedures for detecting false documents, and the dissemination of findings that may contribute to a better understanding of misuse of free movement. In particular, describe any activities undertaken as part of EU Joint Investigation Teams, via the FREEMO expert group, or through the EUROPOL Platform for Experts.

In the framework of Directorate of Alien Police Service (DAPS), the main unit responsible for gathering and analysing information on irregular migration at the strategic level is the Risk Analysis Department.

This department collects information and makes analysis thereof in regular intervals – daily, weekly, monthly, half-yearly, yearly (a yearly report on illegal migration in the Czech Republic.)

Another competent body in the area of risk analysis is the Analytic Team of DAPS whose duty is to assess retrospectively (monthly) the fulfilment of tasks in the area of irregular migration and, on the basis of assessed risks and initiative, to submit proposals for solutions to the director of DAPS.

At the international level, there is a very good information exchange with the German Federal Police and with the Slovak Police. The cooperation is based on international agreements on police cooperation. We have also concluded a bilateral agreement with the Polish Border Guard and have agreed on the information flow.

The competent unit of DAPS responsible for the area of abuse of free movement, frauds and other criminal activities of foreign nationals is the Department of Controlling and Documenting

Investigations of Crime. The data relating to the above mentioned acts are gathered by police officers during fieldwork service, namely in the framework of:

- Detecting and subsequent processing criminal acts
- Monitoring risk factors
- Cooperation with other state administration authorities at both national (Criminal Police and Investigation Service, Unit for Combating Organized Crime, National Drug Headquarters) and international level. The information exchange with German and Polish police authorities plays an important role.

According to our existing knowledge and experience in this area, the reasons for irregular immigration of third country nationals into the Czech Republic are in particular of economic and social nature. The criminal activities of third country nationals including irregular migration are becoming highly organized and latent.

The unit of DAPS responsible for the area of detecting irregular documents is the Department of Documents. The measures taken by this department include especially the following:

(a) Training activities:

- Training of consular officials of Ministry of Foreign Affairs in the area of detecting irregular documents – it is organized by the Department of Documents of DAPS even before the officials are deployed in a representative office of the Czech Republic abroad.
- The Czech Republic participates significantly in one of the projects of Frontex Training Unit which was launched in 2012 – training of consular officials of EU+ member states organized directly in selected third countries focused on detecting irregular documents and solving particular problems. The training organized in Ukraine (Kiev) has been evaluated very positively. Frontex intends to organize other similar trainings in 2013.
- The Czech Republic can also use the service of Immigration Document Advisors who are deployed in third countries of origin connected with high risks. In 2012, they were deployed in the Ukraine, Russia, Turkey, Vietnam and Nigeria. These advisors are rather experts for aliens' residence matters and they are also trained in detecting irregular documents. In order to increase the specialization in documents, the Czech Republic intends, in the first phase, to deploy two specialists from the Department of Documents of DAPS for a limited period in the Ukraine, which will be organized by the Ministry of the Interior in cooperation with the Ministry of Foreign Affairs at the beginning of 2013. These document specialists will be tasked with helping the local officials especially in checking background papers (various registry documents etc.) submitted by applicants for a permanent residence in the Czech Republic in connection with their existing roots and family relations in the Czech Republic.
- As regards measures taken in the territory of the Czech Republic in combating the use of irregular documents, specialized courses for document specialists are organized. Selected specialists with good English knowledge will then attend a highly specialized two-week advanced course in the Netherlands. These highly schooled document specialists will then conduct training for other Czech police authorities as well as other public administration bodies (they do so already).

(b) Mutual information exchange

The information exchange is at a very good level. It is successfully implemented on the platform of EU Council Working Party on Frontiers / False documents, further Specialist committee for documents in the framework of Frontex and other bodies. Information on documents are also exchanged by means of both international and national information systems of various EU countries – e.g. FADO, DATEX, Argus, D.223, DISCS, EDISON.

By means of national contact points for documents in the framework of EU+, it is possible to request the partner countries for help any time. In addition, the Czech Republic establishes and maintains contacts also with document experts outside EU+ (Canada, USA, Australia, Korea, etc.)

(c) Use of technical devices for document checks

In addition to standard equipment, the Czech Republic uses the so-called Schengenbuses for checks on documents carried out inland. Schengenbus is a small mobile laboratory enabling an effective verification of document validity and authenticity during fieldwork.

Czech Republic does not participate in the activities of EU Joint Investigation Teams, via the FREEMO expert group, or through the EUROPOL Platform for Experts.

V.2 Prevent the fraudulent acquisition and use of free movement rights by third-country nationals

Please describe measures taken to implement enhanced security standards for EU documentation on legal stay (residence cards etc.), including use of biometrics and any actions taken to ensure common validation standards at borders and domestic controls. Describe also any measures to improve the security of the application and issuance processes for identity/EU documentation.

There were no developments during the year 2012 that would have an impact on security elements of documents issued by DAMP.

Since 2011 the Czech Republic has been issuing residence permit cards in accordance with Regulation (EC) No. 1030/2002 and 380/2008 (these regulations also provide for security features of documents).

Priority VI: Enhancing migration management, including cooperation on return practices

The relevant challenges in the Strategic Response for this sub-section are in particular:

VI.1 Ensuring that all Member States have efficient migration management systems in place in order to be prepared for fluctuating migration pressures

Please describe any specific measures undertaken to address unexpected migration flows.

Two security actions ("MRAZÍK" and "IKAR") were undertaken by the Police of the Czech Republic in cooperation with custom administration during the year 2012 at the public international airports. Another action ("OLYMP") was undertaken by the Police of the Czech Republic at the airport Praha in connection with detection of illegal migration. Furthermore the CR took part in several international actions (for example: "BADLER", "JUPITER", "MINERVA", "POSEIDON" etc.) during the year 2012 .

VI.2 Maximising the potential of a common EU approach in the field of return, both voluntary and forced in compliance with existing EU acquis

Please describe measures taken to develop swift, sustainable and effective return using a common EU approach and in particular actions to (i) share best practice on return (voluntary and forced); (ii) improving cooperation with stakeholders in the field; (iii) improving operational cooperation on joint return operations; (iv) support voluntary return programmes; (v) improve cooperation on assisted voluntary return programmes,

The measures taken to organize swift, sustainable and effective return using a common EU approach comprise in particular: 1) Voluntary returns in cooperation with the International Organization for Migration (IOM), 2) Voluntary transits by land (hereinafter referred to as „Annex 39“), 3.) Administrative and judicial expulsion from the territory of EU member states in cooperation with FRONTEX.

Ad 1) The voluntary returns in the Czech Republic are performed by two agencies. First of them is Asylum Facility Administration of Ministry of the Interior (AFA), which has a specific voluntary return programme, focused only on asylum seekers / former asylum seekers. The second one is

International Organization for Migration (IOM), which has a common voluntary return programme, focused not only on former asylum seekers but also on foreigners who has no permission to stay or foreigners granted by administrative expulsion. The IOM represents the main player in the field of voluntary returns in the Czech Republic.

In the Czech Republic, the voluntary returns in cooperation with IOM are organized in two cases; In the one case, a foreign national being detained in an alien detention facility can submit an application for a voluntary return with IOM by using the IOM application form. If he/she fulfils the other conditions for an administrative expulsion, the Directorate of Alien Police Service (DAPS) requests IOM to mediate the performance of administrative expulsion by means of voluntary return and subsequently to account all the expenditures connected with the flight ticket and assistance. A similar procedure is applied also in the other case where a foreign national is not detained in an alien detention facility but he/she is registered as an undesirable person and he/she wants to depart voluntarily by the deadline specified in the departure order. In cooperation with IOM, there were 195 cases of administrative expulsion through voluntary returns in the period 1 January 2012 – 30 November 2012.

During the last year 2012 the Return Centre has been established as a common platform for strategic management of voluntary returns, as well as implementation and coordination of wide scope of activities related to voluntary return process like the return counselling, dissemination of information on voluntary return programme and also support, organizing and performance of voluntary returns. Administration of the Return Centre has been entrusted to IOM. Under the roof of the Return Centre all governmental agencies involved in the field of voluntary returns and return policy, like Ministry of the Interior, Directorate of Alien Police Service (DAPS) and Asylum Facility Administration, together with IOM perform the strategic management of voluntary returns activities and reintegration activities.

There were 261 third country nationals who were returned through voluntary return programmes (36 AFA and 225 IOM) from 1 January to 31 December 2012.

Ad 2) The principle of Annex 39 lies in recognizing decisions on return including the deadline for departure from the territory by way of exchange of forms between the member states concerned. In these cases, it is therefore not necessary for a foreign national to hold a visa which would authorize him/her to transit the territory of a particular member state. Transit by land can be applied only in case of third-country nationals who have been issued a departure order and they really want to leave the territory of the Czech Republic by the specified deadline. This kind of return is only for those foreign nationals who will transit and leave the territory of EU member states by land. It is not for such foreign nationals who want to leave the territory by air departing from another member state. 97 foreign nationals were returned in the period from 1 January 2012 till 30 November 2012.

In the interest of procedure uniformity and for the purpose of exchange of experience with Annex 39 between EU member states as well as exchange of experience with organizing voluntary returns in cooperation with IOM, the Polish Border Guard organized a two-day study meeting on 19 - 21 November 2012.

Ad 3) Till the present time, the Czech Republic has not been the organizer of any FRONTEX joint return operations. The Czech Republic was only a participant in such operations. The last participation of the Czech Republic in a return operation was on 12 September 2012 where a Nigerian national was returned to Nigeria. In this case, the members of Air Marshall Department of Czech Police were present in flight as escort officers. We can state that the participation in joint return operations is useful and effective for us in particular with regard to the return measures in case of foreign nationals who refuse to return to their country of origin.

2.2 Key statistics

Third-country nationals returned (by nationality where possible)³²			
	Returned as part of forced return measures	Returned voluntarily	Among third-country nationals returned voluntarily, the number of third-country nationals returned as part of an assisted return programme
Nationality 1			
Nationality 2 etc.			
Total			

3. INTERNATIONAL PROTECTION INCLUDING ASYLUM

This Section will also be used to provide information to inform EASO's Annual Report.

3.1 Common European Asylum System

Please describe any specific measures undertaken to support the further development of the Common European Asylum System, including projects undertaken with other Member States under the ERF.

EAC training is seen as a vital tool to enhance implementation of SEAS at the national level. Therefore the Czech Republic carried out EAC training at the national level throughout 2012 focused on three modules translated to the Czech language (International Refugee Law and Human Rights, COI, Drafting and Decision Making) with more than 60 employees trained. Moreover, the Czech Republic offered its trainer to deliver training of an EAC module in Slovakia, which can be seen as a good example of regional cooperation in development of SEAS.

3.2 Cooperation with the European Asylum Support Office (EASO)

3.2.1 Participation in EASO activities

Please provide information on your (Member) State's relevant participation in EASO activities, by type of activity (e.g. provision of staff for Asylum Support Teams).

The Czech Republic actively cooperated with EASO and contributed to its activities, mainly by:

- Secondment of two national experts to EASO (both with EASO Centre for Training, Quality and Expertise);
- Nomination of experts to both Asylum Intervention Pool (4 experts) and Training and Expert Pool (3 experts)
- Active participation in EASO meetings, working groups and NCP networks

3.2.2 Provision of support by EASO to the Member States

Please provide information on relevant support provided by EASO to your (Member) State, by type of activity (e.g. training, emergency support etc.)

Czech Republic was not provided with any targeted assistance or emergency support. However, the Czech Republic benefited from general assistance provided by EASO to the MS under the scope of its mandate, mainly in the training field (train-the-trainers courses, management of the training platform).

3.3 Intra-EU solidarity including Relocation

3.3.1 Support to national asylum systems

³² Please provide the total number of third country nationals ordered to leave and returned in 2012. Please provide a breakdown of this total by nationality where possible.

Please provide information on support provided to (Member) States experiencing specific and disproportionate pressures on their national asylum systems. This might include support in the processing of requests for international protection, seconding staff (for the Asylum Intervention Pool / EAC Expert Pool), sending resources or equipment.

Czech Republic did not provide any such assistance on bilateral level. However, we offered assistance of our experts through Asylum Intervention Pool and Training and Expert Pool managed by EASO (none of them has been deployed so far).

3.3.2 Relocation

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

Czech Republic did not participate in any relocation activities, neither on bilateral nor on EU level.

Third-country nationals Relocated to your (Member) State

	Relocated
Third-country nationals	

3.4 Enhancing the external dimension including Resettlement

3.4.1 *Cooperation with third countries*

Please describe *specific* cooperation with relevant non-EU countries to strengthen their asylum systems, including national asylum legislation and asylum policy frameworks (e.g. through Regional Protection Programmes).

Asylum had been one of modules of the capacity building of Ukrainian authorities GDISC ERIT that the Czech Republic was implementing together with other EU MS in 2008 – 2010. The project contributed to significant strengthening of the national asylum system in Ukraine. Situation of Ukraine as a transit country through which mixed migration flows go was considered when cooperating on this topic with Ukraine.

Ministry of the Interior carried on with conducting humanitarian evacuations of citizens with medical problems (“MEDEVAC Programme”). The idea of the MEDEVAC Programme is to cure patients from war-ridden countries or areas otherwise in need where adequate medical treatment is not available. In 2012 patients with war-related injuries and congenital heart diseases from Libya (7), Myanmar (3), and Syria (12) were transported in order to be treated in Czech hospitals.

3.4.2 *Resettlement*

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

In 2012, Czech Republic offered durable solution to 25 Burmese refugees from Malaysia under its annual resettlement program.

Third-country nationals Resettled in your (Member) State

	Resettled
Third-country nationals	

4. UNACCOMPANIED MINORS AND OTHER VULNERABLE GROUPS

4.1 Unaccompanied minors and other vulnerable groups

Please describe any developments in relation to unaccompanied minors (UAMs) at national and international levels, including in the context the Action Plan³³ on UAMs and its Mid-term Review. Please also describe developments in relation to other vulnerable groups.

The Czech Republic adopted in 2012 a new Concept of protection and care for unaccompanied minors, including asylum seekers setting new rules for dealing with minor aliens who arrive in the Czech Republic without their legal guardians as well as the system of care and integration of this group in the CR.

The reason for the change in approach to the issue is a significant change in the structure of foreign population in the Czech Republic since the previous Concept of care for alien minors was adopted 10 years ago. It was based on existence of a special facility for children of foreigners. Now the Czech Republic registers an increasing number of foreign nationals whose minor children find themselves in need of temporary or permanent foster care. By contrast, the number of unaccompanied minors applying for asylum is insignificant.

4.2 Key statistics

<i>Unaccompanied minors</i>		
Total	Unaccompanied minors not applying for asylum	Unaccompanied minors applying for asylum

5 ACTIONS AGAINST TRAFFICKING IN HUMAN BEINGS

This Section should be completed also in the context of the "EU Strategy towards the Eradication of Trafficking in Human Beings (2012-2016)"³⁴, and you should liaise with your national rapporteur on Trafficking in Human Beings.

5.1 Measures to identify, protect and assist victims of trafficking

Please describe any (planned) actions at national level to fight human trafficking, including measures to identify, protect and assist victims of trafficking.

