



EMN ANNUAL REPORT
ON ASYLUM AND MIGRATION POLICY
CZECH REPUBLIC

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

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

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

The Department for Asylum and Migration Policy of the Ministry of the Interior has been the national EMN Contact Point in the Czech Republic since 2008. You can find more information on EMN activities in the Czech Republic at www.emncz.eu.

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LIST OF ABBREVIATIONS

AC	Accommodation Centre
AIS	Alien Information System
ANACEN	Analytic Centre for Border Protection and Migration
ANO	ANO 2011 (Czech abbreviation)
APD	Alien Police Department
API	Alien Police Inspectorate
CR	Czech Republic
ČSSD	Czech Social Democratic Party (Czech abbreviation)
DAMP	Department for Asylum and Migration Policy (Ministry of the Interior of the CR)
DAPS	Directorate of the Alien Police Service
DCAF	The Geneva Centre for the Democratic Control of Armed Forces
EASO	European Asylum Support Office
ECRIS-TCN	European Criminal Records Information System
EES	Entry/Exit System
EMN	European Migration Network
EMPACT	European Multidisciplinary Platform against Criminal Threats
EMSC	European Migrant Smuggling Centre
ESIF	European Structural and Investment Funds
ETIAS	European Travel Information and Authorisation System
EU	European Union
eu-LISA	European Agency for the Operational Management of Large-Scale IT Systems in the Area of Freedom, Security and Justice

FN	University hospital (Czech abbreviation)
FRONTEX	European Border and Coast Guard Agency
GAMM	Global Approach to Migration and Mobility
GPIS	General Provider of Integration Services
IA	International airport
IAC	Integration Asylum Centre
ICMPD	International Centre for Migration Policy Development
IOM	International Organization for Migration
JITs	Joint Investigation Teams
MEDEVAC	Programme of Humanitarian Evacuations of Inhabitants with Health Issues (Medical Evacuation)
MfRD	Ministry for Regional Development
MOBILAZE	Mobility Partnership with Azerbaijan
MoC	Ministry of Culture
MoEYS	Ministry of Education, Youth and Sports
MoF	Ministry of Finance
MoFA	Ministry of Foreign Affairs
MoH	Ministry of Health
MoI	Ministry of the Interior
MoIT	Ministry of Industry and Trade
MoJ	Ministry of Justice
MoLSA	Ministry of Labour and Social Affairs
MSCA	Marie Skłodowska-Curie Actions
NCUCOC	National Central Unit for Combating Organised Crime
NGO	Non-governmental non-profit organisation
OPU	Organization for Aid to Refugees (Czech abbreviation)
OSCE	Organization for Security and Co-operation in Europe
OSPOD	Social-legal Child Protection Authority (Czech abbreviation)
PCR	Police of the Czech Republic
RC	Reception Centre
RDE OP	Research, Development and Education Operational Programme

RDP	Regional Directorate of the Police
SF	Salzburg Forum
SIP	State Integration Programme
SIS	Schengen Information System
SUZ	Refugee Facilities Administration of the Ministry of the Interior (Czech abbreviation)
UAM	Unaccompanied minor
UN	United Nations
UNHCR	United Nations High Commissioner for Refugees
ÚP ČR	Employment Agency of the Czech Republic (Czech abbreviation)
V4	Visegrad Group
VIS	Visa Information System
ZDC	Facility for Children-foreigners (Czech abbreviation)
ZÚ	Embassy (Czech abbreviation)
ZZC	Facility for Detention of Foreign Nationals (Czech abbreviation)

SUMMARY

The 2018 European Migration Network (EMN) Annual Report on Asylum and Migration Policy provides a summary of the developments and most important changes in the fields of migration, asylum and integration during the year 2018.

Migration Policy Strategy of the Czech Republic

In making its migration policy, the Czech Republic continues to apply the principles of migration policy, which were formulated in the **Migration Policy Strategy of the Czech Republic** (adopted on 29 July 2015 in Resolution of the Government of the Czech Republic No. 621). This document defines the key principles of the Czech Republic's migration policy, sets the goals in the given field on both the national level and the EU level and states specific instruments serving to achieve these goals.

The Migration Policy Strategy covers the full scope of migration-related issues. It is divided into 7 theme-specific modules corresponding to the individual fundamental principles. Besides the national security, which is the cross-cutting element of the Strategy, there are the following theme-specific areas: (1) the integration of foreign nationals, (2) illegal migration and return policy, (3) international protection, (4) the external dimension of migration (including development and humanitarian aspects), (5) free movement of persons within the EU and the Schengen Area, (6) legal migration and (7) coherence with the EU's common policies in the field of migration. Implementation of the Strategy is supervised by the Coordination Body for Managing the Protection of State Borders and Migration.

Legal Migration and Integration

Same as in the previous years, the **upward trend in legal migration** into the Czech Republic continued in 2018. As of 31 December 2018, a total of **566,931 foreign nationals**¹ (a year-on-year increase by just below 8 %) were staying legally in the territory of the Czech Republic (for a period longer than 90 days). At the end of the year 2018, foreign nationals accounted approximately for 5.3 % of the population of the Czech Republic², which means that their number has grown by 0.4 percentage point in comparison with the year 2017. From among the total registered number of foreign nationals with residence permits in the Czech Republic, 51.3 % of them (290,679 foreign nationals) were staying in the country permanently and 48.7 % of them (276,252 foreign nationals) temporarily³. In terms of citizenship, the largest groups among them were the citizens of Ukraine (131,709), Slovakia (116,817) and Vietnam (61,143).

In the field of **economic migration, a total of 568,676 foreign nationals** were registered as employees with the regional branch offices of the Public Employment Service of the Czech Republic as of 31 December 2018, which represents an increase by 20.4 % as opposed to the year 2017. According to the registered information cards⁴, this number included 366,624 citizens of EU/EEA Member States and

¹ This information includes foreign nationals with residence permits in the Czech Republic, registered in the Alien Information System. Nevertheless, the actual numbers of foreign nationals legally staying in the territory of the Czech Republic may be different because the registered number of foreign nationals does not include all the citizens of other EU Member States staying in the Czech Republic. The statistical compilations only record those EU citizens who applied for or were issued with a certificate of temporary residence. Those who are just exercising their right to free movement are not included in the statistics.

² The population of the Czech Republic was 10,649,800 as of 31 December 2018.

³ The category includes persons with residence based on visa for more than 90 days, with long-term residence permits and temporary residence permits, which are granted to the EU citizens and their family members.

⁴ Information card is a written notice given by an employer that a foreign national started working in a job, which must be submitted by an employer to a regional branch office of the Public Employment Service of the CR according to the Employment Act.

Switzerland (including their family members) and 124,674 third-country nationals, among whom there were 77,378 foreign workers who entered the labour market with a work permit (an Employee Card or a Blue Card, an employment permit).

From among the non-EU countries, the citizens of Ukraine (121,086 persons), the Russian Federation (14,597 persons) and Vietnam (12,558 persons) traditionally held the highest shares of our labour market. Among the EU/EEA Member States and Switzerland, the citizens of Slovakia (191,818 persons), Poland (44,896 persons), Romania (44,099 persons) and Bulgaria (34,543) had the strongest presence.

In 2018, the Ministry of Industry and Trade registered a total of 89,843 foreign businesspersons who had 118,173 registered trade licenses. Among the foreign businesspersons, the largest groups in terms of citizenship were the citizens of Ukraine (21,881 persons), Vietnam (21,172 persons) and Slovakia (17,711 persons). These three citizenships represented more than two thirds of all foreign businesspersons.

In the field of economic migration, **economic migration projects** were also implemented, which have been created within interdepartmental cooperation of the central governmental authorities since 2012. These projects represent an effective instrument for supporting migration of selected target groups of third-country nationals, in whose entry into and stay in the territory of the Czech Republic the Czech state takes an increased interest.

In 2018, implementation of all projects started in the previous years continued and **new projects were also created**. Countries, which the government finds suitable with regard to the requirements of the Czech labour market and with regard to the security and migration risks, are chosen for the projects.

With its resolution No. 79 of 31 January 2018, the Government of the Czech Republic once again **increased the capacity of the Ukraine Regime from 9,600 to 19,600 applications**. Since 1 May 2018, the process of receiving applications for Employee Cards has been outsourced. The Government of the Czech Republic also approved additional staff for the Ministry of Foreign Affairs (MoFA) and the Ministry of the Interior (MoI), which resulted in reducing the time required for the processing of applications. **A total of 25,228 candidates from 862 companies were included in the Ukraine Regime in 2018.**

The integration policy was based on the *Procedure for Implementing the Updated Policy for the Integration of Foreign Nationals – In Mutual Respect in the Year 2018*, which was approved by the Government of the Czech Republic. A significant positive development was **the opening of a Centre for the Support of the Integration of Foreigners in the Region of Central Bohemia**, which was the last region where no such Centre had existed up until then. These Centres are the focal points of integration activities in individual regions and ensure equal access of foreign nationals to professional integration support while taking into account the regional specifics and the conditions for the integration of foreign nationals in each region. Thus, in a new development, there are branches of these Centres in all of the 14 regions of the Czech Republic. Once again, large emphasis was placed on supporting projects at the local level because the integration process takes place particularly in the direct coexistence of foreign nationals with the majority society. In 2018, 15 municipalities and city districts received subsidies from the MoI, totalling 16.3 million CZK, which represented an increase by 2.3 million CZK in comparison with the year 2017. Under the auspices of the Minister of the Interior and the Mayor of the Statutory City of Brno, the 10th annual edition of the national conference of municipalities and city districts implementing projects to support the integration of foreign nationals took place and was organised by the Statutory City of Brno. Under the subsidy scheme *2018 Integration of Foreigners*, the projects

of non-governmental non-profit organisations received continued support. This scheme supported, among others, the adaptation integration courses for foreign nationals, assistance services for foreign nationals at DAMP offices, Czech language courses for foreign nationals, assistance infoline in Vietnamese, Mongolian and Ukrainian languages as well as activation and integration projects, which had been conceived and implemented through the activities of foreign nationals themselves.