The Czech Republic acknowledges the importance of the need to fight against trafficking in human beings and focuses on all aspects regarding combating this crime according the so-called 4 Ps: prevention, prosecution, protection and partnership. In the spirit of these pillars a new National Strategy to Combat Trafficking in Human Beings in the Czech Republic for the Period 2012 – 2015 had been drafted where holistic and multidisciplinary approach was underlined.

Czech Republic developed in 2003 special "Programme on Support and Protection of Victims of Trafficking in Human Beings of the Ministry of Interior of the Czech Republic (Programme)". Since 2008 the Programme experienced several changes that were implemented through the updated internal acts. Thanks to the updates the process of legalisation of the stay of presumed victims was accelerated, the reflection period was extended to 60, in exceptional cases to 90 days (during the reflection period a victim has to decide whether he or she wants to cooperate with LEAs, all types of services and support are provided to the victim).

³³ <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2010:0213:FIN:EN:PDF> plus the Mid-term Review Report : http://ec.europa.eu/dgs/home-affairs/e-library/docs/uam/uam_report_20120928_en.pdf

³⁴ <http://ec.europa.eu/anti-trafficking/>

There is a task in the new National Strategy to Combat THB in the Czech Republic to „Carry out a Complex Evaluation of the Programme on support and protection of victims of trafficking till 2015.“

5.2 Measures to prevent trafficking in human beings, and to increase the prosecution of traffickers

Please describe any (planned) actions at national level to enhance the prevention of trafficking in human beings, and to increase the prosecution of traffickers.

The new “National Anti-THB Strategy” also focuses on improving prosecution.

In the framework of the project Discovering trafficking for the Purpose of forced labour or labour exploitation complex legal analysis of the tools to fight the crime of trafficking for the Purpose of labour exploitation is now being carried out. This tool should ease the understanding of the THB phenomenon and its legal basis by law enforcement authorities.

In the observed period the core of the anti-THB activities was centralized within the educational activities focused on relevant groups of professionals - police officers, prosecutors, judges (also consular officers, of the Refugee Facility Administration); expert trainings at Judicial Academy; different workshop (on Nigerian Organised Crime with the focus on THB).

Several courses for law enforcement authorities have been organised also at international level - in the framework of ICMPD project “Capacity Building for Combating Trafficking for Labour Exploitation” etc.

New amendments to the law on employment have been in force since January 2012, which should lead to the elimination of THB for the purpose of labour exploitation/violation of labour law.

5.3 Coordination and cooperation among key actors

Please describe enhancements in coordination and cooperation among key actors and policy coherence, including to increase knowledge of and effective responses to changing trends in human trafficking. Please also identify cooperation with third countries (e.g. awareness raising actions in third countries addressing communities at risk). Please only refer to cooperation with regard to combating human trafficking in this section.

There were two meetings of the Inter-ministerial Coordination Group on the Fight Against Trafficking in Human Beings in 2012. The group which was established in 2008 on the basis of Government Resolution serves as a platform for information exchange and coordination activities in the fight against trafficking at national level. Members of this group - NGOs and governmental organisations – also contribute to the annual status reports and comment on the crucial strategic documents regarding trafficking.

The Czech Republic is also involved in several international projects and cooperates with important source countries (e.g. project “ZERO” with Ukraine, expert missions to Ukraine and Romania) and international organisations (OSCE, ICMPD etc.).

5.4 Key statistics

<i>Third-country nationals receiving a residence permit as victims of human trafficking</i>		
Third-country nationals		
<i>Traffickers arrested as suspects and traffickers convicted</i>		
	Arrested / otherwise involved in a criminal proceeding	Convicted
Traffickers		

6. MAXIMISING DEVELOPMENT IMPACT OF MIGRATION AND MOBILITY

6.1 Mainstreaming of migration in development policies

Please describe any relevant activity, for example studies, and development of approaches to make migration an integral part in sectoral policies (e.g. agriculture, health, education etc.), solidarity development projects, etc. Please also highlight any migration-related initiatives with third countries in the framework of development policy.

The Czech Republic traditionally has been paying high attention to developmental aspects of international migration. In past a lot of projects were implemented in neighbouring countries (Ukraine, Moldova, Southern Caucasus, Western Balkans) in which we had tried to combine capacity building and policy making aspects with broader social and economical consequences in migration. The projects thus usually also addressed cooperation with local communities, work with potential migrants, assistance to returned migrants in launching small business etc. As for 2012, the following activities are relevant:

- As stated in section 1.3.3., the Czech Republic is in lead of Pilot project 3 - migration and development within the EC Targeted Initiative on implementation of the Prague Process Action Plan. The pilot project deals specifically with issue of circular migration.
- The Czech led EC Targeted Initiative on reintegration under MP with Georgia contains strong developmental aspects, mainly support of launching small business, utilisation of knowledge obtained in EU MS etc.
- The Czech NGO Caritas Prague together with Czech Development Agency has recently implemented project devoted to mitigating of negative social consequences of migration in Moldova. Prolongation of the project is expected.

6.2 Migrants' Remittances

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

Prominent role of question of remittances within the Migration and Development agenda is widely recognized.

There is no uniform approach to the issue of remittances. Institutions, such as Ministry of the Interior, Ministry of Finance, Ministry of Foreign Affairs, Ministry of Labour and Social Affairs, Czech Statistical Office, Czech National Bank etc., deal with the topic or comment it independently.

Ministry of the Interior has launched interagency discussion in order to formulate in future policy solutions on how to make services related to remittances transfers from the Czech Republic more transparent and the environment more competitive.

As for finance regulations (Anti Money Laundering – Combating the Financing of Terrorism, system of payments), there were no relevant legislative changes concerning remittances in 2012.

Preliminary outputs of a 3-year research of remittances of Ukrainian immigrants were presented in October 2012. The research was conducted by the Geographic Migration Center (GEOMIGRACE) at the Faculty of Science, Charles University in Prague and co-financed by the grant from the Czech Science Foundation (GACR).

6.3 Working with Diasporas

Please provide information on a possible national policy or actions with regard to how diaspora groups may be further involved in EU development initiatives, and how EU Member States may support diaspora groups in their efforts to enhance development in their countries of origin. Please describe any specific activities to address migrant rights and the empowerment of migrants.

Representatives of the Ministry of the Interior and Vietnamese diaspora met several time in 2012, one of the main topics being the direct support of the 2nd generation of Vietnamese in the Czech Republic. Based on agreements for example teaching of Vietnamese language will be provided by some of Regional Foreign Nationals Integration Support Centers and social counseling will be also provided by members of community who will receive special trainings from Czech NGOs.

6.4 Efforts to mitigate ‘brain drain’.

Please describe any (planned) measures to mitigate brain drain, for example awareness rising actions, development of data and indicators on this phenomena, prevention, list of countries and professions subject to brain drain.

No special measures have been taken and none are currently planned.

7. PROVISION AND EXCHANGE OF INFORMATION TO SUPPORT POLICY DEVELOPMENT

7.1 Exchange of Information at EU level

Please describe any additional actions to provide and exchange information to support policy development at EU level. This might include for example, through networks such as the EMN, the Mutual Exchange Mechanism (MIM), EASO etc.

The Czech Republic participates in sharing and exchange of information on migration within the European Migration Network (EMN) via ad-hoc queries, studies, analysis, websites and other form of outputs. EMN ad-hoc queries have been providing invaluable information to DAMP in the process of drafting a new legislative proposal in migration policy.

Furthermore the Czech Republic contributed during the year 2012 to all EASO activities aimed at exchange of information. Information exchange is also undertaken with regard to Frontex Risk Analysis Network (FRAN), General Directors´ Immigration Services Conference (GDISC), the International Centre for Migration Policy Development (ICMPD) and EUROSTAT.

7.2 Exchange of Information at Regional and National levels

Please describe any additional actions to provide and exchange information to support policy development at regional and national levels. These might include specific actions with national contact points or rapporteurs, and the exchange of information within the ‘regions’ of Europe, for example, amongst the Baltic States. Please also describe any (planned) sharing and exchanging of information on migration with other (Member) States, through existing networks and other instruments (e.g. the European Migration Network, the Mutual Information Mechanism (MIM)). Please also describe the involvement of EU agencies.

Within the already mentioned EC Targeted Initiative on Implementation of the Prague Process Action Plan system of national contact points has been established that ensures regular and timely exchange of relevant information. Also, within the Initiative Migration profiles of the participating countries have been drafted in order to develop solid information database allowing for truly evidence based policy making of migration in the Eastern dimension.

Network of contact points devoted to issue of transit irregular migration established recently

under Salzburg Forum constitutes another example of subregional platform providing information exchange in area of migration.

Further to the previous point (7.1), EMN also provides space for exchange of information at national level, such as through the round-table discussion with stakeholders from different sectors on the new legislative proposal in migration policy (October 2012).

I. ASYLUM

A. Legislative acts adopted after entry into force of the Amsterdam Treaty (1st May 1999)

- Council Directive 2005/85/EC of 1 December 2005 on minimum standards on procedures in Member States for granting and withdrawing refugee status (OJ L 326 of 13 December 2005, p. 13);
- ▶ Council Decision 2004/927/EC of 22 December 2004 providing for certain areas covered by Title IV of Part Three of the Treaty establishing the European Community to be governed by the procedure laid down in Article 251 of that Treaty (OJ L 396 of 31 December 2004 p. 45)³⁵;
- ❖ Decision No 573/2007/EC of the European Parliament and of the Council of 23 May 2007 establishing the European Refugee Fund for the period 2008 to 2013 as part of the General programme "Solidarity and Management of Migration Flows" and repealing Council Decision 2004/904/EC (OJ L 144 of 6 June 2007, p. 1)³⁶;
- ❖ Commission Decision (2007/599/EC) of 29 November 2007 implementing Decision No 573/2007/EC of the European Parliament and the Council as regards the adoption of the strategic guidelines 2008 to 2013 (OJ L326, 12 December 2007, p.29);
- ◆ Commission Decision 2008/22/EC of 19 December 2007 laying down rules for the implementation of Decision No 573/2007/EC of the European Parliament and of the Council of 23 May 2007 establishing the European Refugee Fund for the period 2008 to 2013 as part of the General programme "Solidarity and Management of Migration Flows" as regards Member States' management and control systems, the rules for administrative and financial management and the eligibility of expenditure on projects co-financed by the Fund³⁷ (OJ L 7 of 10 January 2008, p. 1);
- ⌘ Commission Decision 2009/533/EC of 9 July 2009 amending Decision 2008/22/EC of 19 December 2007 laying down rules for the implementation of Decision No 573/2007/EC of the European Parliament and of the Council of 23 May 2007 establishing the European Refugee Fund for the period 2008 to 2013 as part of the General programme "Solidarity and Management of Migration Flows" as regards Member States' management and control systems, the rules for administrative and financial management and the eligibility of expenditure on projects co-financed by the Fund³⁸ (OJ L 179 of 10 July 2009, p. 62);
- ★ Commission Decision 2010/163/EC of 8 March 2010 amending Decision 2008/22/EC of 19 December 2007 laying down rules for the implementation of Decision No 573/2007/EC of the European Parliament and of the Council of 23 May 2007 establishing the European Refugee Fund for the period 2008 to 2013 as part of the General programme "Solidarity and Management of Migration Flows" as regards Member States' management and control systems, the rules for administrative and financial management and the eligibility of expenditure on projects co-financed by the Fund³⁹ (OJ L 69 of 19 March 2010, p. 16);

³⁵ This instrument is also mentioned under the section on "immigration".

³⁶ See also "ERF I" Decision: Council Decision 2000/596/EC of 28 September 2000 establishing a European Refugee Fund (OJ L 252 of 6 October 2000, p.12) and Commission Decision 2002/307/EC of 18 December 2001 laying down detailed rules for the implementation of Council Decision 2000/596/EC as regards management and control systems and procedures for making financial corrections in the context of actions co-financed by the European Refugee Fund (notified under document number C(2001) 4372) (OJ L 106 of 23 April 2002, p. 11). See also "ERF II": Council Decision 2004/904/EC of 2 December 2004 establishing the European Refugee Fund for the period 2005 to 2010 (OJ L 381 of 28 December 2004 p. 52) and Commission Decision 2006/399/EC of 20 January 2006 laying down detailed rules for the implementation of Council Decision 2004/904/EC as regards the eligibility of expenditure within the framework of actions co-financed by the European Refugee Fund implemented in the Member States³⁶ (OJ L 162 of 14 June 2006, p. 1), Commission Decision 2006/400/EC of 20 January 2006 laying down detailed rules for the implementation of Council Decision 2004/904/EC as regards procedures for making financial corrections in the context of actions co-financed by the European Refugee Fund³⁶ (OJ L 162 of 14 June 2006, p. 11) and Commission Decision 2006/401/EC of 20 January 2006 laying down detailed rules for the implementation of Council Decision 2004/904/EC as regards Member States management and control systems, and rules for the administrative and financial management of projects co-financed by the European Refugee Fund³⁶, (OJ L 162 of 14 June 2006, p. 20).

³⁷ Notified under document number C(2007)6396.

³⁸ Notified under document number C(2009)5251.

³⁹ Notified under document number C(2010)1210.

- ★ Decision No 458/2010/EU of the European Parliament and of the Council of 19 May 2010 amending Decision No 573/2007/EC establishing the European Refugee Fund for the period 2008 to 2013 by removing funding for certain Community actions and altering the limit for funding such actions (OJ L 129 of 28 May 2010, p. 1);
- ✓ Commission Decision 2011/152/EU of 3 March 2011 amending Decision 2008/22/EC laying down rules for the implementation of Decision No 573/2007/EC of the European Parliament and of the Council establishing the European Refugee Fund for the period 2008 to 2013 as part of the General programme ‘Solidarity and Management of Migration Flows’ as regards Member States’ management and control systems, the rules for administrative and financial management and the eligibility of expenditure on projects co-financed by the Fund (notified under document C(2011) 1290), (OJ L 62, 9.3.2011, p. 46–59);
- ☑ Joint EU resettlement programme (Decision n° 281/2012/EU of the European Parliament and of the Council of 29 March 2012 amending Decision No 573/2007/EC)
- Regulation (EC) No 1905/2006 of the European Parliament and of the Council of 18 December 2006 establishing a financing instrument for development cooperation (OJ L 378 of 27 December 2006, p. 41) – Thematic Programme on cooperation with third countries in the areas of migration and asylum (Article 16)⁴⁰;
- ▶ Council Directive 2004/83/EC of 29 April 2004 on minimum standards for the qualification and status of third country nationals or stateless persons as refugees or as persons who otherwise need international protection and the content of the protection granted (OJ L 304 of 30 September 2004, p. 12);
- ▶ Directive 2011/95/EU of the European Parliament and of the Council of 13 December 2011 on standards for the qualification of third-country nationals or stateless persons as beneficiaries of international protection, for a uniform status for refugees or for persons eligible for subsidiary protection, and for the content of the protection granted.
- Council Regulation (EC) No 343/2003 of 18 February 2003 establishing the criteria and mechanisms for determining the Member State responsible for examining an asylum application lodged in one of the Member States by a third-country national (OJ L 50 of 25 of February 2003, p.1);
 - Commission Regulation (EC) No 1560/2003 of 2 September 2003 laying down detailed rules for the application of Council Regulation (EC) No 343/2003 establishing the criteria and mechanisms for determining the Member State responsible for examining an asylum application lodged in one of the Member States by a third-country national (OJ L 222 of 5 September 2003, p. 1);
- Council Directive 2003/9/EC of 27 January 2003 laying down minimum standards for the reception of asylum seekers (OJ L 31 of 6 February 2003, p. 18);
- o Council Decision 2002/817/EC of 23 September 2002 on the conclusion of the Convention between the European Community and the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) concerning aid to refugees in the countries in the Near East (2002 to 2005) (OJ L 281 of 19 October 2002, p. 10);
- o Council Decision 2002/223/EC of 19 December 2001 on the conclusion of an Agreement in the form of an Exchange of Letters between the European Community and the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) concerning additional funding in 2001 under the current EC-UNRWA Convention for the years 1999 to 2001 (OJ L 075 of 16 March 2002, p. 46);
- Council Directive 2001/55/EC of 20 July 2001 on minimum standards for giving temporary protection in the event of a mass influx of displaced persons and on measures promoting a balance of efforts between Member States in receiving such persons and bearing the consequences thereof (OJ L 212 of 7 August 2001, p. 12);
- Council Regulation (EC) No 2725/2000 of 11 December 2000 concerning the establishment of 'Eurodac' for the comparison of fingerprints for the effective application of the Dublin Convention (OJ L 316 of 15 December 2000, p. 1);
 - o Council Regulation (EC) No 407/2002 of 28 February 2002 laying down certain rules to implement Regulation (EC) No 2725/2000 concerning the establishment of "Eurodac" for the comparison of fingerprints for the effective application of the Dublin Convention (OJ L 62 of 5 March 2002, p. 1);
- Regulation (EC) No 1987/2006 of the European Parliament and of the Council of 20 December 2006 on the establishment, operation and use of the second generation Schengen Information System (SIS II) (OJ L 381 of 28 December 2006, p. 4)⁴¹;

⁴⁰ This instrument is also mentioned under the section on "immigration".

⁴¹ This instrument is also mentioned under the section on "Schengen (horizontal issues / SIS)".

- Regulation (EC) No 1986/2006 of the European Parliament and of the Council of 20 December 2006 regarding access to the Second Generation Schengen Information System (SIS II) by the services in the Member States responsible for issuing vehicle registration certificates (OJ L 381 of 28 December 2006, p. 1)⁴²;
- ❖ Regulation (EC) No 862/2007 of the European Parliament and of the Council of 11 July 2007 on Community statistics on migration and international protection and repealing Council Regulation (EEC) No 311/76 on the compilation of statistics on foreign workers (OJ L 199 of 31 July 2007, p. 23)⁴³.
 - ★ Commission Regulation (EU) No 351/2010 of 23 April 2010 implementing Regulation (EC) No 862/2007 of the European Parliament and of the Council on Community statistics on migration and international protection as regards the definitions of the categories of the groups of country of birth, groups of previous usual residence, groups of next usual residence and groups of citizenship (OJ L 104 of 24 April 2010, p. 37);
- ★ Regulation (EU) No 439/2010 of the European Parliament and of the Council of 19 May 2010 establishing a European Asylum Support Office (OJ L 132 of 29 May 2010, p. 11).

B. International Agreements

- ✓ Council Decision 2011/349/EU of 7 March 2011 on the conclusion of a Protocol between the European Community, the Swiss Confederation and the Principality of Liechtenstein on the accession of the Principality of Liechtenstein to the Agreement between the European Community and the Swiss Confederation concerning the criteria and mechanisms for establishing the State responsible for examining a request for asylum lodged in a Member State or in Switzerland, (OJ L 160, 18.6.2011, p. 37–38);
- ◆ Council Decision 2008/147/EC of 28 January 2008 on the conclusion on behalf of the European Community of the Agreement between the European Community and the Swiss Confederation, concerning the criteria and mechanisms for establishing the State responsible for examining a request for asylum lodged in a Member State or in Switzerland (OJ L 53 of 27 February 2008, p. 3);
 - ◆ Agreement between the European Community and the Swiss Confederation, concerning the criteria and mechanisms for establishing the State responsible for examining a request for asylum lodged in a Member State or in Switzerland (OJ L 53 of 27 February 2008, p. 5);
- Council Decision 2006/188/EC of 21 February 2006 on the conclusion of an Agreement between the European Community and the Kingdom of Denmark extending to Denmark the provisions of Council Regulation (EC) No 343/2003 establishing the criteria and mechanisms for determining the Member State responsible for examining an asylum application lodged in one of the Member States by a third-country national and Council Regulation (EC) No 2725/2000 concerning the establishment of “Eurodac” for the comparison of fingerprints for the effective application of the Dublin Convention (OJ L 66 of 8 March 2006, p. 37);
 - Agreement between the European Community and the Kingdom of Denmark extending to Denmark the provisions of Council Regulation (EC) No 343/2003 establishing the criteria and mechanisms for determining the Member State responsible for examining an asylum application lodged in one of the Member States by a third-country national and Council Regulation (EC) No 2725/2000 concerning the establishment of “Eurodac” for the comparison of fingerprints for the effective application of the Dublin Convention, 21 February 2006 (OJ L 66 of 8 March 2006, p. 38)⁴⁴;
- Council Decision 2006/167/EC of 21 February 2006 on the conclusion of a Protocol to the Agreement between the European Community and the Republic of Iceland and the Kingdom of Norway, concerning the criteria and mechanisms for establishing the State responsible for examining a request for asylum lodged in a Member State or in Iceland or Norway (OJ L 57 of 28 February 2006, p. 15);
 - Protocol to the Agreement between the European Community and the Republic of Iceland and the Kingdom of Norway, concerning the criteria and mechanisms for establishing the State responsible for examining a request for asylum lodged in a Member State or in Iceland or Norway (OJ L 57 of 28 February 2006, p. 16);
- Council Decision 2001/258 of 15 March 2001 concerning the conclusion of an Agreement between the European Community and the Republic of Iceland and the Kingdom of Norway concerning the criteria and mechanisms for

⁴² This instrument is also mentioned under the section on "Schengen (horizontal issues / SIS)".

⁴³ This instrument is also mentioned under the section on "immigration".

⁴⁴ Information concerning the entry into force of the Agreement between the European Community and the Kingdom of Denmark extending to Denmark the provisions of Council Regulation (EC) No 343/2003 and Council Regulation (EC) No 2725/2000 concerning the establishment of Eurodac (OJ L 96 of 5 April 2006, p. 9).

establishing the State responsible for examining a request for asylum lodged in a Member State or Iceland or Norway (OJ L 93 of 3 April 2001, p. 38);

– Agreement between the European Community and the Republic of Iceland and the Kingdom of Norway concerning the criteria and mechanisms for establishing the State responsible for examining a request for asylum lodged in a Member State or in Iceland or Norway (OJ L 93 of 3 April 2001, p. 40).

⌘ Council Decision 2009/487/EC of 24 October 2008 on the conclusion of a Protocol between the European Community, The Swiss Confederation and the Principality of Liechtenstein to the Agreement between the European Community and the Swiss Confederation concerning the criteria and the mechanisms for establishing the State responsible for examining a request for asylum lodged in a Member State or in Switzerland (OJ L 161 of 24 June 2009, p. 6);

⌘ Protocol between the European Community, The Swiss Confederation and the Principality of Liechtenstein to the Agreement between the European Community and the Swiss Confederation concerning the criteria and the mechanisms for establishing the State responsible for examining a request for asylum lodged in a Member State or in Switzerland (OJ L 161 of 24 June 2009, p. 8);

⌘ Council decision 2009/478/EC of 6 April 2009 on the signing and the provisional application of the Agreement between the European Community and Antigua and Barbuda on the short-stay visa waiver (OJ L 169 of 30 June 2009, p. 1);

⌘ Agreement between the European Community and Antigua and Barbuda on the short-stay visa waiver (OJ L 169 of 30 June 2009, p. 3);

⌘ Council Decision 2009/896/EC of 30 November 2009 on the conclusion of the Agreement between the European Community and Antigua and Barbuda on the short-stay visa waiver (OJ L 321 of 8 December 2009, p. 38);

⌘ Council decision 2009/478/EC of 6 April 2009 on the signing and the provisional application of the Agreement between the European Community and Barbados on the short-stay visa waiver (OJ L 169 of 30 June 2009, p. 9);

⌘ Agreement between the European Community and Barbados on the short-stay visa waiver (OJ L 169 of 30 June 2009, p. 10);

⌘ Council Decision 2009/898/EC of 30 November 2009 on the conclusion of the Agreement between the European Community and Barbados on the short-stay visa waiver (OJ L 321 of 8 December 2009, p. 40);

★ Information relating to the entry into force of the agreement between the European Community and Barbados on the short-stay visa waiver (OJ L 56 of 6 March 2010, p. 1);

⌘ Council decision 2009/478/EC of 6 April 2009 on the signing and the provisional application of the Agreement between the European Community and the Republic of Mauritius on the short-stay visa waiver (OJ L 169 of 30 June 2009, p. 16);

⌘ Agreement between the European community and the Republic of Mauritius on the short-stay visa waiver (OJ L 169 of 30 June 2009, p. 17);

⌘ Council Decision 2009/899/EC of 30 November 2009 on the conclusion of the Agreement between the European Community and the Republic of Mauritius on the short-stay visa waiver (OJ L 321 of 8 December 2009, p. 41);

★ Information relating to the entry into force of the agreement between the European Community and the Republic of Mauritius on the short-stay visa waiver (OJ L 56 of 6 March 2010, p. 1)

⌘ Council decision 2009/478/EC of 6 April 2009 on the signing and the provisional application of the Agreement between the European Community and the Commonwealth of the Bahamas on the short-stay visa waiver (OJ L 169 of 30 June 2009, p. 23);

⌘ Agreement between the European Community and the Commonwealth of the Bahamas on the short-stay visa waiver (OJ L 169 of 30 June 2009, p. 24);

⌘ Council Decision 2009/897/EC of 30 November 2009 on the conclusion of the Agreement between the European Community and the Commonwealth of the Bahamas on the short-stay visa waiver (OJ L 321 of 8 December 2009, p. 39);

- ★ Information relating to the entry into force of the agreement between the European Community and the Commonwealth of the Bahamas on the short-stay visa waiver (OJ L 56 of 6 March 2010, p. 1);
- ⌘ Council decision 2009/478/EC of 6 April 2009 on the signing and the provisional application of the Agreement between the European Community and the Republic of Seychelles on the short-stay visa waiver (OJ L 169 of 30 June 2009, p. 30);
 - ⌘ Agreement between the European Community and the Republic of Seychelles on the short-stay visa waiver (OJ L 169 of 30 June 2009, p. 31);
 - ⌘ Council Decision 2009/900/EC of 30 November 2009 on the conclusion of the Agreement between the European Community and the Republic of Seychelles on the short-stay visa waiver (OJ L 321 of 8 December 2009, p. 42);
- ★ Information relating to the entry into force of the agreement between the European Community and the Republic of Seychelles on the short-stay visa waiver (OJ L 56 of 6 March 2010, p. 1);
- ⌘ Council decision 2009/478/EC of 6 April 2009 on the signing and the provisional application of the Agreement between the European Community and the Federation of Saint Kitts and Nevis on the short-stay visa waiver (OJ L 169 of 30 June 2009, p. 37);
 - ⌘ Agreement between the European Community and the Federation of Saint Kitts and Nevis on the short-stay visa waiver (OJ L 169 of 30 June 2009, p. 38);
 - ⌘ Council Decision 2009/901/EC of 30 November 2009 on the conclusion of the Agreement between the European Community and the Federation of Saint Kitts and Nevis on the short-stay visa waiver (OJ L 321 of 8 December 2009, p. 43).

Indicative list of agreements, conventions and protocols to which the new Member States must indirectly accede⁴⁵

- Convention relating to the Status of Refugees (Geneva, 28 July 1951)⁴⁶;
- Protocol relating to the Status of Refugees (New-York, 31 January 1967).

C. Other acts adopted before entry into force of the Amsterdam Treaty (1st May 1999)⁴⁷

- Council Resolution 97/C 221/03 of 26 June 1997 on unaccompanied minors who are nationals of third countries (OJ C 221 of 19 July 1997, p. 23);
- Council Decision (97/420/JHA) of 26 June 1997 on monitoring the implementation of instruments adopted concerning asylum (OJ L 178 of 7 July 1997, p. 6);
- Joint Position (96/196/JHA) of 4 March 1996 defined by the Council on the basis of Article K.3 of the Treaty on European Union on the harmonized application of the definition of the term 'refugee' in Article 1 of the Geneva Convention of 28 July 1951 relating to the status of refugees (OJ L 63 of 13 of March 1996, p. 2);
- Council Decision (96/198/JHA) of 4 March 1996 on an alert and emergency procedure for burden-sharing with regard to the admission and residence of displaced persons on a temporary basis (OJ L 063 of 13 of March 1996, p. 10);
- Council Decision of 23 November 1995 on publication in the Official Journal of the European Communities of acts and other texts adopted by the Council in the field of asylum and immigration (OJ C 274 of 19 of September 1996, p. 1);
- Council Resolution of 25 September 1995 on burden-sharing with regard to the admission and residence of displaced persons on a temporary basis (OJ C 262 of 7 October 1995, p. 1);

⁴⁵ This list contains Conventions for which the obligation to accede is not explicit, but results from the binding force of the EU Treaty itself or of secondary legislation, from Council Conclusions or from Article 10 TEC.

⁴⁶ Mentioned in the Treaty. Furthermore linked to the *acquis inter alia* through the Dublin and the Eurodac Regulations.

⁴⁷ Relevant insofar as the later legislation has not replaced them.

- Council Resolution of 20 June 1995 on minimum guarantees for asylum procedures (OJ L 274 of 19 September 1996, p. 13);
- Resolution adopted 30 November 1992 on a harmonised approach to questions concerning host third countries: Document WG I 1283;
- Resolution adopted 30 November 1992 on manifestly unfounded applications for asylum: Document WG I 1282 REV 1;
- Conclusions adopted the 30 November 1992 concerning countries in which there is generally no serious risk of persecutions: Document WG I 1281.