In 2018, **the CR citizenship** was granted to 3,757 foreign nationals⁵ (a decrease by 1,249 persons in comparison with the previous year), among whom there were 25 persons who had been granted international protection in the form of asylum in the CR in the past.

International Protection

In 2018, **a total of 1,701 persons** applied for international protection in the Czech Republic, which means that there were 251 more applicants than in the previous year. The last time when a higher number of applicants was recorded in the Czech Republic was in 2007. **The main source countries** of international protection applicants in 2018 were Ukraine (418 applicants), Georgia (169), Cuba (154), Armenia (117), Vietnam (100), Uzbekistan (98), the Russian Federation (90), Iraq (65), Azerbaijan (45) and Turkey (39). In the Czech Republic, asylum was granted to 47 applicants. Asylum was most often granted to citizens of China (8), Syria (6) and Ukraine (6). In 2018, international protection in the form of subsidiary protection was granted in 118 cases, which is the same number as in the year 2017. This form of protection was most often granted to citizens of Syria (52), Iraq (32) and Ukraine (12).

Those foreign nationals who were granted international protection in the form of asylum or in the form of subsidiary protection can take

⁵ Since 1 January 2014, there has been legislation in force, which completely abandoned the principle of single citizenship and accepted the possibility of the existence of multiple citizenships.

advantage of the **State Integration Programme (SIP)**. In 2018, a total of 121 eligible persons joined the SIP, which represents a 17% increase as opposed to the previous year. A total of 72 new individual integration plans for a total of 95 beneficiaries of international protection (both individuals and families) were prepared during the year. Due to the fact that the maximum period of implementation of an individual integration plan is 12 months, the year 2018 saw the successful completion of 97 individual integration plans, which had been started in 2017, and 78 integration plans, which had been started in 2016 and for which the period of implementation had been extended beyond the limit of 12 months because the provision of integration services had been interrupted at the turn of the years 2016 and 2017. As of the last day of the year, there were 79 plans being implemented.

Unaccompanied Minors

In 2018, a total of 29 unaccompanied third-country minors were staying in the specialised Facility for Children-foreigners (this concerns dozens of persons every year), in the same year, 10 unaccompanied minors from among third-country nationals applied for international protection (the number of minor unaccompanied applicants from among third-country nationals applying for international protection hovers around single digits every year). These are still very low numbers in comparison with other Member States.

Measures to Combat Human Trafficking

There were no major changes in the situation concerning human trafficking during the year 2018 in comparison with the previous period. The most frequent purposes of human trafficking were still sexual and labour exploitations. However, there were also mixed cases where the purposes are combined, including forced marriages or forced criminal activity. The **Programme of Support and Protection of Victims of**

Human Trafficking is a measure created to provide victims of human trafficking with support and appropriate protection based on individual risk assessment. It is designed for human trafficking victims older than 18 years, specifically for EU citizens trafficked in the territory of the Czech Republic, for third-country nationals trafficked in the territory of the Czech Republic as well as for the citizens of the Czech Republic trafficked in the territory of the Czech Republic or abroad.

In 2018, a total of 17 probable victims of human trafficking were included in the Programme (a decrease by 7 persons as compared to the year 2017), specifically from Philippines (9), Romania (1), Sierra Leone (1) and the Czech Republic (6). The cases of these persons involved labour and sexual exploitation.

In 2018, there were 2 voluntary returns carried out (to Romania and Sierra Leone) under the *Voluntary Returns Programme*, which is a part of the Programme.

International Cooperation and Projects

International cooperation in the field of migration continued in the year 2018 particularly through intensive contacts at the level of respective authorities of the European Union, including its agencies, particularly the European Border and Coast Guard Agency (FRONTEX) and the European Asylum Support Office (EASO). The Czech Republic also concentrated on strengthening the practical and operational cooperation in all aspects of migration, asylum and state border protection at a bilateral level as well as at multilateral and Union levels.

In 2018, the **MEDEVAC programme**⁶ was implemented in eight countries, which reflect its territorial priorities. In the Middle East, the

⁶ The focus of the MEDEVAC programme is on providing professional medical care to vulnerable groups of inhabitants in regions affected by a refugee crisis or a natural catastrophe.

programme operated in Jordan, which remained the priority country in 2018 where medical teams were being sent, and in Iraq. For the purpose of implementing future missions, a planning mission to Lebanon also took place. In Africa, the programme operated in Senegal, Libya and Niger. In 2018, the MEDEVAC programme also remained present in Eastern Europe and was building on its previous successful trainings of medical staff in the field of physical therapy in Ukraine.

Under the **Aid in Place** programme, the MoI gave financial donations abroad, intended particularly to assist refugees directly on the site of their initial displacement and to assist the countries, which host large numbers of refugees and migrants or which struggle with them as transit countries. With regard to the situation in the field of migration, the budget for the aid was increased to 150 million CZK by the Government of the Czech Republic and this budget amount was maintained in 2018. The priority areas of the Aid in Place programme in 2018 included the regions of the Middle East, the Western Balkans and the greater Sahel region and North Africa.

In 2018, as concerns the external dimension of the European Union, the Czech Republic continued to participate in developing and implementing the instruments of the **Global Approach to Migration and Mobility (GAMM)** representing a policy framework of the external migration policy of the EU.

In order to implement its priorities in the field of asylum and migration, the Czech Republic also closely collaborated with international organisations, particularly the International Organisation for Migration (IOM), the International Centre for Migration Policy Development (ICMPD) and the UN Office of the Higher Commissioner for Refugees (UNHCR).

As part of international cooperation, the Regional Directorates of the Police of the Czech Republic with jurisdiction over areas near state

borders carry out joint patrols with police officers from adjacent countries, which are used for standard police work. These joint patrols focused on monitoring illegal migration, carrying out Schengen national searches, monitoring the movements of vehicles, fighting cross-border crime, searching for stolen vehicles and perpetrators of criminal offences, checking the residence permits of foreign nationals, which included checking residence permits in night clubs, and checking persons and vehicles.

Illegal Migration, Human Smuggling

In 2018, a total of **4,992 persons** were identified as perpetrators of **illegal migration** in the territory of the Czech Republic (a year-on-year increase by 5.4 %). This number included 4,653 persons (i.e. 93.2 %) detected as illegally staying persons and 339 persons caught during illegal migration across the external Schengen border of the Czech Republic⁷. In connection with illegal migration across the external Schengen border, the most frequently detained persons were citizens of Georgia (51), followed by citizens of Albania (39), Ukraine (28), Yemen (21) and refugees under the 1951 Convention (21). The highest number of persons identified as illegally staying persons was among citizens of Ukraine (1,470), followed by citizens of Moldova (567), Vietnam (312), the Russian Federation (273) and Uzbekistan (157).

When illegally migrating across the external Schengen border, **94 persons** used an irregular travel document, these persons were most often citizens of Albania (34). There were **143 persons** who were illegally staying in the country and presented an irregular travel document, these persons were most often citizens of Ukraine (59) and Moldova (32).

⁷ Since the external Schengen border only consists of an air border, persons who illegally migrated across the external Schengen border are only recorded with the Directorate of the Alien Police Service, which was organisationally expanded in 2008 by including 5 Alien Police Inspectorates at international airports.

Returns

During the year 2018, a total of **532 voluntary returns of third-country nationals** were carried out. This included a total of 434⁸ assisted voluntary returns of foreign nationals with administrative expulsion and 98 assisted voluntary returns of applicants for international protection at their request. Citizens of Ukraine, Moldova and Uzbekistan accounted for the highest numbers among these returnees.

In the field of voluntary returns, the Ministry of the Interior, the Refugees Facilities Administration (SUZ) and the International Organisation for Migration (IOM) implement their programmes for assisted voluntary returns. In their programmes, the MoI and the IOM primarily focus on foreign nationals with an issued decision on administrative expulsion. In its programme, the SUZ provides failed applicants for international protection with assistance for voluntary return trips to their countries of origin. Under all these programmes for voluntary returns, the MoI, SUZ and the IOM make sure not only that the actual voluntary return takes place but they also provide all the related consultancy and assistance, which are necessary for successful accomplishment of a return.