EXTERNAL BORDERS

A. Conventions to which accession is obligatory

None

B. Joint Actions, Joint Positions (Maastricht Treaty); Common Positions, Framework Decisions and Decisions (Amsterdam Treaty) Instruments adopted under the TEC

- Joint Position 96/622/JHA of 25 October 1996 defined by the Council on the basis of Article K.3 (2) (a) of the Treaty on European Union, on pre-frontier assistance and training assignments (OJ L 281 of 31 October 1996, p. 1);
- Joint Action 98/700/JHA of 3 December 1998 adopted by the Council on the basis of Article K.3 of the Treaty on European Union concerning the setting up of a European Image Archiving System (FADO - False and Authentic Documents) (OJ L 333 of 9 December 1998, p. 4);
- Council Decision 2000/261/JHA of 27 March 2000 on the improved exchange of information to combat counterfeit travel documents (OJ L 81 of 1 April 2000, p.1);
 - ▶ Commission Decision C(2004)248 of 5 February 2004 on the management and monitoring of the Schengen Facility;
 - ▶ Council Directive 2004/82/EC of 29 April on the obligation of carriers to communicate passenger data (OJ L 261 of 6 August 2004, p. 24)⁴⁸;
 - ▶ Council Regulation (EC) No 2007/2004 of 26 October 2004 establishing a European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union (OJ L 349 of 25 November 2004, p. 1);
 - ❖ Regulation (EC) No 863/2007 of the European Parliament and of the Council of 11 July 2007 establishing a mechanism for the creation of Rapid Border Intervention Teams and amending Council Regulation (EC) No 2007/2004 as regards that mechanism and regulating the tasks and powers of guest officers (OJ L 199 of 31 July 2007, p. 30);
 - Council Decision (2005/358/EC) of 26 April 2005 designating the seat of the European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union, (OJ L 114 of 4 May 2005, p. 13);
 - ❖ Council Decision 2007/511/EC of 15 February on the conclusion, on behalf of the Community, and on the provisional application of the Arrangement between the European Community and the Republic of Iceland and the Kingdom of Norway on the modalities of the participation by those States in the European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union (OJ L 188 of 20 July 2007, p. 15);
 - ❖ Council Decision 2007/512/EC of 15 February on the signing, on behalf of the Community, and on the provisional application of the Arrangement between the European Community and the Republic of Iceland and the Kingdom of Norway on the modalities of the participation by those States in the European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union (OJ L 188 of 20 July 2007, p. 17);

⁴⁸ This instrument is also mentioned under the section on "Fight against illegal migration and return".

- ❖ Arrangement between the European Community and the Republic of Iceland and the Kingdom of Norway on the modalities of the participation by those States in the European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union (OJ L 188 of 20 July 2007, p. 19);
- ▶ Council Regulation (EC) No 2252/2004 of 13 December 2004 on standards for security features and biometrics in passports and travel documents issued by Member States (OJ L 385 of 29 December 2004, p. 1);
 - Commission Decision of 28 February 2005 laying down the technical specifications on the standards for security features and biometrics in passports and travel documents issued by Member States (C(2005) 409 final);
 - Commission decision of 28 June 2006 laying down the technical specifications on the standards for security features and biometrics in passports and travel documents issued by Member States (C (2006) 2909);
 - ⌘ Regulation (EC) No 444/2009 of the European Parliament and of the Council of 28 May 2009 amending Council Regulation (EC) No 2252/2004 on standards for security features and biometrics in passports and travel documents issued by Member States (OJ L 142 of 6 June 2009, p. 1);
- Regulation (EC) N° 562/2006 of the European Parliament and of the Council of 15 March 2006 establishing a Community Code on the rules governing the movement of persons across the borders (Schengen Borders Code) (OJ L 105 of 13 April 2006, p. 1)⁴⁹;
 - ◆ Regulation (EC) No 296/2008 of the European Parliament and of the Council of 11 March 2008 amending Regulation (EC) No 562/2006 establishing a Community Code on rules governing the movement of persons across borders (Schengen Borders Code), as regards the implementing powers conferred on the Commission (OJ L 97 of 9 April 2008, p. 60);
 - ⌘ Regulation (EC) No 81/2009 of the European Parliament and of the Council of 14 January 2009 amending Regulation (EC) No 562/2006 as regards the use of the Visa Information System (VIS) under the Schengen Borders Code (OJ L 35 of 4 February 2009, p. 56);
 - ★ Regulation (EU) No 265/2010 of the European Parliament and of the Council of 25 March 2010 amending the Convention Implementing the Schengen Agreement and the Regulation (EC) No 562/2006 as regards movement of persons with a long stay visa (OJ L 85 of 31 March 2010, p. 1);
 - ★ Council Decision of 26 April 2010 supplementing the Schengen Borders Code as regards the surveillance of the sea external borders in the context of operational cooperation coordinated by the European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union (OJ L 111 of 4 May 2010, p. 20);
 - ☑ Decision No 1105/2011/EU of the European Parliament and of the Council of 25 October 2011 on the list of travel documents which entitle the holder to cross the external borders and which may be endorsed with a visa and on setting up a mechanism for establishing this list.
- Commission Recommendation of 6 November 2006 establishing a common "Practical Handbook for Border Guards (Schengen Handbook)" to be used by Member States' competent authorities when carrying out the border control of persons (C(2006) 5186 final);
 - ◆ Commission Recommendation of 25 June 2008 amending the Recommendation establishing a common "Practical Handbook for Border Guards (Schengen Handbook)" to be used by Member States' competent authorities when carrying out the border control of persons (C (2006) 5186 final) (C (2008) 2976 final);
- Regulation (EC) No 1931/2006 of the European Parliament and of the Council of 20 December 2006 laying down rules on local border traffic at the external land borders of the Member States and amending the provisions of the

⁴⁹ Regulation (EC) No 562/2006 repealed from the date of its entry into force (a) the Common Manual (OJ C313 of 16 December 2002, p. 97), including its annexes;(b) the decisions of the Schengen Executive Committee of 26 April 1994 (SCH/Com-ex (94) 1, rev 2), 22 December 1994 (SCH/Com-ex (94)17, rev. 4) and 20 December 1995 (SCH/Com-ex (95) 20, rev. 2);(c) Annex 7 to the Common Consular Instructions;(d) Council Regulation (EC) No 790/2001 of 24 April 2001 reserving to the Council implementing powers with regard to certain detailed provisions and practical procedures for carrying out border checks and surveillance (OJ L 116 of 26 April 2001, p. 5), modified by Decision 2004/927/CE OJ L 396 of 31 December 2004, p. 45);(e) Council Decision 2004/581/EC of 29 April 2004 determining the minimum indications to be used on signs at external border crossing points (OJ L 261 of 6 August 2004, p. 119);(f) Council Decision 2004/574/EC of 29 April 2004 amending the Common Manual (OJ L 261 of 6 August 2004, p. 36);(g) Council Regulation (EC) No 2133/2004 of 13 December 2004 on the requirement for the competent authorities of the Member States to stamp systematically the travel documents of third country nationals when they cross the external borders of the Member States and amending the provisions of the Convention implementing the Schengen agreement and the Common Manual to this end (OJ L 369 of 16 December 2004, p. 5).

Schengen Convention (OJ L 405 of 30 December 2006, p. 1. Corrigendum published in OJ L 29 of 3 February 2007, p. 3);

- ❖ Decision No 574/2007/EC of the European Parliament and of the Council of 23 May 2007 establishing the External Borders Fund for the period 2007 to 2013 as part of the General programme "Solidarity and Management of Migration Flows" (OJ L 144 of 6 June 2007, p. 22);
- ❖ Commission Decision (2007/599/EC) of 27 August 2007 implementing Decision No 574/2007/EC of the European Parliament and of the Council as regards the adoption of strategic guidelines for 2007 to 2013 (OJ L 233 of 6 September 2007, p. 3);
- ◆ Commission Decision (2008/456/EC) of 5 March 2008 laying down the rules for the implementation of Decision No 574/2007/EC of the European Parliament and of the Council of 23 May 2007 establishing the External Borders Fund for the period 2007 to 2013 as part of the General programme "Solidarity and Management of Migration Flows" as regards Member States' management and control systems, the rules for administrative and financial management and the eligibility of expenditure on projects co-financed by the Fund (notified under number C(2008) 789 final, OJ L 167 of 27 June 2008, p. 1);
- ⌘ Commission Decision 2009/538/EC of 10 July 2009 amending Decision 2008/456/EC of 5 March 2008 laying down the rules for the implementation of Decision No 574/2007/EC of the European Parliament and of the Council of 23 May 2007 establishing the External Borders Fund for the period 2007 to 2013 as part of the General programme "Solidarity and Management of Migration Flows" as regards Member States' management and control systems, the rules for administrative and financial management and the eligibility of expenditure on projects co-financed by the Fund⁵⁰ (OJ L 180 of 11 July 2009, p. 20);
- ★ Commission Decision 2010/69/EU of 8 February 2010 amending Decision 2008/456/EC of 5 March 2008 laying down the rules for the implementation of Decision No 574/2007/EC of the European Parliament and of the Council of 23 May 2007 establishing the External Borders Fund for the period 2007 to 2013 as part of the General programme "Solidarity and Management of Migration Flows" as regards Member States' management and control systems, the rules for administrative and financial management and the eligibility of expenditure on projects co-financed by the Fund⁵¹ (OJ L 36 of 9 February 2010, p. 30);
- ✓ Commission Decision 2011/148/EU of 2 March 2011 amending Decision 2008/456/EC laying down rules for the implementation of Decision No 574/2007/EC of the European Parliament and of the Council establishing the External Borders Fund for the period 2007 to 2013 as part of the General programme 'Solidarity and Management of Migration Flows' as regards Member States' management and control systems, the rules for administrative and financial management and the eligibility of expenditure on projects co-financed by the Fund (notified under document C(2011) 1160), (OJ L 61, 8.3.2011, p. 28–41);
- ✓ Council Decision 2011/305/EU of 21 March 2011 on the conclusion, on behalf of the European Union, of an Agreement between the European Community and the Republic of Iceland, the Kingdom of Norway, the Swiss Confederation and the Principality of Liechtenstein on supplementary rules in relation to the External Borders Fund for the period 2007 to 2013, (OJ L 137, 25.5.2011, p. 1–2).

C. Other European Union Instruments and documents

- Council Recommendation 98/C 189/02 of 28 May 1998 on the provision of forgery detection equipment at ports of entry to the European Union (OJ C 189 of 17 June 1998, p. 19);
- Resolution 2000/C 310/01 of the representatives of the governments of the Member States, meeting within the Council of 17 October 2000 supplementing the Resolutions of 23 June 1981, 30 June 1982, 14 July 1986 and 10 July 1995 as regards the security characteristics of passports and other travel documents (OJ C 310 of 28 October 2000, p. 1);
- ⌘ Council Decision 2009/917/JHA of 30 November 2009 on the use of information technology for customs purposes (OJ L 323 of 10 December 2009, p. 20).

VISA

⁵⁰ Notified under document number C(2009) 5373.

⁵¹ Notified under document number C(2010) 694.

A. Conventions to which accession is obligatory

None

B. Joint Actions, Joint Positions (Maastricht Treaty); Common Positions, Framework Decisions and Decisions (Amsterdam Treaty) Instruments adopted under the TEC⁵²

- Council Regulation (EC) No 1683/95 of 29 May 1995 laying down a uniform format for visas (OJ L 164, of 14 July 1995, p. 1);
 - o Council Regulation (EC) No 334/2002 of 18 February 2002 amending Regulation (EC) No 1683/95 laying down a uniform format for visas (OJ L 53 of 23 February 2002, p. 7);
 - o Commission Decision of 7 February 1996 and Commission Decision of 3 June 2002 laying down further technical specifications for the uniform format for visas (not published);
 - ◆ Council Regulation (EC) No 856/2008 of 24 July 2008 amending Regulation (EC) No 1683/95 of 29 May 1995 laying down a uniform format for visas (OJ L 235 of 2 September 2008, p. 1);
- Council Regulation (EC) No 539/2001 of 15 March 2001 listing the third countries whose nationals must be in possession of visas when crossing the external borders and those whose nationals are exempt from that requirement (OJ L 81 of 21 March 2001, p. 1);
 - Council Regulation (EC) No 2414/2001 of 7 December 2001 amending Regulation (EC) No 539/2001 listing the third countries whose nationals must be in possession of visas when crossing the external borders of Member States and those whose nationals are exempt from that requirement (OJ L 327 of 12 December 2001, p. 1);
 - Council Regulation (EC) No 453/2003 of 6 March 2003 amending Regulation (EC) No 539/2001 listing the third countries whose nationals must be in possession of visas when crossing the external borders and those whose nationals are exempt from that requirement (OJ L 69 of 6 March 2003, p. 10)⁵³;
 - Council Regulation (EC) No 851/2005 of 2 June 2005 amending Regulation (EC) No 539/2001 listing the third countries whose nationals must be in possession of visas when crossing the external borders and those whose nationals are exempt from that requirement as regards the reciprocity mechanism (OJ L 141 of 4 June 2005, p. 3)⁵⁴;
 - Statement on Council Regulation (EC), No 851/2005 of 2 June 2005 amending Regulation (EC) No 539/2001 as regards the reciprocity mechanism (OJ L 185 of 16 July 2005, p. 1);

⁵² See also, for information purpose, Council Regulation (EC) No 1295/2003 of 15 July 2003 relating to measures envisaged to facilitate the procedures for applying for and issuing visas for members of the Olympic family taking part in the 2004 Olympic or Paralympic Games in Athens (OJ L 183 of 20 July 2003, p. 1) and Regulation (EC) No 2046/2005 of the European Parliament and of the Council of 14 December 2005 relating to measures envisaged to facilitate the procedures for applying for and issuing visas for members of the Olympic family taking part in the 2006 Olympic and/or Paralympic Winter Games in Turin (OJ L 334 of 20 December 2005, p. 1).

⁵³ See also Communication from the Commission pursuant to Council Regulation (EC) No 539/2001 of 15 March 2001 listing the third countries whose nationals must be in possession of visas when crossing the external borders and those whose nationals are exempt from that requirement as amended by Regulation (EC) No 2414/2001 of 7 December 2001 (OJ C 68 of 21 March 2003, p.1).

⁵⁴ See related notifications: notification by the Czech Republic concerning visa reciprocity (OJ C 163 of 5 July 2005, p. 1); notifications concerning visa reciprocity by the Slovak Republic, Estonia, Latvia, Lithuania, Greece, Germany, Czech Republic, Poland, Slovenia, Portugal, Cyprus, Malta, Hungary, Italy and Finland (OJ C 251 of 11 October 2005, p. 1); notification by Denmark concerning visa reciprocity (OJ C 277 of 10 November 2005, p. 1); notification by Sweden concerning visa reciprocity (OJ C 277 of 10 November 2005, p. 1); notification by the Republic of Austria concerning visa reciprocity (OJ C 277 of 10 November 2005, p. 2); notification by Iceland concerning visa reciprocity (OJ C 310 of 8 December 2005, p. 1); notification by the Slovak Republic concerning visa reciprocity (OJ C 327 of 23 December 2005, p. 1); notification by the Republic of Estonia concerning visa reciprocity (OJ C 327 of 23 December 2005, p. 2); notification by Estonia concerning visa reciprocity (OJ C 27 of 3 February 2006, p. 1); notification by Bulgaria concerning visa reciprocity (OJ C 75 of 3 April 2007, p. 5); notification by Romania concerning visa reciprocity (OJ C 75 of 3 April 2007, p. 6); notification by Romania concerning visa reciprocity (OJ C 19 of 25 January 2008, p. 1); notification by Bulgaria concerning visa reciprocity (OJ C 62 of 7 March 2008, p. 2); notification by Romania concerning visa reciprocity (OJ C 161 of 25 June 2008, p. 2); notification by Romania concerning visa reciprocity (OJ C 161 of 25 June 2008, p. 3).

- Council Regulation (EC) No 1932/2006 of 21 December 2006 amending Regulation (EC) No 539/2001 listing the third countries whose nationals must be in possession of visas when crossing the external borders and those whose nationals are exempt from that requirement (OJ L 405 of 30 December 2006, p. 23. Corrigendum published in OJ L 29 of 3 February 2007, p. 10);
- ⌘ Council Regulation (EC) No 1244/2009 of 30 November 2009 amending Regulation (EC) No 539/2001 listing the third countries whose nationals must be in possession of visas when crossing the external borders and those whose nationals are exempt from that requirement (OJ L 336 of 18 December 2009, p. 1);
- Council Decision (2003/330/EC) of 19 December 2002 on declassifying the Schengen consultation network (technical specifications) (OJ L 116 of 13 May 2003, p. 22);
- ❖ Council Decision 2007/519/EC of 16 July 2007 amending Part 2 of the Schengen consultation network (technical specifications) (OJ L 192 of 24 July 2007, p. 26);
- ❖ Council Decision (2007/866/EC) of 6 December 2007 amending Part I of the Schengen consultation network (technical specifications) (OJ L 340 of 22 December 2007, p. 92);
- ◆ Council Decision 2008/910/EC of 27 November 2008 amending Parts 1 and 2 of the Schengen consultation network (technical specifications) (OJ L 328 of 6 December 2008, p. 38);
- ✓ Council Decision 2011/369/EU of 9 June 2011 amending the Schengen consultation network (technical specifications) OJ L 166, 25.6.2011, p. 22–25;
- o Common Consular Instructions on visas for the diplomatic missions and consular posts (OJ C 313 of 16 December 2002, p. 1 and OJ C 326 of 22 December 2005, p. 1)⁵⁵;
 - Council Decision 2003/454/EC of 13 June 2003 amending Annex 12 of the Common Consular Instructions and Annex 14a of the Common Manual on visa fees (OJ L 152 of 20 June 2003, p. 82);
 - Council Decision 2003/585/EC of 28 July 2003 amending Annex 2, Schedule A, of the Common Consular Instructions and Annex 5, Schedule A, of the Common Manual on the visa requirements for holders of Pakistani diplomatic passports (OJ L 198 of 6 August 2003, p. 13);
 - Council Decision 2003/586/EC of 28 July 2003 on the amendment of Annex 3, Part I, of the Common Consular Instructions and Annex 5a, Part I, of the Common Manual on third country nationals subject to airport visa requirements (OJ L 198 of 6 August 2003, p. 15);
 - ◆ Council Decision (2008/374/EC) of 29 April 2008 amending Annex 3, Part I, to the Common Consular Instructions on third-country nationals subject to airport visa requirements (OJ L 129 of 17 May 2008, p. 46);
 - ◆ Council Decision (2008/859/EC) of 4 November 2008 amending Annex 3, Part I, of the Common Consular Instructions on third country nationals subject to airport visa requirements (OJ L 303 of 14 November 2008, p. 19);
 - ▶ Council Decision 2004/14 of 22 December 2003 amending the third subparagraph (Basic criteria for examining applications) of Part V of the Common Consular Instructions 22.12.2003 (OJ L 5 of 9 January 2004, p. 74);
 - ▶ Council Decision 2004/15 of 22 December 2003 amending point 1.2 of Part II of the Common Consular Instructions and drawing up a new Annex thereto (OJ L 5 of 9 January 2004, p. 76);
 - ▶ Council Decision 2004/16 of 22 December 2003 on downgrading Annex 5 to the Common Consular Instructions and the corresponding Annex 14b to the Common Manual and on declassifying Annexes 9 and 10

⁵⁵ Publication of the Common Consular Instructions as adopted by the Executive Committee established by the Convention implementing the Schengen Agreement including subsequent modifications (Council Decision 2001/329/EC of 24 April 2001 updating part VI and Annexes 3, 6 and 13 of the Common Consular Instructions and Annexes 5(a), 6(a) and 8 to the Common Manual (OJ L 116 of 26 April 2001, p. 32); Council Decision 2001/420/EC of 28 May 2001 on the adaptation of Parts V and VI and Annex 13 of the Common Consular Instructions on Visas and Annex 6a to the Common Manual with regard to long-stay visas valid concurrently as short-stay visas, (OJ L 150 of 6 June 2001, p. 47); Council Decision 2002/44/EC of 20 December 2001 amending Part VII and Annex 12 to the Common Consular Instructions and Annex 14a to the Common Manual (OJ L 20 of 23 January 2002, p. 5); Council Decision 2002/354/EC of 25 April 2002 on the adaptation of Part III of, and the creation of an Annex 16 to, the Common Consular Instructions (OJ L 123 of 9 May 2002, p. 50); Council Decision 2002/585/EC of 12 July 2002 on the adaptation of parts III and VIII of the common consular instructions, (OJ L 187 of 16 July 2002, p. 44); Council Decision 2002/586/EC of 12 July 2002 on the amendment of part VI of the common consular instructions (OJ L 187 of 16 July 2002, p. 48). A proposal for a Regulation of the European Parliament and of the Council amending the Common Consular Instructions on visas for diplomatic missions and consular posts in relation to the introduction of biometrics including provisions on the organisation of the reception and processing of visa applications was presented by the Commission on 31 May 2006 (COM(2006)269 final).

to the Common Consular Instructions and the corresponding Annexes 6b and 6c to the Common Manual (OJ L 5 of 9 January 2004, p. 78);

- ▶ Council Decision 2004/17 of 22 December 2003 amending Part V, point 1.4, of the Common Consular Instructions and Part I, point 4.1.2 of the Common Manual as regards inclusion of the requirement to be in possession of travel medical insurance as one of the supporting documents for the grant of a uniform entry visa (OJ L 5 of 9 January 2004, p. 79);
- Council Decision 2006/440/EC of 1 June 2006 amending Annex 12 to the Common Consular Instructions and Annex 14a to the Common Manual on the fees to be charged corresponding to the administrative costs of processing visa applications (OJ L 175 of 29 June 2006, p. 77);
- Council Decision (2006/684/EC) of 5 October 2006 amending Annex 2, Schedule A, to the Common Consular Instructions on the visa requirements for holders of Indonesian diplomatic and service passports (OJ L 208 of 12 October 2006, p. 29);
- ◆ Council Decision 2008/905/EC of 27 November 2008 amending Annex 13 to the Common Consular Instructions on filling in visa stickers (OJ L 327 of 5 December 2008, p. 19); Council Decision 2008/972/EC of 18 December 2008 amending Annex 13 to the Common Consular Instructions on filling in visa stickers (OJ L 345 of 23 December 2008, p. 88);
- ◆ Council Decision 2008/972/EC of 18 December 2008 amending Annex 13 to the Common Consular Instructions on filling in visa stickers (OJ L 345 of 23 December 2008, p. 88);
- ⌘ Council Decision (2009/171/EC) of 10 February 2009 amending Annex 2, Schedule A, to the Common Consular Instructions on the visa for the diplomatic missions and consular posts, in relation to visa requirements for holders of Indonesian diplomatic and service passports (OJ L 61 of 5 March 2009, p. 17);
- ⌘ Regulation (EC) No 390/2009 of the European Parliament and of the Council of 23 April 2009 amending the Common Consular Instructions on visas for diplomatic missions and consular posts in relation to the introduction of biometric including provisions on the organisation of the reception and processing of visa applications (OJ L 131 of 28 May 2009, p. 1);
- ★ Council Decision 2010/50/EU of 25 January 2010 amending Annex 2, Schedule A, to the Common Consular Instructions on visas for the diplomatic missions and consular posts, in relation to visa requirements for holders of diplomatic passports from Saudi Arabia (OJ L 26 of 30 January 2010, p. 22);
- Council Regulation (EC) No 333/2002 of 18 February 2002 on a uniform format for forms for affixing the visa issued by Member States to persons holding travel documents not recognised by the Member State drawing up the form (OJ L 53 of 23 February 2002, p. 4);
 - Commission Decision of 12 August 2002 laying down the technical specifications for the uniform format for affixing the visa issued by Member States to persons holding travel documents not recognised by the Member State drawing up the form (not published);
- Council Regulation No 1030/2002/EC of 13 June 2002 laying down a uniform format for residence permits for third-country nationals (OJ L 157 of 15 June 2002, p. 1)
 - Commission Decision of 14 August 2002 laying down the technical specifications for the uniform format for residence permits for third country nationals (not published);
 - ◆ Council Regulation (EC) No 380/2008 of 18 April 2008 amending Regulation (EC) No 1030/2002 laying down a uniform format for residence permits for third-country nationals (OJ L 115 of 29 April 2008, p. 1);
- Council Regulation 693/2003/EC of 14 April 2003 establishing a specific Facilitated Transit Document (FTD), a Facilitated Rail Transit Document (FRTD) and amending the Common Consular Instructions and the Common Manual (OJ L 99 of 17 April 2003, p. 8);
- Council Regulation No 694/2003 of 14 April 2003 on uniform formats for Facilitated Transit Documents (FTD and Facilitated Rail Transit Documents (FRTD) provided for in Regulation (EC) No 693/2003 (OJ L 99 of 17 April 2003, p. 15);
- ▶ Council Decision 2004/512/EC of 8 June 2004 establishing the Visa Information System (VIS) (OJ L 213 of 15 June 2004, p. 5. Corrigendum published in OJ L 271 of 30 September 2006, p. 85);
 - Commission Decision (2006/648/EC) of 22 September 2006 laying down the technical specifications on the standards for biometric features related to the development of the Visa Information System, (OJ L 267 of 27 September 2006, p. 41);
 - Commission Decision (2006/752/EC) of 3 November 2006 establishing the sites for the Visa Information System during the development phase (OJ L 305 of 4 November 2006, p. 13);

- ◆ Commission Decision 2008/602/EC of 17 June 2008 laying down the physical architecture and requirements of the national interfaces and of the communication infrastructure between the central VIS and the national interfaces for the development phase (OJ L 194 of 23 July 2008, p. 3);
- ◆ Commission Decision 2008/602/EC of 17 June 2008 laying down the physical architecture and requirements of the national interfaces and of the communication infrastructure between the central VIS and the national interfaces for the development phase (OJ L 194 of 23 July 2008, p. 3)
- ◆ Regulation (EC) No 767/2008 of the European Parliament and of the Council of 9 July 2008 concerning the Visa Information System (VIS) and the exchange of data between Member States on short-stay visas (VIS Regulation) (OJ L 218 of 13 August 2008, p. 60);
 - ⌘ Commission Decision 2009/377/EC of 5 May 2009 adopting implementing measures for the consultation mechanism and the other procedures referred to in article 16 of Regulation (EC) No 767/2008 of the European Parliament and of the Council concerning the Visa Information System (VIS) and the exchange of data between Member States on short-stay visas (VIS Regulation) (OJ L 117 of 12 May 2009, p. 3);
 - ⌘ Commission Decision 2009/756/EC of 9 October 2009 laying down specifications for the resolution and use of fingerprints for biometric identification and verification in the Visa Information System (OJ L 270 of 15 October 2009, p. 14)⁵⁶;
 - ★ Commission Decision 2010/49/EC of 30 November 2009 determining the first regions for the start of operations of the Visa Information System (VIS) (notified under document C(2009) 8542) (OJ L 23 of 27 January 2010, p. 62);
 - ★ Commission Decision 2010/260/EU of 4 May 2010 on the Security Plan for the operation of the Visa Information System (OJ L 112 of 5 May 2010, p. 25);
- ◆ Council Decision 2008/633/JHA of 23 June 2008 concerning access for consultation of the Visa Information System (VIS) by designated authorities of Member States and by Europol for the purposes of the prevention, detection and investigation of terrorist offences and of other serious criminal offences (OJ L 218 of 13 August 2008, p. 129)
- ☑ Commission Implementing Decision 2011/636/EU of 21 September 2011 determining the date from which the Visa Information System (VIS) is to start operations in a first region
 - Council Decision 2005/367/CE of 14 April 2005 authorising Member States to ratify in the interests of the Community the Seafarer's Identity Document Convention of the International Labour Organisation (Convention 185) (OJ L 136 of 30 May 2005, p. 1);
 - Decision No 895/2006/EC of the European Parliament and of the Council of 14 June 2006 introducing a simplified regime for the control of persons at the external borders based on unilateral recognition by the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia of certain documents as equivalent to their national visas for the purposes of transit through their territories (OJ L 167 of 20 June 2006, p. 1)⁵⁷;
 - Decision No 896/2006/EC of the European Parliament and of the Council of 14 June 2006 establishing a simplified regime for the control of persons at the external borders based on the unilateral recognition by the Member States of certain residence permits issued by Switzerland and Liechtenstein for the purpose of transit through their territory (OJ L 167 of 20 June 2006, p. 8)⁵⁸;
 - ◆ Decision No 586/2008 of the European Parliament and of the Council of 17 June 2008 amending Decision No 896/2006/EC establishing a simplified regime for the control of persons at the external borders based on the unilateral recognition by the Member States of certain residence permits issued by Switzerland and Liechtenstein for the purpose of transit through their territory (OJ L 162 of 21 June 2008, p. 27);
 - ◆ Decision No 582/2008 of the European Parliament and of the Council of 17 June 2008 introducing a simplified regime for the control of persons at the external borders based on the unilateral recognition by Bulgaria, Cyprus and Romania of certain documents as equivalent to their national visas for the purposes of transit through their territories (OJ L 161 of 20 June 2008, p. 30);
 - ❖ Council Decision 2007/340/EC of 19 April 2007 on the conclusion of the Agreement between the European Community and the Russian Federation on the facilitation of the issuance of visas to the citizens of the European Union and the Russian Federation (OJ L 129 of 17 May 2007, p. 25);

⁵⁶ Notified under document C(2009) 7435.

⁵⁷ Also relevant for visas.

⁵⁸ Also relevant for visas.

- ❖ Council Decision 2007/821/EC of 8 November 2007 on the conclusion of the Agreement between the European Community and the Republic of Albania on the facilitation of the issuance of visas (OJ L 334 of 19 December 2007, p. 84);
- ❖ Council Decision 2007/822/EC of 8 November 2007 on the conclusion of the Agreement between the European Community and Bosnia and Herzegovina on the facilitation of the issuance of visas (OJ L 334 of 19 December 2007, p. 96);
- ❖ Council Decision 2007/823/EC of 8 November 2007 on the conclusion of the Agreement between the European Community and the Republic of Montenegro on the facilitation of the issuance of visas (OJ L 334 of 19 December 2007, p. 108);
- ❖ Council Decision 2007/824/EC of 8 November 2007 on the conclusion of the Agreement between the European Community and the Former Republic of Macedonia on the facilitation of the issuance of visas (OJ L 334 of 19 December 2007, p. 120);
- ❖ Council Decision 2007/825/EC of 8 November 2007 on the conclusion of the Agreement between the European Community and the Republic of Serbia on the facilitation of the issuance of visas (OJ L 334 of 19 December 2007, p. 136);
- ❖ Council Decision 2007/826/EC of 8 November 2007 on the conclusion of the Agreement between the European Community and the Republic of Moldova on the facilitation of the issuance of visas (OJ L 334 of 19 December 2007, p. 168);
- ❖ Council Decision 2007/840/EC of 29 November 2007 on the conclusion of the Agreement between the European Community and Ukraine on the facilitation of the issuance of visas (OJ L 332 of 18 December 2007, p. 66);
- ✓ Council Decision 2011/117/EC of 18 January 2011 on the conclusion of the Agreement between the European Union and Georgia on the facilitation of the issuance of visas, (OJ L 52, 25.2.2011, p. 33–33);
- ⌘ Regulation (EC) No 810/2009 of the European parliament and of the Council of 13 July 2009 establishing a Community Code on Visas (Visa Code) (OJ L 243 of 15 September 2009, p. 1).