If foreign nationals are detained and placed in the Facility for Detention of Foreign Nationals (ZZC), the returns of these foreign nationals are carried out by the Directorate of the Alien Police Service (DAPS) in cooperation with the Ministry of the Interior of the Czech Republic, which only provides assistance and related consultancy for foreign nationals.

⁸ Carried out through the MoI and the IOM.

1 INTRODUCTION

The *Annual Report on Asylum and Migration Policy in the Czech Republic* provides a summary of the most important political and legislative changes and the basic statistical data regarding asylum and migration in the territory of the Czech Republic for the year 2018.

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

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

The presented report was prepared mainly using the source materials from the Department for Asylum and Migration Policy of the Ministry

of the Interior, which is responsible for the fields of migration, asylum and integration. Other source materials used in preparation of the report included source materials from the Directorate of the Alien Police Service, the Police Presidium, the Department of Crime Prevention of the Ministry of the Interior, the Ministry of Education, Youth and Sports, the Ministry of Labour and Social Affairs, the Ministry of Foreign Affairs, the Ministry of Justice, the Refugee Facilities Administration of the Ministry of the Interior, the National Central Unit for Combating Organised Crime, and the Facility for Children-foreigners. More detailed information on the methodology is contained in Annex 1. Annex 2 contains a list of sources and literature, Annex 3 contains a list of tables and charts.

1.1 ORGANISATION OF ASYLUM AND MIGRATION POLICY

Ministry of the Interior (MoI)

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

Department for Asylum and Migration Policy (DAMP)

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

The Coordination Body for Managing the Protection of State Borders and Migration

The Coordination Body for Managing the Protection of the State Borders of the Czech Republic and Migration is a permanent interdepartmental body, which is composed of representatives of the technically relevant Ministries and which has the authority to take the necessary measures in the fields of migration and the protection of state borders. The Ministry of the Interior leads the activities of the Coordination Body. The Coordination Body holds meetings at the level of the members of the Cabinet or Deputy Ministers.

Cooperation among institutions within the purview of the Coordination Body enables the government bodies to respond flexibly to the current migration situation and contributes to greater flexibility when dealing with specific issues falling within the terms of reference of multiple Ministries. The Coordination Body also manages the activities of the Analytic Centre for Border Protection and Migration, the permanent office of the Ministry of the Interior with a focus on interdepartmental cooperation at the expert level. Pre-discussing materials intended for the Government of the CR at a meeting of the Coordination Body allows, for example, for their subsequent approval without a debate. No less importantly, the Coordination Body also serves as a platform for discussion of the future direction of the migration policy.

The Coordination Body was also authorised by the government to make changes in economic migration projects with its decisions. This authority was used several times during the year 2018.

Analytic Centre for Border Protection and Migration (ANACEN)

The Analytic Centre for Border Protection and Migration is a permanent analytical body of an interdepartmental nature controlled by the

Ministry of the Interior. In its activities, it concentrates on monitoring and analysing migration as a comprehensive phenomenon. The Analytic Centre operates at an expert level, its activities are managed by the Coordination Body for Managing the Protection of the State Borders and Migration. All the key bodies involved in the system for managing the protection of state borders and migration control participate in the activities of the Analytic Centre, the close cooperation and information exchange on this platform allow for a flexible and quick response to any problems that arise⁹.

The activities of the Analytic Centre take place on several theme-specific fora and involve continuously monitoring and analysing the current phenomena, which can be identified as risk factors or potentially problematic with respect to security and migration.

During the year 2018, the Analytic Centre continued to prepare reports titled *Trends and Findings in Migration and Border Protection* on a monthly basis, which was intended for the internal purposes of the public administration bodies, among whom these reports are distributed systematically to allow them to use the information contained in the reports.

Refugee Facilities Administration (SUZ)

The Refugee Facilities Administration of the Ministry of the Interior is an operator of the reception, accommodation and integration asylum centres. In these facilities, SUZ provides particularly accommodation, boarding, psychological, social, educational and consulting services and also provides opportunities for leisure-time activities. Most of these activities also take

⁹ The members of the Analytical Centre are delegated representatives of the Ministry of the Interior, the Ministry of Foreign Affairs, the Ministry of Labour and Social Affairs, the Ministry of Industry and Trade, the Ministry of Education, Youth and Sports, the Ministry of Finance (the General Directorate of Customs), the Police of the Czech Republic and the intelligence services and security forces.

place in the facilities for detention of foreign nationals, which are also operated by the SUZ. The SUZ also established and operates 10 regional Centres for the Support of the Integration of Foreigners, which are the centres of integration activities in respective regions.

Directorate of the Alien Police Service (DAPS)

The Directorate of the Alien Police Service is a highly specialised unit of the Police of the Czech Republic (PCR), which, for the issues related to foreign nationals, acts as an umbrella authority for performance of tasks related to detection of illegal migration, application of repressive measures against foreign nationals illegally staying in the territory of the Czech Republic in violation of Act No. 326/1999 Coll., on the Residence of Foreign Nationals in the territory of the Czech Republic, fulfilment of the obligations arising from international treaties and directly applicable legal regulations of the European Community and which addresses the crimes committed in connection with the crossing of state borders and cross-border criminal activities. The DAPS is also responsible for implementation of judicial or administrative expulsion, specifically for providing travel and transport documents for the foreign nationals who are being expelled from the territory of the Czech Republic. It is responsible for establishing the identities of foreign nationals in connection with their detention for the purpose of administrative expulsion or implementation of readmission agreements. It is responsible for implementing readmission agreements, including transports carried out by a police escort and performance of other tasks arising from the legislation of the European Union and international treaties.

In relation to the territorial units of the Alien Police, the Directorate of the Alien Police Service serves the functions of a specialised central methodological, managing, expert and analytical and monitoring authority and is also an executive unit of the Police of the Czech Republic with a national scope of operation. The bodies, which are

directly subordinated to the DAPS, include five inspectorates of the Alien Police at international airports¹⁰, which ensure the protection of external borders at all international airports of the Czech Republic, the Facility for Detention of Foreign Nationals in Bělá-Jezová, the Facility for Detention of Foreign Nationals in Bálková and the Reception Centre for Foreign Nationals in Zastávka u Brna. In the territories of individual regions, the departments of the Alien Police, which are embedded in the organisational structures of Regional Directorates of the Police of the CR (RDP), perform the tasks related to migration of foreign nationals.

The National Central Unit for Combating Organised Crime (NCUCOC)

The National Central Unit for Combating Organised Crime is the unit of the Police of the CR with a national jurisdiction, which also performs tasks in the field of illegal migration, particularly in combating human smuggling. Its Organised Crime Section, Department of Human Trafficking and Illegal Migration, is responsible for monitoring, analysing and combating crime groups that perpetrate serious organised crimes in the field of illegal migration, human trafficking, human organ and tissue trafficking and forced labour as well as other forms of exploitation.

Ministry of Foreign Affairs (MoFA)

The Ministry of Foreign Affairs is a central administrative body of the Czech Republic, which creates the concept of foreign policy and coordinates foreign development cooperation and humanitarian aid provided abroad. It carries out public administration in the matters of permitting the residence of foreign nationals in the territory of the Czech Republic who enjoy the privileges and immunities defined by the

¹⁰ These are: the Alien Police Inspectorate at the Václav Havel Praha International Airport, the Alien Police Inspectorate at the Mošnov International Airport, the Alien Police Inspectorate at the Brno Tuřany International Airport, the Alien Police Inspectorate at the Karlovy Vary International Airport, and the Alien Police Inspectorate at the Pardubice International Airport.

international law. Through embassies, it carries out public administration in the matters of granting visas pursuant to the Act on the Residence of Foreign Nationals. Within its separate purview, it carries out public administration in the matters of granting short-term visas according to the EU Visa Code.

Ministry of Labour and Social Affairs (MoLSA)

The Ministry of Labour and Social Affairs is responsible for the policy in the field of employment of foreign nationals. Among other things, it defines the group of entities playing the role of an employer and, in relation to foreign nationals, it defines the criteria governing the entry of separate categories of foreign nationals into the labour market. According to the situation on the labour market, it defines the terms and conditions for permitting employment and is responsible for the legislation governing the employment of foreign nationals in relation to the applicable legislation of the European Union and concluded intergovernmental agreements. The MoLSA is also responsible for maintaining the central register of vacant job positions, which can be filled by the holders of an Employee Card or a Blue Card.

Besides the national legislation, the field of labour migration is also governed by bilateral international treaties governing social security and employment as well as by multilateral conventions concerning human rights, the status of refugees and social rights, which are binding on the Czech Republic. There is still the phenomenon of illegal employment of foreign nationals in the Czech Republic. Among other authorities, the Interdepartmental Body for Combatting Illegal Employment of Foreign Nationals in the Czech Republic addresses the issues in this field, the MoLSA is responsible for this body.

Other institutions, which have their defined terms of reference in the field of asylum and migration, are: the Ministry of Industry

and Trade (MoIT), the Ministry of Justice (MoJ), the Ministry of Finance (MoF), the Ministry of Health (MoH), the Ministry of Education, Youth and Sports (MoEYS), the Ministry of Finance (the General Directorate of Customs), the Ministry of Culture (MoC), and the Ministry for Regional Development (MfRD).