C. Other European Union Instruments and documents

- Council Recommendation 96/C 80/01 of 4 March 1996 relating to local consular cooperation regarding visas (OJ C 80 of 18 March 1996, p. 1);
- Council Recommendation 1999/C 140/01 of 29 April 1999 on the provisions for the detection of falsified documents in the visa departments of representations abroad and in the offices of domestic authorities dealing with the issue or extension of visas (OJ C 140 of 20 May 1999, p. 1);
- Council Decision (2004/265/EC) of 8 March concerning the conclusion of the Memorandum of Understanding between the European Community and the National Tourism Administration of the People's Republic of China (ADS) (OJ L 83 of 30 March 2004, p. 12);
- ▶ Commission Recommendation 2004/645/EC of 16 September 2004 on the implementation by the consular offices of the Member States of the Memorandum of Understanding between the European Community and the National Tourism Administration of the People's Republic of China on visa and related issues concerning tourist groups from the People's Republic of China (ADS) (notified under document number C(2004) 2886) (OJ L 296 of 21 September 2004, p. 23);
- Recommendation of the European Parliament and of the Council 2005/761/EC of 28 September 2005 to facilitate the issue by the Member States of uniform short-stay visas for researchers from third countries travelling within the Community for the purpose of carrying out scientific research (OJ L 289 of 3 November 2005, p. 23);
- Council Recommendation (2005/762/EC) of 12 October 2005 to facilitate the admission of third-country nationals to carry out scientific research in the European Community (OJ L 289 of 3 November 2005, p. 26).

IMMIGRATION

ADMISSION

A. Legislative acts adopted after entry into force of the Amsterdam Treaty (1st May 1999)

- ☑ 13/12/2011 - Directive 2011/98/EU of the European Parliament and of the Council of 13 December 2011 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 a common set of rights for third-country workers legally residing in a Member State.
- ❖ Regulation (EC) No 862/2007 of the European Parliament and of the Council of 11 July 2007 on Community statistics on migration and international protection and repealing Council Regulation (EEC) No 311/76 on the compilation of statistics on foreign workers (OJ L 199 of 31 July 2007, p. 23)⁵⁹;
- ❖ Regulation (EC) No 1905/2006 of the European Parliament and of the Council of 18 December 2006 establishing a financing instrument for development cooperation (OJ L 378 of 27 December 2006) – Thematic Programme on cooperation with third countries in the areas of migration and asylum (Article 16)⁶⁰;
- Council Decision 2006/688/EC of 5 October 2006 on the establishment of a mutual information mechanism concerning Member States' measures in the areas of asylum and immigration (OJ L 283 of 14 October 2006, p. 40);
- Council Directive 2005/71/EC of 12 October 2005 on a specific procedure for admitting third-country nationals for the purposes of scientific research (OJ L 289 of 3 November 2005, p. 15);
- ▶ Council Decision 2004/927/EC of 22 December 2004 providing for certain areas covered by Title IV of Part Three of the Treaty establishing the European Community to be governed by the procedure laid down in Article 251 of that Treaty (OJ L 396 of 31 December 2004, p. 45)⁶¹;
- ▶ Council Directive 2004/114/EC of 13 December 2004 on the conditions of admission of third-country nationals for the purposes of studies, pupil exchange, unremunerated training or voluntary service(OJ L 375 of 23 December 2004, p. 12);
- ▶ Directive 2004/38/EC of the European Parliament and of the Council of 29 April 2004 on the right of citizens of the Union and their family members to move and reside freely within the territory of the Member States amending Regulation (EEC) No 1612/68 and repealing Directives 64/221/EEC, 68/360/EEC, 72/194/EEC, 73/148/EEC, 75/34/EEC, 75/35/EEC, 90/364/EEC, 90/365/EEC and 93/96/EEC (Text with EEA relevance) (OJ L 158 of 30 April 2004, p. 77)⁶²;
- Council Directive 2003/109/EC of 25 November 2003 concerning the status of third-country nationals who are long term residents (OJ L 16 of 23 of January 2004, p. 44);
- ✓ Directive 2011/51/EU of the European Parliament and of the Council of 11 May 2011 amending Council Directive 2003/109/EC to extend its scope to beneficiaries of international protection Text with EEA relevance (OJ L 132, 19.5.2011, p. 1–4);
- Council Directive 2003/86/EC of 22 September 2003 on the right to family reunification (OJ L 251 of 3 October 2003, p. 12);
- o Council Regulation (EC) No 1030/2002 of 13 June 2002 laying down a uniform format for residence permits for third-country nationals (OJ L 157 of 15 June 2002, p. 1);
- ◆ Council Decision 2008/381/EC of 14 May 2008 establishing a European Migration Network (OJ L 131 of 12 May 2008, p. 7);
 - ⌘ Commission Decision 2009/350/EC of 28 April 2009 on the request by Ireland to accept Council Decision 2008/381/EC establishing a European Migration Network (notified under document number C(2009) 2708) (OJ L 108 of 29 April 2009, p. 53);
- ❖ Council Decision N° 2007/435/EC of 25 June 2007 establishing the European Fund for the Integration of third-country nationals for the period 2007 to 2013 as part of the General programme "Solidarity and Management of Migration Flows, (OJ L 168 of 28 June 2007, p. 18);
 - ❖ Commission Decision (2007/599/EC) of 21 August 2007 implementing Council Decision 2007/435/EC as regards the adoption of strategic guidelines for 2007 to 2013 (C(2007)3926);
 - ◆ Commission Decision (2008/457/EC) of 5 March 2008 laying down the rules for the implementation of Council Decision 2007/435/EC establishing the European Fund for the integration of third-country nationals the period 2007 to 2013 as part of the General programme "Solidarity and Management of Migration Flows" as regards Member States' management and control systems, the rules for administrative and financial management and the eligibility of expenditure on projects co-financed by the Fund (OJ L167, 27 June 2008, p. 69);

⁵⁹ This instrument is also mentioned under the section on "asylum".

⁶⁰ This instrument is also mentioned under the section on "asylum".

⁶¹ This instrument is also mentioned under the section on "asylum".

⁶² This instrument is also mentioned under the section on "EU citizenship".

- ⌘ Commission Decision 2009/534/EC of 9 July 2009 amending Decision 2008/457/EC of 5 March 2008 laying down the rules for the implementation of Council Decision 2007/435/EC establishing the European Fund for the integration of third-country nationals the period 2007 to 2013 as part of the General programme "Solidarity and Management of Migration Flows" as regards Member States' management and control systems, the rules for administrative and financial management and the eligibility of expenditure on projects co-financed by the Fund⁶³ (OJ L179 of 10 July 2009, p. 64);
- ★ Commission Decision 2010/173/EC of 22 March 2010 amending Decision 2008/457/EC of 5 March 2008 laying down the rules for the implementation of Council Decision 2007/435/EC establishing the European Fund for the integration of third-country nationals the period 2007 to 2013 as part of the General programme "Solidarity and Management of Migration Flows" as regards Member States' management and control systems, the rules for administrative and financial management and the eligibility of expenditure on projects co-financed by the Fund⁶⁴ (OJ L75 of 23 March 2010, p. 35);
- ✓ Commission Decision 2011/151/EU of 3 March 2011 amending Decision 2008/457/EC laying down rules for the implementation of Council Decision 2007/435/EC establishing the European Fund for the Integration of third-country nationals for the period 2007 to 2013 as part of the General programme 'Solidarity and Management of Migration Flows' as regards Member States' management and control systems, the rules for administrative and financial management and the eligibility of expenditure on projects co-financed by the Fund (notified under document C(2011) 1289) (OJ L 62, 9.3.2011, p. 32–45);
- ⌘ Council Directive 2009/50/EC of 25 May 2009 on the conditions of entry and residence of third-country nationals for the purposes of highly qualified employment (OJ L 155 of 18 June 2009, p. 17).

B. Other acts adopted before entry into force of the Amsterdam Treaty (1st May 1999)⁶⁵

- Joint principles for the exchange of data in CIREFI: Doc 9987/98 CIREFI 48;
- Council Resolution 97/C 221/03 of 26 June 1997 on unaccompanied minors who are nationals of third countries (OJ C 221 of 19 July 1997, p. 23);
- Joint action adopted by the Council on the basis of Article K.3.2.b of the Treaty on European Union concerning travel facilities for school pupils from third countries resident in a Member State (OJ L 327 of 19 December 1994, p. 1);
- Council Resolution of 30 November 1994 relating to the limitations on the admission of third-country nationals to the territory of the Member States for the purpose of pursuing activities as self-employed persons (OJ C 274 of 19 September 1996, p. 7);
- Council Conclusions of 30 November 1994 on the organization and development of the Centre for Information, Discussion and Exchange on the Crossing of Frontiers and Immigration (Cirefi) (OJ C 274 of 19 September 1996, p. 50)⁶⁶;
- Council Resolution of 20 June 1994 on limitation on admission of third-country nationals to the territory of the Member States for employment (OJ C 274 of 19 September 1996, p. 3).

FIGHT AGAINST ILLEGAL MIGRATION AND RETURN

A. Legislative acts adopted after entry into force of the Amsterdam Treaty (1st May 1999)

- Council Decision 2005/267/EC of 16 March 2005 establishing a secure web-based Information and Coordination Network for Member States' Migration Management Services (OJ L 83 of 1 April 2005, p. 48);
 - Commission Decision of 15 December 2005 laying down detailed rules for the implementation of Council Decision 2005/267/EC establishing a secure web-based Information and Co-ordination Network for Member States' Migration Management Services (C(2005)5159);

⁶³ Notified under document number C(2009) 5251.

⁶⁴ Notified under document number C(2010) 1713.

⁶⁵ Relevant insofar as the later legislation has not replaced them.

⁶⁶ Also relevant for expulsion.

- ▶ Council Decision 2004/573/EC of 29 April 2004 on the organisation of joint flights for removals from the territory of two or more Member States, of third-country nationals who are subjects of individual removal orders (OJ L 261 of 6 August 2004, p. 28);
- ▶ Council Directive 2004/82/EC of 29 April 2004 on the obligation of carriers to communicate passenger data (OJ L 261 of 6 August 2004, p. 24)⁶⁷;
- ☑ Directive 2011/93/EU of the European Parliament and of the Council of 13 December 2011 on *combating the sexual abuse and sexual exploitation of children and child pornography, and replacing Council Framework Decision 2004/68/JHA (corrigendum)*
- ☑ Directive 2011/36/EU of the European Parliament and of the Council of 5 April 2011 on preventing and combating trafficking in human beings and protecting its victims, and replacing Council Framework Decision 2002/629/JHA
- ✓ Commission Decision 2011/502/EU of 10 August 2011 on setting up the Group of Experts on Trafficking in Human Beings and repealing Decision 2007/675/EC (OJ L 207, 12.8.2011, p.14-21);
- ✓ Directive 2011/36/EU of the European Parliament and of the Council of 5 April 2011 on preventing and combating trafficking in human beings and protecting its victims, and replacing Council Framework Decision 2002/629/JHA, (OJ L 101, 15.4.2011, p. 1–11);
- ▶ Council Directive 2004/81/EC of 29 April 2004 on the residence permit issued to third-country nationals who are victims of trafficking in human beings or who have been the subject of an action to facilitate illegal immigration, who cooperate with the competent authorities (OJ L 261 of 6 August 2004, p. 19);
- ▶ Council Regulation (EC) No 377/2004 of 19 February 2004 on the creation of an immigration liaison officers network (OJ L 64 of 2 of March 2004, p. 1);
- Commission Decision of 29 September 2005 (2005/687/EC) on the format for the report on the activities of immigration liaison officers networks and on the situation in the host country in matters relating to illegal immigration (notified under document number C (2005) 1508 (OJ L 264 of 8 of October 2005, p. 8);
- ✓ Regulation (EU) No 493/2011 of the European Parliament and of the Council of 5 April 2011 amending Council Regulation (EC) No 377/2004 on the creation of an immigration liaison officers network, OJ L 141, 27.5.2011, p. 13–16;
- Council Directive 2003/110/EC of 25 November 2003 on assistance in cases of transit for the purposes of removal by air, (OJ L 321 of 06 of December 2003, p. 26);
- o Council Framework Decision 2002/946/JHA of 28 November 2002 on the strengthening of the penal framework to prevent the facilitation of unauthorised entry, transit and residence (OJ L 328 of 5 December 2002, p. 1)⁶⁸;
- o Council Directive 2002/90/EC of 28 November 2002 defining the facilitation of unauthorised entry, transit and residence (OJ L 328 of 5 December 2002, p. 4);
- Council Directive 2001/51/EC of 28 June 2001 supplementing the provisions of Article 26 of the Convention implementing the Schengen Agreement of 14 June 1985 (OJ L 187 of 10 of July 2001, p. 45);
- Council Directive 2001/40/EC of 28 May 2001 on the mutual recognition of decisions on the expulsion of third country nationals (OJ L 149 of 02 of June 2001, p. 34);
 - ▶ Council Decision 2004/191/EC of 23 February 2004 setting out the criteria and practical arrangements for the compensation of the financial imbalances resulting from the application of Directive 2001/40/EC on the mutual recognition of decisions on the expulsion of third-country nationals (OJ L 60 of 27 of February 2004, p. 55);
- ❖ Decision No 575/2007/EC of the European Parliament and of the Council of 23 May 2007 establishing the European Return Fund for the period 2008 to 2013 as part of the General programme "Solidarity and Management of Migration Flows" (OJ L 144 of 6 June 2007, p. 45);
 - ❖ Commission Decision (2007/837/EC) of 30 November 2007 implementing Decision No 575/2007/EC of the European Parliament and of the Council as regards the adoption of strategic guidelines for 2008 to 2013 (OJ L 330 of 15 December 2007, p. 48);
 - ◆ Commission Decision (2008/458/EC) of 5 March 2008 Laying down the rules for the implementation of Decision No 575/2007/EC of the European Parliament and of the Council of 23 May 2007 establishing the European Return Fund for the period 2008 to 2013 as part of the General programme "Solidarity and Management of Migration Flows" as regards Member States' management and control systems, the rules for

⁶⁷ This instrument is also mentioned under the section on "External borders".