1.2 ASYLUM AND MIGRATION LEGISLATION

Asylum and migration is governed particularly by the following legislation:

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

This Act defines the conditions for the entry of a foreign national into the territory of the CR and the departure of a foreign national from the country, it defines the conditions of the stay of a foreign national in the country and defines the powers of the PCR, the Ministry of the Interior and the Ministry of Foreign Affairs in this field of public administration. During the year 2018, there was a legislative process taking place, which was connected with a bill amending Act No. 326/1999 Coll., on the Residence of Foreign Nationals in the Territory of the CR and on amendments to certain Acts, as amended, and other related Acts. It was presented particularly in order to ensure the transposition of Directive (EU) 2016/801 of the European Parliament and of the Council of 11 May 2016 on the conditions of entry and residence of third-country nationals for the purposes of research, studies, training, voluntary service, pupil exchange schemes or educational projects and au pairing. The Act on the Residence of Foreign Nationals introduces the obligation to complete an adaptation-integration course after arrival in the Czech Republic and integration on a regional level is to be institutionally anchored by transferring the Centres for the Integration of Foreign Nationals to

a government system. It has also been proposed to amend the legal authorisation of the government to issue quotas for economic migration. Government regulations to be issued under this legal authorisation will define transparent quantitative quotas, which will be divided into categories corresponding to the qualitative aspects of migration needs. The bill was approved by the government on 6 June 2018. Thereafter, the Chamber of Deputies of the Parliament of the Czech Republic passed the bill on 13 March 2019. Subsequently, the bill was presented to the Senate, which discussed the bill on 2 May 2019 during its 8th session and returned the bill to the Chamber of Deputies with amendments. On 18 June 2019, the Chamber of Deputies once again passed the bill amending the Act. The amendment will come into force on 31 July 2019.

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

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

In 2018, **no amendment to the Asylum Act was passed**. During the autumn of 2018, legislative work was started on **an amendment to Ordinance No. 328/2015 Coll., implementing the Asylum Act and the Act on the Temporary Protection of Foreign Nationals, as amended**. The objective of the change, which this legislation is to bring,

is to respond to the current developments in asylum policy and to amend the existing list of safe countries of origin¹¹ by adding a total of 12 new countries (such as Algeria, Ghana, Tunisia as well as Moldova¹², Georgia¹³ and Ukraine¹⁴). The legislative process was completed in March 2019.

- Act No. 191/2016 Coll., **on the Protection of the State Borders of the Czech Republic** and on amendments to certain related Acts

This Act entered into force on 1 August 2016. This Act **was not amended** in 2018.

Building on Regulation (EU) 2016/399 of the European Parliament and of the Council of 9 March 2016 on a Union Code on the rules governing the movement of persons across borders (Schengen Borders Code), as amended, this Act governs the protection of the state borders against unauthorised crossing. It defines the terms and conditions for setting up a border crossing at an international airport, the obligations of airplane captains and airport operators as well as the rules for temporary re-establishment of the protection of internal borders, offences and administrative torts related to the protection of borders.

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

This Act defines the conditions for the entry and residence of a foreign national in the territory of the CR for the purpose of provision of temporary protection and the conditions for their departure from the country, and governs the proceedings on the granting and withdrawal

¹¹ This is an option provided for by the Asylum Act, which permits conducting a fast-track asylum procedure, if other conditions are met.

¹² With the exception of Transnistria.

¹³ With the exception of Abkhazia and South Ossetia.

¹⁴ With the exception of the Crimean Peninsula and the parts of the Donetsk and Luhansk Oblasts controlled by pro-Russian separatists.

of a residence permit for the purpose of provision of temporary protection in the territory of the CR, the legal status of a foreign national who applies for a residence permit for the purpose of temporary protection and a foreign national who has been granted a residence permit for the purpose of temporary protection. This Act **was not amended** in 2018.

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

Act No. 435/2004 Coll., on Employment, as amended, defines the conditions for employment of foreign nationals in the territory of the CR. In 2018, no legislation was adopted within the purview of the MoLSA with a direct impact on employment of foreign nationals. Only Announcement of the MoLSA No. 56/2018 Coll., on the Amount of Average Gross Annual Wage in the CR for the Year 2017 for the Purposes of Issuing Blue Cards was issued¹⁵.

The legislative process of amending the Employment Act, amending Act No. 326/1999 Coll., on the Residence of Foreign Nationals in the Territory of the CR and on Amendments to Certain Acts, as amended, and other related Acts, was started in 2018.

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

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

¹⁵ Pursuant to Section 182a(2) of Act No. 326/1999 Coll., on the Residence of Foreign Nationals in the Territory of the Czech Republic and on amendments to certain Acts, as amended by Act No. 427/2010 Coll. and Act No. 314/2015 Coll., the MoLSA announces that based on the average gross monthly wage in the Czech Republic in 2017 in the amount of CZK 29,504, the average gross annual wage in the Czech Republic for the period from 1 May 2018 to 30 April 2019 amounts to CZK 354,048.

2 DEVELOPMENTS IN ASYLUM AND MIGRATION POLICY

During the year 2018, the legislative activities were primarily focused on the bill amending the Act on the Residence of Foreign Nationals in order to ensure the transposition of Directive (EU) 2016/801 of the European Parliament and of the Council of 11 May 2016 on the conditions of entry and residence of third-country nationals for the purposes of research, studies, training, voluntary service, pupil exchange schemes or educational projects and au pairing.

The legislative work on a bill governing foreign relationships in connection with the possible exit of the United Kingdom from the European Union without any deal was also commenced in 2018.

2.1 POLITICAL DEVELOPMENTS

Political Situation in the Country

In January 2018, presidential elections took place, in which Miloš Zeman was re-elected to hold the office of the President of the Czech Republic for another five-year term. His opposing candidate in the second round was Jiří Drahoš, a former Chairman of the Academy of Sciences. On 27 June 2018, the second cabinet of Andrej Babiš was nominated, which received a vote of confidence from the Chamber of Deputies on 12 July 2018. It is a minority cabinet consisting of representatives

of the ANO movement and the ČSSD party. Elections to the Senate and local elections also took place in 2018.

This year was also significant for the Czech Republic because it was the one-hundredth anniversary of the founding of the independent state. Various cultural events and parades took place all over the country.

2.2 LEGISLATIVE DEVELOPMENTS

A legislative process relating to the bill amending Act No. 326/1999 Coll. on the Residence of Foreign Nationals, was under way in 2018.

Also, at the end of the year, legislative work was started on a bill defining certain relationships in connection with the possible exit of the United Kingdom from the European Union without any agreement, which would define the future mutual relationship and settlement of these two subjects of international law.

- **Act No. 326/1999 Coll., on the Residence of Foreign Nationals**
- During the year 2018, there was a legislative process taking place, which was connected with a bill amending Act No. 326/1999 Coll., on the Residence of Foreign Nationals in the Territory of the CR and on amendments to certain Acts, as amended, and other related Acts. It was presented particularly in order to ensure the transposition of Directive (EU) 2016/801 of the European Parliament and of the Council of 11 May 2016 on the conditions of entry and residence of third-country nationals for the purposes of research, studies, training, voluntary service, pupil exchange schemes or educational projects and au pairing. The Act on the Residence of Foreign Nationals introduces the obligation to complete an adaptation-integration course after arrival in the Czech Republic and integration on a regional level

is to be institutionally anchored by transferring the Centres for the Integration of Foreign Nationals to a government system. It has also been proposed to amend the legal authorisation of the government to issue quotas for economic migration. Government regulations to be issued under this legal authorisation will define transparent quantitative quotas, which will be divided into categories corresponding to the qualitative aspects of migration needs. The bill was approved by the government on 6 June 2018. Thereafter, the Chamber of Deputies of the Parliament of the Czech Republic passed the bill on 13 March 2019. Subsequently, the bill was presented to the Senate, which discussed the bill on 2 May 2019 during its 8th session and returned the bill to the Chamber of Deputies with amendments. On 18 June 2019, the Chamber of Deputies once again passed the bill amending the Act. The amendment will come into force on 31 July 2019.

- At the end of the year 2018, the legislative work was started on a bill defining certain relationships in connection with the exit of the United Kingdom from the European Union without any agreement, which would define the future mutual relationship and settlement of these two subjects of international law. The purpose of the proposed legislation is to prepare the Czech Republic for a situation, in which the United Kingdom will be viewed as a third country from the point of view of national legislation after what is referred to as a “hard Brexit”. With regard to the guarantees, which the United Kingdom declared for the European citizens found in its territory even after the date of the exit of the United Kingdom from the European Union, measures ensuring reciprocity towards a similar offer from the British side have been proposed in selected areas. The bill is designed as a temporary Act, it will expire at the end of the year 2020, and by that time, the citizens of the United Kingdom must file an application for a residence permit intended for third-country nationals and must do so in the territory of the Czech Republic. As of 31 December 2020, the proposed Act will expire and so will any special treatment of the

citizens of the United Kingdom. The bill was discussed and approved by the government on 7 January 2019.

- **Act No. 325/1999 Coll., on Asylum** – no amendment to the Asylum Act was passed in 2018.
- During the autumn of 2018, legislative work was started on an amendment to Ordinance No. 328/2015 Coll., implementing the Asylum Act and the Act on the Temporary Protection of Foreign Nationals, as amended. The objective of the change, which this legislation is to bring, is to respond to the current developments in asylum policy and to amend the existing list of safe countries of origin by adding a total of 12 new countries (such as Algeria, Ghana, Tunisia as well as Moldova, Georgia and Ukraine). The legislative process was completed in March 2019.
- **Act No. 435/2004 Coll., on Employment (with regard to immigration)** – no amendment to the Employment Act was passed in 2018.

2.3 DEBATES IN THE MEDIA

In 2018, migration and topics related to foreign nationals in the Czech Republic still received considerable media coverage but to a much lower extent than in the previous years. In this respect, it was most often possible to see reports related to the employment of foreign nationals in the CR (the Czech Republic has the lowest unemployment rate across the EU Member States and a lack of labour forces, which it tries to overcome with incoming foreign workers). Close attention was also paid to an amendment to the Act on the Residence of Foreign Nationals, the changes proposed in the amendment and their impacts. The Czech media also followed the developments along migration routes and the illegal migration into the EU in general.

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

- employment of foreign nationals in the CR (for example, employment of Ukrainians, the programmes for foreign workers, lack of “local” workers and the related demand for foreign workers among companies, the measures taken in the municipalities in the vicinity of industrial zones),
- foreign nationals in the CR in general (for example, how many of them live here, the integration of foreigners, the crime rate among foreigners, police checks),
- the amendment to the Act on the Residence of Foreign Nationals, the proposed measures and their impacts,
- the situation along migration routes (the number of migrants arriving in Europe on land/by sea),
- the situation in Germany and the German migration policy,
- the Schengen borders and re-introduction of border checks,
- the security-related aspects of migration,
- concerns about Islam and migration and other manifestations of xenophobia from countries outside the EU as well as in the EU,
- terrorist attacks related to Islam (put in the context with the migration crisis),
- public opinion polls regarding the migration crisis/foreigners,
- illegal migration,
- the course of action taken by the Visegrad Four (V4) states on the issue of migration,
- the sending of Czech policepersons to the Republic of North Macedonia, Hungary, Slovenia, Serbia, Bulgaria and Greece,
- the measures against migrants in Hungary,
- the activities of the CR in connection with the migration crisis abroad (for example, the financial involvement of the CR in the areas affected by the migration crisis, the MEDEVAC and Aid in Place programmes),
- the granting of international protection in the EU,

- the Christians from China who applied for international protection in the Czech Republic.

During the year 2018, various debates, conferences, lectures and other events related to the issues of migration and foreigners continued to take place (organised by non-governmental non-profit organisations (NGOs), think-tanks, universities, scientific institutions, political parties, governmental institutions as well as opponents of migration). However, the amount of such activities in 2018 was notably lower in comparison with the previous years. In spite of the decline of interest in these issues among the media and the general public, migration and foreigners were still significant and discussed social topics.

3 LEGAL MIGRATION AND MOBILITY

In the year 2018, a total of **566,931 foreign nationals** were staying in the territory of the CR on a long-term basis (for a period longer than 90 days). At the end of the year 2018, foreign nationals accounted for approximately 5.3 % of the population of the CR, which has grown by 0.4 percentage point in comparison with the year 2017. Citizens of Ukraine (131,709), Slovakia (116,817) and Vietnam (61,143) were the largest groups among foreign nationals.

The implementation of all economic migration projects, which had been launched in the previous years, continued in 2018 and a new project titled "**Other States Regime**" was created by modifying an already existing project called "Ukraine Regime". The new project was opened for the citizens of Mongolia, Serbia and Philippines.

In 2018, the system for ensuring awareness of foreign nationals was being strengthened, this included creating **a new Centre for the Support of the Integration of Foreigners in the Region of Central Bohemia**, which has its offices in Benešov, Kladno, Kutná Hora, Mladá Boleslav and Přeborn. In order to facilitate the communication of foreign nationals and the processing of their matters, assistance was provided to foreign nationals at the DAMP Offices for the Residence of Foreign Nationals on a continued basis.

5,287 foreign nationals acquired the **citizenship** of the Czech Republic last year. Among them, 3,757 foreign nationals were granted the citizenship and 1,498 persons acquired the citizenship of the Czech Republic based on a declaration.

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

Numbers of Foreign Nationals with Residence Permit in the Territory of the CR

As of 31 December 2018, **a total of 566,931 foreign nationals** were registered as legally staying in the territory of the CR (for a period longer than 90 days)¹⁶, which represents an increase by 40,120 persons in comparison with the end of the year 2017. The year-on-year increase of the number of foreign nationals was 7.6 %, which was the highest year-on-year percentage increase since 2008 (after which the economic crisis occurred).

At the end of the year 2018, foreign nationals accounted for approximately **5.3 % of the population of the Czech Republic**, which represents a 0.4 percentage point increase as compared to the year 2017.

¹⁶ This figure includes foreign nationals with residence permits in the CR, registered in the Alien Information System (AIS). Nevertheless, the actual numbers of foreign nationals legally staying in the territory of the CR may be different because the registered number of foreign nationals does not include all the citizens of other EU Member States staying in the CR. The statistical statements only register those citizens of the EU who applied for or who were issued a temporary residence certificate. Those who just exercise their right are not statistically recorded.

Table 1: History of the numbers of foreign nationals with residence permits in the territory of the CR (2008–2018)

Year (as of 31 December)	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018
Number of foreign nationals	436,301	433,305	425,301	436,389	438,213	441,536	451,923	467,562	496,413	526,811	566,931
Year-on-year change in %	11.3 %	-0.7 %	-1.8 %	2.6 %	0.4 %	0.8 %	2.4 %	3.5 %	6.2 %	6.1 %	7.6 %

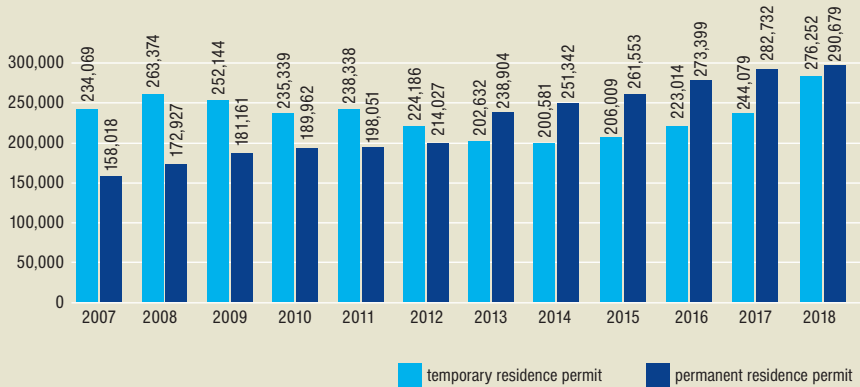
Source: IS AIS

Permanent and Temporary Residence

The rate of growth of the number of foreign nationals staying temporarily in the territory of the Czech Republic has been rising in recent years. While the year-on-year increase for temporary residence was just below 3 % in 2015 and around 9 % in the following two years, there was a year-on-year increase by 13.2 % in 2018. **The increase of the number of foreign nationals in the category of temporary residence pertains particularly to third-country nationals.** The number of persons in the category of temporary residence increased by 32,173 persons, among whom there were 24,191 third-country nationals (i.e. 75.2 %).

There has been an opposite trend in the category of **permanent residence**. The year-on-year increase for permanent residence was 2.8 % (7,947).

Chart 1: History of the numbers of foreign nationals with temporary residence permits and permanent residence permits in the CR



Source: IS AIS

If the foreign nationals are distinguished into the category of the citizens of EU Member States¹⁷ and other states, which are bound by the Agreement on the European Economic Area¹⁸ (hereinafter referred to as "EU citizens") and the category of foreign nationals from non-EU countries (that is, foreign nationals from countries referred to as "third countries"), it is clear that the larger category in terms of numbers consists of **third-country nationals who accounted for 59 % of foreign nationals staying in the Czech Republic at the end of the year 2018, which represented 334,438 persons. Their number increased by 9.2 % on a year-on-year basis, which is a 2.7 percentage point higher year-on-year increase compared to the previous year (their numbers increased by 6.5 % in 2017).**

¹⁷ Belgium, Bulgaria, Denmark, Estonia, Finland, France, Croatia, Ireland, Italy, Cyprus, Lithuania, Latvia, Luxembourg, Hungary, Malta, Germany, the Netherlands, Poland, Portugal, Austria, Romania, Greece, Slovakia, Slovenia, Spain, Sweden, the United Kingdom.

¹⁸ Iceland, Liechtenstein, Norway, Switzerland.

In the category of temporary residence, foreign nationals from the EU Member States have predominated over third-country nationals since 2013. At the end of the year 2018, the EU citizens staying in the territory of the CR in the category of temporary residence accounted for 62.4 % of the total number of the EU citizens. The situation is the opposite with third-country nationals – 60.8 % of them were staying in the territory of the CR in the category of permanent residence. Therefore, it is still true that **foreign nationals from the EU countries most often reside in the CR on a temporary basis, while the majority of third-country nationals reside in the CR on a permanent basis** but there has been a more significant increase of the number of third-country nationals in the category of temporary residence during the last year.