⁶⁸ This instrument is also mentioned under the section on "organised crime, fraud and corruption".

administrative and financial management and the eligibility of expenditure on projects co-financed by the Fund (OJ L167, 27 June 2008, p. 135);

- ⌘ Commission Decision 2009/614/EC of 23 July 2009 amending Decision 2008/458/EC laying down the rules for the implementation of Decision No 575/2007/EC of the European Parliament and of the Council of 23 May 2007 establishing the European Return Fund for the period 2008 to 2013 as part of the General programme "Solidarity and Management of Migration Flows" as regards Member States' management and control systems, the rules for administrative and financial management and the eligibility of expenditure on projects co-financed by the Fund⁶⁹ (OJ L 210 of 14 August 2009, p. 36);
- ★ Commission Decision 2010/70/EU of 8 February 2010 amending Decision 2008/458/EC laying down the rules for the implementation of Decision No 575/2007/EC of the European Parliament and of the Council of 23 May 2007 establishing the European Return Fund for the period 2008 to 2013 as part of the General programme "Solidarity and Management of Migration Flows" as regards Member States' management and control systems, the rules for administrative and financial management and the eligibility of expenditure on projects co-financed by the Fund⁷⁰ (OJ L 36 of 9 February 2010, p. 32);
- ✓ 2011/177/EU: Commission Decision of 2 March 2011 amending Decision 2008/458/EC laying down rules for the implementation of Decision No 575/2007/EC of the European Parliament and of the Council establishing the European Return Fund for the period 2008 to 2013 as part of the General programme 'Solidarity and Management of Migration Flows' as regards Member States' management and control systems, the rules for administrative and financial management and the eligibility of expenditure on projects co-financed by the Fund (notified under document C(2011) 1159), (OJ L 77, 23.3.2011, p. 32–45);
- ◆ Directive 2008/115/EC of the European Parliament and of the Council of 16 December 2008 on common standards and procedures in Member-States for returning illegally staying third-country nationals (OJ L 348, 24 December 2008, p. 98);
- ⌘ Council Directive 2009/52/EC of 18 June 2009 providing for minimum standards on sanctions and measures against employers of illegally-staying third country nationals (OJ L 168 of 30 June 2009, p. 24).

B. International Agreements

- ❖ Council Decision 2007/341/EC of 19 April 2007 on the conclusion of the Agreement between the European Community and the Russian Federation on readmission (OJ L 129 of 17 May 2007, p. 38);
 - ❖ Agreement between the European Community and the Russian Federation on readmission (OJ L 129 of 17 May 2007, p. 40);
- Council Decision 2006/619/EC of 24 July 2006 on the conclusion, on behalf of the European Community, of the Protocol to prevent, suppress and punish trafficking in human beings, especially women and children, supplementing the United Nations Convention against Transnational Organised Crime concerning the provisions of the Protocol, in so far as the provisions of the Protocol fall within the scope of Part III, Title IV of the Treaty establishing the European Community (OJ L 262 of 22 September 2006, p. 51);
- Council Decision 2006/617/EC of 24 July 2006 on the conclusion, on behalf of the European Community, of the Protocol against the smuggling of migrants by land, sea and air, supplementing the United Nations Convention against Transnational Organised Crime concerning the provisions of the Protocol, in so far as the provisions of the Protocol fall within the scope of Part III, Title IV of the Treaty establishing the European Community (OJ L 262 of 22 September 2006, p. 34);
- Council Decision 2005/809/EC of 7 November 2005 concerning the conclusion of the Agreement between the European Community and the Republic of Albania on the readmission of persons residing without authorization (OJ L 304 of 23 November 2005, p. 14);
 - Agreement between the European Community and the Republic of Albania on the readmission of persons residing without authorisation (OJ L 124 of 17 May 2005, p. 22);
 - Information relating to the entry into force of the Agreement between the European Community and the Republic of Albania on the readmission of persons residing without authorisation (OJ L 96 of 5 April 2006, p. 9);

⁶⁹ Notified under document number C(2009) 5453.

⁷⁰ Notified under document number C(2010) 695.

- Council Decision 2005/372/EC of 3 March 2005 concerning the conclusion of the Agreement between the European Community and the Democratic Socialist Republic of Sri Lanka on the readmission of persons residing without authorisation (OJ L 124 of 17 May 2005, p. 41);
 - Agreement between the European Community and the Democratic Socialist Republic of Sri Lanka on the readmission of persons residing without authorisation (OJ L 124 of 17 May 2005, p. 43);
 - Information relating to the entry into force of the Agreement between the European Community and the Democratic Socialist Republic of Sri Lanka on the readmission of persons residing without authorisation (OJ L 138 of 1 June 2005, p. 17);
- ▶ Council Decision 2004/424/EC of 21 April 2004 concerning the conclusion of the Agreement between the European Community and the Macao Special Administrative Region of the People's Republic of China on the readmission of persons residing without authorisation (OJ L 143 of 30 April 2004, p. 97);
 - ▶ Agreement between the European Community and the Macao Special Administrative Region of the People's Republic of China on the readmission of persons residing without authorisation (OJ L 143 of 30 April 2004, p. 99);
 - ▶ Information concerning the entry into force of the Agreement between the European Community and the Macao Special Administrative Region of the People's Republic of China on the readmission of persons residing without authorisation (OJ L 258 of 5 August 2004 p. 17);
- Council Decision 2004/80/EC of 17 December 2003 concerning the conclusion of the Agreement between the European Community and the Government of the Hong Kong Special Administrative Region of the People's Republic of China on the readmission of persons residing without authorisation (OJ L 17 of 24 of January 2004, p. 23);
 - ▶ Agreement between the European Community and the Government of the Hong Kong Special Administrative Region of the People's Republic of China on the readmission of persons residing without authorisation (OJ L 17 of 24 of January 2004, p. 25);
 - ▶ Information on the entry into force of the Agreement between the European Community and the Government of the Hong Kong Special Administrative Region of the People's Republic of China on the readmission of persons residing without authorisation (OJ L 64 of 2 March 2004, p. 38);
- ❖ Council Decision 2007/839/EC of 29 November 2007 concerning the conclusion of the Agreement between the European Community and Ukraine on readmission of persons - Agreement between the European Community and Ukraine on the readmission of persons (OJ L 332 of 18 December 2007, p. 46);
- ❖ Council Decision 2007/817/EC of 8 November 2007 on the conclusion of the Agreement between the European Community and the former Yugoslav Republic of Macedonia on the readmission of persons residing without authorisation - Agreement between the European Community and the former Yugoslav Republic of Macedonia on the readmission of persons residing without authorisation (OJ L 334 of 19 December 2007, p. 1);
- ❖ Council Decision 2007/818/EC of 8 November 2007 on the conclusion of the Agreement between the European Community and the Republic of Montenegro on the readmission of persons residing without authorisation - Agreement between the European Community and the Republic of Montenegro on the readmission of persons residing without authorisation (OJ L 334 of 19 December 2007, p. 25);
- ❖ Council Decision 2007/819/EC of 8 November 2007 on the conclusion of the Agreement between the European Community and the Republic of Serbia on the readmission of persons residing without authorisation - Agreement between the European Community and the Republic of Serbia on the readmission of persons residing without authorisation (OJ L 334 of 19 December 2007, p. 45);
- ❖ Council Decision 2007/820/EC of 8 November 2007 on the conclusion of the Agreement between the European Community and Bosnia and Herzegovina on the readmission of persons residing without authorisation - Agreement between the European Community and Bosnia and Herzegovina on the readmission of persons residing without authorisation (OJ L 334 of 19 December 2007, p. 65);
- ✓ Council Decision 2011/118/EU of 18 January 2011 on the conclusion of the Agreement between the European Union and Georgia on the readmission of persons residing without authorisation, (OJ L 52, 25.2.2011, p. 45–46);
- ✓ Agreement between the European Union and Georgia on the readmission of persons residing without authorisation, (OJ L 52, 25.2.2011, p. 47–65).

C. Other acts adopted before entry into force of the Amsterdam Treaty (1st May 1999)⁷¹

- Council Decision on the inclusion of model readmission clauses in Community agreements and in agreements between the European Community, its Member States and third countries. Doc. 13409/99 MIGR 69;
- Council Resolution of 4 December 1997 on measures to be adopted on the combating of marriages of convenience (OJ C 382 of 16 December 1997, p. 1);
- Council Decision (97/340/JHA) of 26 May 1997 on the exchange of information concerning assistance for the voluntary repatriation of third-country nationals (OJ L 147 of 5 June 1997, p. 3);
- Council Recommendation of 27 September 1996 on combating the illegal employment of third-country nationals (OJ C 304 of 14 October 1996, p. 1);
- Council Conclusions of 4 March 1996 concerning readmission clauses for future mixed agreements: Documents 4272/96 ASIM 6 et 5457/96 ASIM 37;
- Council Recommendation of 22 December 1995 on concerted action and cooperation in carrying out expulsion measures (OJ C 5 of 10 January 1996, p. 3);
- Council Recommendation of 22 December 1995 on harmonizing means of combating illegal immigration and illegal employment and improving the relevant means of control (OJ C 5 of 10 January 1996, p. 1);
- Council Recommendation of 24 July 1995 on the guiding principles to be followed in drawing up protocols on the implementation of readmission agreements (OJ C 274 of 19 September 1996, p. 25);
- Council Recommendation of 30 November 1994 concerning the adoption of a standard travel document for the expulsion of third-country nationals (OJ C 274 of 19 September 1996, p. 18);
- Council Recommendation of 30 November 1994 concerning a specimen bilateral readmission agreement between a Member State and a third country (OJ C 274 of 19 September 1996, p. 20);
- Recommendation of the 1st June 1993 concerning checks on and expulsion of third country nationals residing or working without authorisation: Document WGI 1516;
- Recommendation of 30 November 1992 regarding practices followed by Member States on expulsion: Document WGI 1266;
- Recommendation of the 30 November 1992 concerning transit for the purpose of expulsion: Document WGI 1266.

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- Council Decision 1999/435/EC of 20 May 1999 concerning the definition of the Schengen acquis for the purpose of determining, in conformity with the relevant provisions of the Treaty establishing the European Community and the Treaty on European Union, the legal basis for each of the provisions or decision which constitute the acquis (OJ L 176 of 10 July 1999, p. 1);
- The Schengen acquis as referred to in Article 1(2) of Council Decision 1999/435/EC of 20 May 1999 (OJ L 239 of 22 September 2000, p. 1);
- Council Decision 1999/436/EC of 20 May 1999 determining, in conformity with the relevant provisions of the Treaty establishing the European Community and the Treaty on European Union, the legal basis for each of the provisions or decisions which constitute the Schengen acquis (OJ L 176 of 10 July 1999, p. 17);
- Council Decision 1999/437/EC of 17 May 1999 on certain arrangements for the application of the Agreement concluded by the Council of the European Union and the Republic of Iceland and the Kingdom of Norway concerning the association of those two states with the implementation, application and development of the Schengen acquis (OJ L 176 of 10 July 1999, p. 31);

⁷¹ Relevant insofar as the later legislation has not replaced them.

⁷² Council Directive 2001/51/EC of 28 June 2001 supplementing the provisions of Article 26 of the Convention implementing the Schengen Agreement of 14 June 1985 (OJ L 187 of 10 July 2001, p. 45) is listed under the section on migration.

- Council Decision 1999/439/EC of 17 May 1999 on the conclusion of the agreement with the Republic of Iceland and the Kingdom of Norway concerning the latter's association with the implementation, application and development of the Schengen acquis (OJ L 176 of 10 July 1999, p. 35);
- Council Decision 2000/29/EC of 28 June 1999 on the Agreement with the Republic of Iceland and the Kingdom of Norway on the establishment of rights and obligations between Ireland and the United Kingdom of Great Britain and Northern Ireland on the one hand, and the Republic of Iceland and the Kingdom of Norway on the other, in areas of the Schengen acquis which apply to these States (OJ L 15 of 20 January 2000, p. 1);
- Decision No 1/1999 of the EU/Iceland and Norway Mixed Committee established by the agreement concluded by the Council of the European Union and the Republic of Iceland and the Kingdom of Norway concerning the latter's association in the implementation, application and development of the Schengen acquis adopting its Rules of Procedure (OJ C 211 of 23 July 1999, p. 9);
 - ▶ Amended by Decision No 1/2004 of the EU/Iceland and Norway Mixed Committee established by the Agreement concluded by the Council of the European Union and the Republic of Iceland and the Kingdom of Norway concerning the latter's association in the implementation, application and development of the Schengen acquis (OJ C 308 of 14 December 2004, p. 1);
- Council Decision 2000/777/EC of 1 December 2000 on the application of the Schengen acquis in Denmark, Finland and Sweden, and in Iceland and Norway (OJ L 309 of 9 December 2000, p. 24);
- Council Decision 1999/848/EC of 13 December 1999 on the full application of the Schengen acquis in Greece (OJ L 327 of 21 December 1999, p. 58);
- Council Decision 2000/365/EC of 29 May 2000 concerning the request of the United Kingdom of Great Britain and Northern Ireland to take part in some of the provisions of the Schengen acquis (OJ L 131 of 01 June 2000, p. 43);
- o Council Decision 2002/192/EC of 28 February 2002 concerning Ireland's request to take part in some of the provisions of the Schengen acquis (OJ L 64 of 7 March 2002, p. 20);
 - ▶ Council Decision (EC) 2004/926 of 22 December 2004 on the putting into effect of parts of the Schengen acquis by the United Kingdom of Great Britain and Northern Ireland (OJ L 395 of 31 December 2004, p. 70);
- ❖ Council Decision of 6 December 2007 (2007/801/EC) on the full application of the provisions of the Schengen acquis in the Czech Republic, the Republic of Estonia, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic (OJ L 323 of 8 December 2007, p. 34);
- ◆ Council Decision (2008/146/EC) of 28 January 2008 on the conclusion, on behalf of the European Community, of the Agreement between the European Union, the European Community and the Swiss Confederation, on the Swiss Confederation's association with the implementation, application and development of the Schengen acquis (OJ L 53 of 27 February 2008, p. 1);
- ◆ Council decision 2008/149/JHA of 28 January 2008 on the conclusion, on behalf of the European Community, of the Agreement between the European Union, the European Community and the Swiss Confederation, on the Swiss Confederation's association with the implementation, application and development of the Schengen acquis (OJ L 53 of 27 February 2008, p. 50);
- ◆ Council Decision (2008/261/EC) of 28 February 2008 on the signature, on behalf of the European Community, and on the provisional application of certain provisions of the Protocol between the European Union, the European Community, the Swiss Confederation and the Principality of Liechtenstein on the accession of the Principality of Liechtenstein to the Agreement between the European Union, the European Community and the Swiss Confederation on the Swiss Confederation's association with the implementation, application and development of the Schengen acquis (OJ L 83, 26.3.2008, p. 3);
- ◆ Council Decision (2008/262/EC) of 28 February 2008 on the signature, on behalf of the European Union, and on the provisional application of certain provisions of the Protocol between the European Union, the European Community, the Swiss Confederation and the Principality of Liechtenstein on the accession of the Principality of Liechtenstein to the Agreement between the European Union, the European Community and the Swiss Confederation on the Swiss Confederation's association with the implementation, application and development of the Schengen acquis (OJ L 83, 26.3.2008, p.5. Corrigendum published in OJ L 110, of 22 April 2008, p. 16);
- ✓ Council Decision 2011/350/EU of 7 March 2011 on the conclusion, on behalf of the European Union, of the Protocol between the European Union, the European Community, the Swiss Confederation and the Principality of Liechtenstein on the accession of the Principality of Liechtenstein to the Agreement between the European Union, the European Community and the Swiss Confederation on the Swiss Confederation's association with the implementation, application and development of the Schengen acquis, relating to the abolition of checks at internal borders and movement of persons, (OJ L 160, 18.6.2011, p. 19–20);