Citizenship of Foreign Nationals

The percentages of foreign nationals residing in the CR have remained almost unchanged on a long-term basis as concerns their citizenships. The order of the top 10 citizenships of foreign nationals has only changed in that Poland moved up to the fourth position, surpassing Germany. Otherwise, the order is the same as in the previous year.

At the end of the year 2018, citizens from these 3 countries: Ukraine (131,709), Slovakia (116,817) and Vietnam (61,143) accounted for more than a half of foreign nationals (54.6 %) with residence permits in the territory of the CR. The other citizenships follow after a relatively large gap.

Table 2: TOP 10 citizenships of foreign nationals with residence permits in the CR by residence category (as of 31 December 2018)

Type of residence	Number	Percentage (%)	on- year change (%)	Of which			
				Permanent residence	<i>i.e.</i> %	Temporary residence	<i>i.e.</i> %
Foreign nationals in total	566,931	100.0	7.6	290,679	51.3	276,252	48.7
among whom the highest numbers of citizens are from:							
Ukraine	131,709	23.2	12.1	84,996	29.2	46,713	16.9
Slovakia	116,817	20.6	4.5	50,229	17.3	66,588	24.1
Vietnam	61,143	10.8	2.2	51,405	17.7	9,738	3.5
Russian Federation	38,223	6.7	3.8	21,635	7.4	16,588	6.0
Poland	21,279	3.8	3.0	10,815	3.7	10,464	3.8
Germany	21,267	3.8	0.0	4,486	1.5	16,781	6.1
Bulgaria	15,593	2.8	13.0	5,271	1.8	10,322	3.7
Romania	14,684	2.6	16.9	3,729	1.3	10,955	4.0
United States of America	9,510	1.7	-0.5	3,426	1.2	6,084	2.2
Mongolia	9,081	1.6	14.9	5,167	1.8	3,914	1.4
EU citizens	232,493	41.0	5.4	87,316	37.6	145,177	62.4
Third-country nationals	334,438	59.0	9.2	203,363	60.8	131,075	39.2

Source: IS AIS

In 2018, within the top 10 citizenships, the highest percentage increases were seen with the citizens of **Romania** (14,684, *i.e.* +16.9 %, *i.e.* +2,122), **Mongolia** (9,081, *i.e.* +14.9 %, *i.e.* +1,181) and **Bulgaria** (15,593, *i.e.* +13, *i.e.* +1,798). Nevertheless, in absolute terms, the highest increases were seen with the citizens of Ukraine (+14,229) and Slovakia (+5,013).

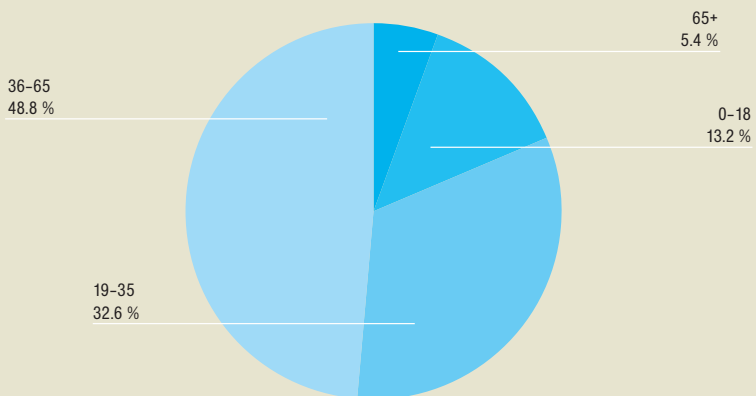
Foreign Nationals by Gender and Age

Among the foreign nationals with residence permits in the territory of the CR, **men continued to predominate** in 2018 (322,163 men, *i.e.* 56.8 %). The ratio between men and women is more balanced with those foreign nationals who reside permanently in the territory

of the CR. In the category of permanent residence, the share of men was 52.8 %. In the category of temporary residence, the share of men was higher, specifically 61.1 %. The differences in the percentages of foreign nationals with respect to gender in the individual categories of residence can be linked to the nature of temporary residence, which is mostly provisional and mainly economically motivated.

The differences mentioned above, resulting from the work-related nature of residence, are also reflected in the age structure of foreign nationals. As of 31 December 2018, persons at an economically active age clearly predominated among foreign nationals with residence permits in the territory of the CR. These foreign nationals at the age of 19-65 years who numbered 461,565 accounted for 81.4 % of the total number of foreign nationals. 74,654 persons younger than 18 years with residence permits in the country were registered at the end of the year 2018, which accounted for 13.2 %.

Chart 2: Age structure of foreign nationals with residence permits in the CR (as of 31 December 2018)



Source: IS AIS

3.2 ECONOMIC MIGRATION

As of 31 December 2018, the regional branch offices of the Employment Agency of the Czech Republic (ÚP ČR) **registered a total of 568,676 foreign workers in the positions of employees, which was 20.4 % more than in 2017 (there were 472,354 foreign workers in that year)**. A total of 366,624 foreign workers (i.e. 64.5 %) came from the EU Member States, the European Economic Area and Switzerland (hereinafter referred to as "EU/EEA and Switzerland"), including their family members. Among them, the largest groups consisted of the citizens of **Slovakia** (191,818 information cards), **Poland** (44,896 information cards), **Romania** (44,099 information cards) and **Bulgaria** (34,543 information cards). There were a total of 202,052 foreign workers from among those who were not citizens of the EU/EEA Member States and Switzerland – third-country nationals (i.e. 35.5 %), with the highest numbers found among the citizens of **Ukraine** (71,387 information cards¹⁹ + 49,699 work permits²⁰), the **Russian Federation** (11,775 information cards + 2,822 work permits) and **Vietnam** (9,876 information cards + 2,682 work permits).

With respect to territorial structure, **the highest number of foreign workers** in the positions of employees has been seen in the **Capital city of Prague (191,494)** on a long-term basis, followed by **the Region of Central Bohemia (92,120)**, **the Region of South Moravia (59,145)** and **the Region of Pilsen (54,442)**.

Foreign nationals with free access to the labour market accounted for the majority of foreign workers in 2018. According to the register, the total number of 568,676 foreign workers included **366,624 information cards of the citizens of the EU/EEA Member States**

¹⁹ This includes workers from third countries who do not need an employment permit, an Employee Card, a Blue Card or an intra-corporate transferee card.

²⁰ This includes employment permits, Employment Cards, Blue Cards and possibly intra-corporate transferee cards.

and Switzerland, including their family members, and 124,674 (i.e. 21.9 %²¹) **information cards of third-country nationals.** Among the foreign workers who enter the labour market **with a work permit,** their total number of **77,378** (i.e. 13.6 %²²) included 45,293 Employee Card holders²³, 31,495 employment permit holders and 590 Blue Card holders as of 31 December 2018.

As of 31 December 2018, a total of 2,102 job agencies, entities with a license to mediate employment, issued by the General Directorate of the Employment Agency, **were registered,** including **1,028** job agencies licensed for agency employment, i.e. licensed to mediate employment pursuant to the provision of Section 14(1)(b)²⁴ of the Employment Act, and **1,661** job agencies were licensed to mediate employment pursuant to the provision of 14(1)(a)²⁵ and (c)²⁶ of the Employment Act.

In the year 2018, a total of **161,582 foreign nationals were registered in the positions of employees of job agencies who were temporarily assigned to perform work for a user.** This number included 100,631 citizens of the EU/EEA Member States and Switzerland and 60,951 third-country nationals.

²¹ The share of information cards of third-country nationals in 2017 was 21.5 %.

²² In 2017, the share of foreign workers entering the labour market with a work permit was 8.5 %.

²³ This only concerns the Employment Cards recorded in the central register of the MoLSA.

²⁴ Mediation of employment means employment of natural persons for the purpose of their performance of work for a user party, which is meant to be another legal entity or natural person that assigns work and supervises its performance.

²⁵ Mediation of employment means seeking out a job for a natural person who seeks a job and seeking out employees for an employer who seeks new labour forces.

²⁶ Mediation of employment means a consultancy and informational activity in the field of job opportunities.

Projects in the Field of Economic Migration

Economic migration projects, which have been created and implemented since 2012 as part of the interdepartmental cooperation of the central governmental authorities, represent **an effective tool for supporting migration of selected target groups of third-country nationals, in whose entry into and residence in the territory of the CR the Czech state is interested to an increased degree.** Creation of migration projects was included among the instruments serving to accomplish the goals of the CR in the field of legal migration set in the Government Resolution No. 621 of 29 July 2015 *on the Strategy of the Migration Policy of the CR and on the Migration Communication Strategy of the CR*. Since 2015, these projects have been approved by government resolutions.

The goal of economic migration projects is **to improve the efficiency of the migration procedure by simplifying the process of filing and processing the applications of foreign nationals for residence permits or employment permits.** The owner of the project or the appointed guarantor (business representation) makes decisions on inclusion of foreign nationals and domestic entities (employers, business corporations, schools), which are directly interested in their arrival, into the project, provided that the defined criteria are met.

In the year 2018, implementation of all the projects launched in the previous years continued, and new projects were also created:

- **Fast Track: A Fast Track Procedure for Intra-corporate Transferees and Localised Employees and Statutory Bodies of Foreign Investors (the project was launched on 1 February 2012)**

The target group consists of relocated employees or foreign nationals in the positions of statutory bodies of multinational corporations with established branch offices in the CR. In the year 2018, a total of 170 workers from third countries, particularly specialists and managers from the fields of industry, development of information technologies and services, took advantage of this project. The highest numbers of candidates were from India (76), the United States of America (12) and Japan (10).

Due to increased interest in this migration project, the Coordination Body for Managing the Protection of State Borders and Migration made a decision to increase the annual quota to 300 persons with effect as of 1 July 2018.

- **The Welcome Package for Investors Project (the project was launched on 1 July 2013)**

The target group consists of relocated employees or foreign nationals in the positions of statutory bodies of multinational corporations with newly established branch offices in the CR. In the year 2018, a total of 82 applications (57 candidates and 25 family members) were included in the project, these were mainly managers and specialists. The latest update of the project allows for including even newly incorporated companies developing a product or a service, which are unique in terms of place and time, address the given problem in a unique and innovative manner, have the potential of fast growth in terms of sales and customers and are built particularly on their founders and usually need an investment for their further growth and launch of the product on the market (referred to as a “start-up”). The highest numbers of candidates were from India (16), Costa Rica (11) and Brazil (11).

With effect as of 1 October 2018, the Coordination Body for Managing the Protection of State Borders and Migration approved the option to

file applications in English, which only serves to the purposes of the Ministry of Industry and Trade and CzechInvest. Furthermore, the list of incubators²⁷ has been amended.

- **Special Procedures for Highly Skilled Professionals from Ukraine and India, referred to as the “Ukraine and India Project” (the project was launched on 9 November 2015)**

This project is designed for domestic employers who have been unable to fill a vacant job position with a highly qualified specialist from among the citizens of the CR or the EU for a long time. The goal of the project is to achieve time savings in the process of receiving and processing the applications for Employment Cards and Blue Cards for specialists from Ukraine and India who will be performing highly qualified jobs in the territory of the CR in the fields of production, services or in the public sector. Starting from 19 September 2018, the original Ukraine Pilot Project was extended to include India. The Special Procedures for Highly Skilled Professionals from Ukraine and India project will simplify the entry into the territory of the Czech Republic for up to 500 highly skilled citizens of Ukraine and for up to 500 highly skilled citizens of India per year.

In total, 63 companies operating in the Czech Republic and 461 job candidates from Ukraine were included in the Pilot Project in 2018, there were 8 domestic companies and 49 candidates from India who took advantage of the fact that the Pilot Project was extended to include India. IT professions (software developers, coders and IT specialists, etc.) were in the highest demand.

²⁷ A business incubator is an entity, which offers comprehensive services to starting businesspersons. These services include particularly the lease of office areas, business consultancy, mentoring, workshops and networking events. The incubators in the Welcome Package project must have experience with incubation and acceleration programmes, in which foreign start-ups participate.

According to a decision by the Coordination Body for Managing the Protection of State Borders and Migration, it has not been possible to include applicants for the job of a pharmacist since 25 April 2018.

- **System of Special Treatment for Skilled Employees from Ukraine, referred to as “Ukraine Regime” (the project was launched on 1 August 2016, a modification to the system was approved on 26 April 2017 and entered into force on 1 May 2017)**

The Ukraine Regime is designed for domestic employers who have been unable to fill a vacant job position with a medium-skilled or low-skilled worker from among the citizens of the CR or the EU for a long time. The goal of the project is to achieve time savings in the process of receiving and processing the applications for Employee Cards for workers from Ukraine who will be performing medium-skilled or low-skilled jobs in the territory of the CR in the fields of production, services or in the public sector. Guarantors (i.e. the Czech Chamber of Commerce, CzechInvest, the Confederation of Industry of the Czech Republic, the Confederation of Employer and Business Unions of the CR, Association of Small and Medium-Sized Enterprises and Crafts CZ, the Agrarian Chamber of the CR and the Czech Food Chamber) were making decisions on inclusion of a specific employer into the Ukraine Regime and were responsible for assessing the need for inclusion of each employer.

With its Resolution No. 79 of 31 January 2018, the Government of the CR once again increased the capacity of the Ukraine Regime from 9,600 to **19,600 applications**. Since 1 May 2018, the process of receiving applications for Employee Cards has been outsourced. The applications are no longer filed with the Consulate General of the CR in Lvov but they are to be filed with the Visa Centre in Lvov. The Government of the Czech Republic also approved additional staff for the Ministry of Foreign Affairs and the Ministry of the Interior, which resulted in reducing the time required for the processing of applications.

Since the Ukraine Regime was launched, a total of approximately 35,296 candidates from 1,780 companies have been included in the project.

In 2018, **a total of 25,228 candidates from 862 companies** have been included in the Ukraine Regime.

The Ukraine Regime includes a special procedure for receiving collective applications for Employee Cards (more than 50 at once). The annual quota for collective applications is 600 persons per year. For a collective application, a higher degree of cooperation on the part of the employer is required. This involves firstly the obligation that the employer will discuss the matter with their existing employees and secondly the obligation that the employer will cooperate with a Centre for the support of the integration of foreigners and will present a position statement from the local government of the municipality where the newly incoming foreigners will be accommodated.

- **Special Procedures for Workers for Agriculture and Food Industry from Ukraine (the project was launched on 1 January 2018)**

In 2017, a new migration project titled Special Procedures for Workers for Agriculture and Food Industry from Ukraine, which is similar to the Ukraine Regime but oriented on a narrower group of employers and non-skilled workers can be included in it, too. The government approved the project in its Resolution No. 572 of 21 August 2017.

Due to the bark beetle crisis in the Czech Republic, the project was modified during the year 2018. Its annual quota now amounts to 500 applicants for an Employee Card and 1,500 applicants for a visa for a stay of over 90 days for the purpose of seasonal employment.

In 2018, a total of 323 workers who applied for an Employee Card took advantage of the project. No application for a visa for a stay of over 90 days for the purpose of seasonal employment was filed in 2018.

- **Other States Regime (the project was launched on 1 May 2018)**

The Other States Regime was approved by Resolution No. 79 of the Government of the CR of 31 January 2018, the actual implementation started on 11 April 2018, specifically for Philippines and Mongolia. On 22 June 2018, this Regime was extended to include Serbia under Government Resolution No. 416.

This Regime is similar to the Ukraine Regime. The annual quota is 1,000 persons from Philippines, 1,000 persons from Mongolia and 2,000 persons from Serbia. Each month, a proportionate part of the total annual quota is available and it is necessary to register with the Ministry of Industry and Trade and to file an application for an Employee Card with the code generated at the time of registration. After the defined quota is filled, no additional applications can be filed.

In 2018, there were 934 candidates from Mongolia for 30 companies, 304 candidates from Philippines for 19 companies and 430 candidates from Serbia for 26 companies included in the Other States Regime.

- **Training (the project was launched on 24 November 2014 in cooperation with the Confederation of Industry of the CR)**

The Training project is intended for third-country nationals who are sent by foreign employers to Czech legal entities (typically manufacturers) or natural persons with the aim of increasing their skills and qualifications for the purpose of further employment of these foreign nationals at their foreign employers, the period of their training cannot be longer than

6 months. It is the only project directly provided for in the legislation.

875 candidates were included in the Training project in 2018. The highest numbers of candidates were from Moldova (72), Brazil (46) and Ukraine (40).

- **Simplified Procedure for the Entry and Residence of Economically Significant Partners (the project was launched on 1 September 2014)**

The purpose of the project is to offer flexibility in the speed and method of receiving applications for a short-term or long-term visa and their processing. The project is only implemented for applicants from the following countries: Azerbaijan, China, India, Japan, South Korea, Canada, Qatar, Kazakhstan, Kuwait, Oman, the Russian Federation, Saudi Arabia, the United Arab Emirates, the United States of America, Turkey and Taiwan. However, in individual and justified cases, other countries can also be included.

3.3 FAMILY REUNIFICATION

There were no legislative changes in this area in 2018.

In 2018, 5 % of the total number of applications for a long-term residence permit were filed at the embassies of the Czech Republic. These applications were filed most often by citizens of Ukraine (883), Vietnam (399 persons) and the Russian Federation (105).

3.4 STUDENTS AND SCIENTISTS

In Government Resolution No. 621 of 29 July 2015 *on the Migration Policy Strategy of the Czech Republic and on the Migration Communication Strategy of the Czech Republic*, the MoEYS was tasked with creating a **Strategic Document on the Entry and Residence of Third-Country Nationals in the Territory of the Czech Republic for the Purpose of Studies and Other Educational Activities**, which proposes a number of legislative, organisational and other measures aiming to facilitate the visa process for foreign university students who are interested in studying in the Czech Republic. For this purpose, a taskforce was set up, composed of representatives of the MoEYS, the MoI and the MoFA, the authority in charge of this taskforce is the MoEYS. The document was approved in June 2016.