- ▶ Decision N° 1/2004 of the EU/Switzerland Mixed Committee established by the Agreement concluded between the European Union, the European Community and the Swiss Confederation concerning the latter's association in the implementation, application and development of the Schengen acquis of 26 October 2004 adopting its Rules of Procedure (OJ C 308 of 14 December 2004, p. 2);
- ◆ Decision No 1/2008 of the EU/Switzerland Mixed Committee established by the Agreement concluded between the European Union, the European Community and the Swiss Confederation concerning the latter's association in the implementation, application and development of the Schengen acquis of 28 February 2008 amending its Rules of Procedure (OJ L 83, 26.3.2008, p. 37);
- Council Decision 2000/586/JHA of 28 September 2000 establishing a procedure for amending Articles 40(4) and (5), 41(7) and 65(2) of the Convention implementing the Schengen Agreement of 14 June 1985 on the gradual abolition of checks at common borders (OJ L 248 of 3 October 2000, p. 1);
- Council Decision 2000/645/EC of 17 October 2000 correcting the Schengen acquis as contained in Schengen Executive Committee SCH/Com-ex (94)15 rev (OJ L 272 of 25 October 2000, p. 24);
- Council Decision 2000/641/JHA of 17 October 2000 establishing a secretariat for the joint supervisory data-protection bodies set up by the Convention on the Establishment of a European Police Office (Europol Convention), the Convention on the Use of Information Technology for Customs Purposes and the Convention implementing the Schengen Agreement on the gradual abolition of checks at the common borders (Schengen Convention) (OJ L 271 of 24 October 2000, p. 1);
- Council Decision 2003/725/JHA of 2 October 2003 amending the provisions of Article 40(1) and (7) of the Convention implementing the Schengen Agreement of 14 June 1985 on the gradual abolition of checks at common borders (OJ L 260 of 11 October 2003, p. 37);
- Council Decision 2000/265/EC of 27 March 2000 on the establishment of a financial regulation governing the budgetary aspects of the management by the Deputy Secretary-General of the Council, of contracts concluded in his name, on behalf of certain Member States, relating to the installation and the functioning of the communication infrastructure for the Schengen environment, "SISNET" (OJ L 85 of 6 April 2000, p. 12);
- Council Decision 2000/664/EC of 23 October 2000 amending Decision 2000/265/EC on the establishment of a financial regulation governing the budgetary aspects of the management by the Deputy Secretary-General of the Council of contracts concluded in his name, on behalf of certain Member States, relating to the installation and the functioning of the communication infrastructure for the Schengen environment, "SISNET" (OJ L 278 of 31 October 2000, p. 24);
 - Council Decision 2003/171/EC of 27 February 2003 amending Decision 2000/265/EC on the establishment of a financial regulation governing the budgetary aspects of the management by the Deputy Secretary-General of the Council, of contracts concluded in his name, on behalf of certain Member States, relating to the installation and the functioning of the communication infrastructure for the Schengen environment, "Sisnet" (OJ L 69 of 13 March 2003, p. 10);
- ⌘ Council Decision 2009/915/EC of 30 November 2009 amending Council Decision 2000/265/EC of 27 March 2000 on the establishment of a financial regulation governing the budgetary aspects of the management by the Deputy Secretary-General of the Council, of contracts concluded in his name, on behalf of certain Member States, relating to the installation and the functioning of the communication infrastructure for the Schengen environment, "SISNET" (OJ L 323 of 10 December 2009, p. 9);
- Council Decision 2003/836/EC of 27 November 2003 on the repeal of the Financial Regulation governing the budgetary aspects of the management by the Secretary-General of the Council, of contracts concluded in his name, on behalf of certain Member States, relating to the installation and the functioning of the "Help Desk Server" of the Management Unit and of the Sirene Network Phase II (OJ L 318 of 3 December 2003, p. 23);
- ◆ Council Regulation (EC) No 1104/2008 of 24 October 2008 on migration from the Schengen Information System (SIS 1+) to the second generation Schengen Information System (SIS II) (OJ L 299 of 8 November 2008, p. 1);
 - ⌘ Commission Decision 2009/720/EC of 17 September 2009 laying down the date for the completion of migration from the Schengen Information System (SIS 1+) to the second generation Schengen Information System (SIS II) (OJ L 257 of 30 September 2009, p. 26);
 - ★ Council Regulation (EU) No 541/2010 of 3 June 2010 amending Regulation (EC) No 1104/2008 on migration from the Schengen Information System (SIS 1+) to the second generation Schengen Information System (SIS II) (OJ L 155 of 22 June 2010, p. 19);
- ◆ Council Decision 2008/839/JHA of 24 October 2008 on migration from the Schengen Information System (SIS 1+) to the second generation Schengen Information System (SIS II) (OJ L 299 of 8 November 2008, p. 43);

- ⌘ Commission Decision 2009/724/JHA of 17 September 2009 laying down the date for the completion of migration from the Schengen Information System (SIS 1+) to the second generation Schengen Information System (SIS II) (OJ L 257 of 30 September 2009, p. 41);
- ★ Council Regulation (EU) No 542/2010 of 3 June 2010 amending Decision 2009/724/JHA on migration from the Schengen Information System (SIS 1+) to the second generation Schengen Information System (SIS II) (OJ L 155 of 22 June 2010, p. 23);
- ❖ Commission Decision (2007/170/EC) of 16 March 2007 laying down the network requirements for the Schengen Information System II (1st pillar) (OJ L 79 of 30 March 2007, p. 20);
- ❖ Commission Decision (2007/171/EC) of 16 March 2007 laying down the network requirements for the Schengen Information System II (3rd pillar) (OJ L 79 of 20 March 2007, p. 29);
- Council Decision 2003/835/EC of 27 November 2003 on the repeal of the decision authorising the Secretary-General of the Council in the context of the integration of the Schengen acquis into the framework of the European Union to act as representative of certain Member States for the purposes of concluding contracts relating to the installation and the functioning of the "Help Desk Server" of the Management Unit and of the Sirene Network Phase II and to manage such contracts (OJ L 318 of 3 December 2003, p. 22);
- ▶ Council Regulation (EC) No 378/2004 of 19 February 2004 on procedures for amending the Sirene Manual (OJ L 64 of 2 March 2004, p. 5);
 - ▶ Council Decision 2004/201/JHA of 19 February 2004 on procedures for amending the Sirene Manual (OJ L 64 of 2 March 2004, p. 45);
 - Commission Decision 2006/757/EC of 22 September 2006 on amending the Sirene Manual (OJ L 317 of 16 November 2006, p. 1);
 - Commission Decision 2006/758/EC of 22 September 2006 on amending the Sirene Manual (OJ L 317 of 16 November 2006, p. 48);
- ✓ Commission Implementing Decision 2011/406/EU of 1 July 2011 amending the SIRENE Manual (notified under document C(2011) 4574) (OJ L 186, 15.7.2011, p. 1–37);
- ◆ Council Decision 2008/422/EC of 5 June 2008 on declassifying Annex 4 to the SIRENE Manual adopted by the Executive Committee established by the Convention implementing the Schengen Agreement of 14 June 1985 (1990 Schengen Convention) (OJ L 149 of 7 June 2008, p. 78);
- ▶ Council Regulation (EC) No 871/2004 of 29 April 2004 concerning the introduction of some new functions for the Schengen Information System, including in the fight against terrorism (OJ L 162 of 30 April 2004, p. 29);
- Council Decision 2005/451/JHA of 13 June 2005 fixing the date of application of certain provisions of Regulation (EC) No 871/2004 concerning the introduction of some new functions for the Schengen Information System, including the fight against terrorism (OJ L 158 of 21 June 2005, p. 26);
- Council Decision 2005/728/JHA of 12 October 2005 fixing the date of application of certain provisions of Regulation (EC) No 871/2004 concerning the introduction of some new functions for the Schengen Information System, including the fight against terrorism (OJ L 273 of 19 October 2005, p. 26);
- Council Decision (2006/628/EC) of 24 July 2006 fixing the date of application of Article 1(4) and (5) of Regulation No 871/2004 concerning the introduction of some new functions for the Schengen Information System, including in the fight against terrorism (OJ L 256 of 20 September 2006, p. 15);
- Regulation (EC) No 1160/2005 of 6 July 2005 amending the Convention implementing the Schengen Agreement of 14 June 1985 on the gradual abolition of checks at common borders, as regards access to the Schengen Information System by the services in the Member States responsible for issuing registration certificates for vehicles (Text with EEA relevance) (OJ L 191 of 22 July 2005, p. 18);
- Council Decision 2005/211/JHA of 24 February 2005 concerning the introduction of some new functions for the Schengen Information System, including in the fight against terrorism (OJ L 068 of 15 March 2005, p. 44);
- Council Decision 2005/719/JHA of 12 October 2005 fixing the date of application of certain provisions of Decision 2005/211/JHA concerning the introduction of some new functions for the Schengen Information System, including the fight against terrorism (OJ L 271 of 15 October 2005, p. 54);
- Council Decision 2005/727/JHA of 12 October 2005 fixing the date of application of certain provisions of Decision 2005/211/JHA concerning the introduction of some new functions for the Schengen Information System, including the fight against terrorism (OJ L 273 of 19 October 2005, p. 25);

- Council Decision 2005/728/JHA of 12 October 2005 fixing the date of application of certain provisions of Decision 2005/211/JHA concerning the introduction of some new functions for the Schengen Information System, including the fight against terrorism (OJ L 273 of 19 October 2005, p. 26);
- Council Decision 2006/228/JHA of 9 March 2006 fixing the date of application of certain provisions of Decision 2005/211/JHA concerning the introduction of some new functions for the Schengen Information System, including the fight against terrorism (OJ L 81 of 18 March 2006, p. 45);
- Council Decision 2006/229/JHA of 9 March 2006 fixing the date of application of certain provisions of Decision 2005/211/JHA concerning the introduction of some new functions for the Schengen Information System, including in the fight against terrorism (OJ L 81 of 18 March 2006, p. 46);
- Council Decision 2006/631/JHA of 24 July 2006 fixing the date of application of certain provisions of Decision 2005/211/JHA concerning the introduction of some new functions for the Schengen Information System, including the fight against terrorism (OJ L 256 of 20 September 2006, p. 18);
- ❖ Council Decision (2007/471/EC) of 12 June 2007 on the application of the provisions of the Schengen acquis relating to the Schengen Information System in the Czech Republic, the Republic of Estonia, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic (OJ L 179 of 7 July 2007, p. 46);
- Regulation (EC) No 1986/2006 of the European Parliament and of the Council of 20 December 2006 regarding access to the Second Generation Schengen Information System (SIS II) by the services in the Member States responsible for issuing vehicle registration certificates (OJ L 381 of 28 December 2006, p. 1)⁷³;
- Regulation (EC) No 1987/2006 of the European Parliament and of the Council of 20 December 2006 on the establishment, operation and use of the second generation Schengen Information System (SIS II) (OJ L 381 of 28 December 2006, p. 4)⁷⁴;
- ❖ Council Decision 2007/533/JHA of 12 June 2007 on the establishment, operation and use of the second generation Schengen Information System (SIS II) (OJ L 205 of 7 August 2007, p. 63);
- ★ Commission Decision 2010/261/EU of 4 May 2010 on the Security Plan for the Central SIS II and the Communication Infrastructure (OJ L 112 of 5 May 2010, p. 31);
- ❖ Council Decision (2007/472/EC) of 25 June 2007 amending the Decision of the Executive Committee set up by the 1990 Schengen Convention, amending the Financial Regulation on the costs of installing and operating the technical support function for the Schengen Information System (C.SIS) (OJ L 179 of 7 July 2007, p. 50);
- ◆ Council Decision 2008/328/EC of 18 April 2008 amending the Decision of the Executive Committee set up by the 1990 Schengen Convention, amending the Financial Regulation on the costs of installing and operating the technical support function for the Schengen Information System (C.SIS) (OJ L 113 of 25 April 2008, p. 21);
- ⌘ Council Decision 2009/914/EC of 30 November 2009 amending the Decision of the Executive Committee set up by the 1990 Schengen Convention, amending the Financial Regulation on the costs of installing and operating the technical support function for the Schengen Information System (C.SIS) (OJ L 323 of 10 December 2009, p. 6);
- ★ Council Decision 2010/32/EC of 30 November 2009 amending the Decision of the Executive Committee set up by the 1990 Schengen Convention, amending the Financial Regulation on the costs of installing and operating the technical support function for the Schengen Information System (C.SIS) (OJ L 14 of 20 January 2010, p. 9);
- ◆ Council Regulation (EC) No 189/2008 of 18 February 2008 on the tests of the second generation Schengen Information System (SIS II) (OJ L 57 of 1 March 2008, p. 1);
- ◆ Council Decision 2008/173/EC of 18 February 2008 on the tests of the second generation Schengen Information System (SIS II) (OJ L 57 of 1 March 2008, p. 14. Corrigendum published in L 24 of 28 January 2009, p. 34);
- ◆ Commission Decision 2008/333/EC of 4 March 2008 adopting the SIRENE Manual and other implementing measures for the second generation Schengen Information System (SIS II) (notified under document number C(2008) 774) (OJ L 123 of 8 May 2008, p. 1);
- ◆ Commission Decision 2008/334/JHA of 4 March 2008 adopting the SIRENE Manual and other implementing measures for the second generation Schengen Information System (SIS II) (OJ L 123 of 8 May 2008, p. 39);
- ◆ Council Decision 2008/421/EC of 5 June 2008 on the application of the provisions of the Schengen acquis relating to the Schengen Information System in the Swiss Confederation (OJ L 149 of 7 June 2008, p. 74. Corrigendum published in OJ L 61 of 5 March 2009, p. 19).

⁷³ This instrument is also mentioned under the section on "asylum".

⁷⁴ This instrument is also mentioned under the section on "asylum".

- ◆ Council Decision 2008/903/EC of 27 November 2008 on the full application of the provisions of the Schengen acquis in the Swiss Confederation (OJ L 327 of 5 December 2008, p. 15).
- ✓ Council Decision 2011/352/EC of 9 June 2011 on the application of the provisions of the Schengen acquis relating to the Schengen Information System in the Principality of Liechtenstein (OJ L 160, 18.6.2011, p. 84–87).
- ☑ Regulation (EU) No 1077/2011 of the European Parliament and of the Council of 25 October 2011 establishing a European Agency for the operational management of large-scale IT systems in the area of freedom, security and justice
- ☑ Regulation (EU) No 1342/2011 of the European Parliament and of the Council of 13 December 2011 amending Regulation (EC) No 1931/2006 as regards the inclusion of the Kaliningrad oblast and certain Polish administrative districts in the eligible border area.