In early 2018, the Government of the Czech Republic approved the **Action Plan of Development of Human Resources for Research, Development and Innovation and Gender Equality in Research, Development and Innovations in the CR** for the years 2018 through 2020. The approved action plan calls for the necessary systematic support of short-term and long-term mobility of foreign scientists and researchers and sets the goal of enhancing the international mobility of these professionals in both directions. In order to achieve this goal, the government tasked the MoEYS with a) implementing programmes designed to support research, development and innovations, focusing on the support of international mobility of researchers, and b) delivering further support for the infrastructure services providing researchers with comprehensive assistance in addressing the issues related to their mobility.

The MoEYS, in cooperation with the MoI, the MoFA and the representatives of universities, proposed and is currently implementing a joint project concerning facilitation of the visa procedure for selected university

students, referred to as the “**Student Mode**”. The project was approved by the government in June 2017 and was launched immediately. The Student Mode provides faster and more efficient processing of a visa application from a foreign student who met the defined conditions. It is intended solely for those who are interested in studies under the accredited study programmes of universities. The goal of the Student Mode is to create opportunities for increasing the number of foreign students, including the students who fully pay the costs of their studies. In 2018, the Student Mode has been implemented at 21 embassies of the Czech Republic in 15 countries. These embassies have consular jurisdiction for a total of 41 countries. **The total capacity of the Student Mode in 2018 was 5,240 candidates.**

Based on the applications of the universities included in the Student Mode, a total of 1,070 candidates for studies in the Czech Republic were included in the Student Mode in 2018. As a result, 20.4 % of the capacity was used and the extent of utilisation of the Student Mode strongly varies across the embassies. The extent of utilisation of the capacity was highest in Ghana, Nigeria and Pakistan. In spite of the relatively low rate of utilisation of the Student Mode in some countries, the experience with this project has been good both from the point of view of the universities and the included students as well as from the point of view of the Czech Republic. For the year 2019, it was decided to extend the Student Mode to include five new countries: Azerbaijan, Iraq (Erbil), Brazil, Columbia and Peru.

Since 2013, the Czech Republic has been implementing a project titled **Fast Track Procedure for Granting Residence Permits to Foreigners – Foreign Students from Third Countries**, which focuses on student migration of foreign scholarship holders. The MoEYS is the administrator of this project. The project’s primary goal is to simplify the entry procedure for students who have been admitted to studies in the Czech Republic as participants of selected scholarship

programmes under international agreements (bilateral or multilateral ones) or decisions by the Government of the CR (developing countries or compatriots abroad). Within the terms of this project, these people are issued a long-term visa or a long-term residence permit for the purpose of studies in a fast track procedure.

The EURAXESS Czech Republic Network continued its activities in 2018. This project is financed by the MoEYS in cooperation with the Academy of Sciences. Among other things, the EURAXESS Czech Republic Network provides information and assistance to researchers who come to the CR to work here or to those who move to work in another EU country. The EURAXESS centres help scientists and their families with planning and carrying out their relocation abroad and provide assistance in all areas connected with mobility.

Starting from the year 2017, the MoEYS has been supporting the international mobility of PhD. students, post-graduate students and researchers under the Research, Development and Education Operational Programme (OP VVV²⁸) under the challenges titled **International Mobility of Researchers** and **Marie Skłodowska-Curie Actions – MSCA-IF**. The goal of these challenges is to strengthen international cooperation as well as to support development of Czech research organisations by adding experts from abroad to their human resources. The scope of actions to support international mobility also includes the integration of researchers with experience acquired abroad into the Czech research and development system. From the International Mobility of Researchers – MSCA-IF, the MoEYS also provides finances for those scientists' mobility projects, which were successful in applying for a grant under the Horizon 2020 European programme as part of the Marie Skłodowska-Curie Actions (MSCA) – Individual Fellowship

²⁸ The Research, Development and Education Operational Programme is a multi-year theme-specific programme administrated by the MoEYS, under which it is possible to draw on finances from the European Structural and Investment Funds (ESIF) during the programme period of 2014–2020.

but were put on the backup list due to lack of resources and could not be financed under this programme.

Within the terms of the OP VVV, there is also a challenge titled **Support of Excellent Research Teams**, which allows foreign scientists (or Czech scientists who have worked abroad on a long-term basis) to establish themselves in a research organisation in the CR and build their own research team.

3.5 VISA POLICY AND SCHENGEN COOPERATION

Visa Policy

On 19 June 2018, in the area of common visa policy, a mandate of the EU Council for negotiating with the European Parliament on an amendment to the Visa Code (Regulation No. 810/2009 establishing a Community Code on Visas) was adopted. The new proposal should better reflect the latest developments in the security and migration areas and should also concentrate more on integration of the visa and readmission policies. Also, changes have been proposed that would make it possible to file an application for a visa up to 6 months and no later than 15 days before a trip, also, an option to fill out and sign the application form electronically is to be created. According to the proposal, the Regulation would define more clearly which Member State is responsible for examining an application, if the intended visit covers several Member States, it is supposed to implement a harmonised approach to the issuing of multiple entry visas to regular travellers, who have a positive visa record, for a progressively extended period ranging from 1 year to 5 years. The proposal also reflects the growing requirements placed on the capacity necessary for processing visa applications by increasing the visa fee to EUR 80. The Regulation is also supposed to introduce a mechanism by means of which the need to review the amounts of visa fees would

be assessed every three years. The negotiations with the European Parliament have been under way since the beginning of the year 2019. At the time of writing this report, a preliminary agreement was reached among the parties to the trilateral negotiations.

In the area of visa liberalisation, the report of the European Commission, which evaluated Kosovo as a country meeting the conditions for entering into a visa-free travel agreement with the EU, was discussed. The conclusions of the European Commission did not meet with approval from the overwhelming majority of Member States and so, for the time being, visa liberalisation for Kosovo has not taken place.

In the final stage of the Austrian Presidency, the discussion about modernising the visa process through digitization by implementing an electronic format of the visa stamp as well as by making it possible to file an application for a Schengen visa online was reignited. In this area, further developments can be expected after a detailed analysis of the European Commission is prepared. The expected date of the release of this analysis was not announced in 2018.

Schengen Cooperation

The 2014 National Schengen Plan is evaluated every year and the evaluation is presented in the form of a *Report on Implementation of the National Schengen Plan* alternately to the Coordination Body for Managing the Protection of the State Borders and Migration (in the years 2015, 2017 and 2019) and to the government (in the years 2016, 2018 and 2020). This is a continuous process of monitoring compliance with the Schengen standards.

In April 2018, the *Fourth Report on Implementation of the National Schengen Plan* As of 31 December 2017 was presented to the government, which contained the evaluation of performance of separate tasks in the

reference year. The government approved the document in Resolution No. 279 of 30 April 2018. In November 2018, the preparation of the *Fifth Report on Implementation* was started, which will be presented to the Coordination Body in 2019. The plan is the basic strategic document for the field of Schengen cooperation and border protection. The goal of this plan and the tasks defined in the plan is to ensure a high standard in all fields of Schengen cooperation, and the accomplishment of this goal is verified through regular Schengen evaluations. Going forward, the plan is supposed to create a vision for further development of the Schengen acquis, including assessment of the financial requirements and creation of a national strategy for the purposes of preparation of the state budget and utilisation of the EU resources.

The preparations of the Czech Republic for the regular Schengen evaluation, which took place in the period from January to March 2019, had also been taking place in 2018.

Entry into the Schengen Area remains closed to Bulgaria and Romania. Both countries successfully underwent the Schengen evaluation process, however, mainly Germany and the Netherlands oppose their accession on a political level. Croatia started the process of preparation for fully joining the Schengen cooperation and was evaluated in a number of areas in the years 2016 and 2017, further evaluation is planned for the forthcoming years.

The discussion on the level of the EU Council about a draft Regulation of the European Parliament and of the Council amending Regulation (EU) 2016/399 (**Schengen Border Code**) in connection with the rules applicable to the temporary re-introduction of the protection of internal borders continued in 2018. The goal of the proposed amendment is:

- to extend the time limitations for the temporary re-introduction of the protection of internal borders in such a way so as to enable

Member States to take, if the need arises, the necessary measures as a response to a serious threat to the public order or internal security,

- to implement better procedural guarantees so that a decision to re-introduce the protection of internal borders or its extension is based on a proper risk assessment and is executed after consultation with those Member States, which will be affected by this measure.

On 12 September 2018, the European Commission presented a proposal for a regulation of the European Parliament and of the Council on the **European Border and Coast Guard**, repealing Council Joint Action No. 98/700/JHA, Regulation (EU) No. 1052/2013 of the European Parliament and of the Council and Regulation No. 2016/1624 of the European Parliament and of the Council. With this proposal, the Commission responds to a long-time emphasised priority, which is the effective protection of the EU/Schengen external borders, and the call from the Member States (including the Czech Republic) to strengthen the role of the European Border and Coast Guard Agency in this respect. Securing the external border is regularly declared as the basic prerequisite for the functioning of the Schengen Area without checks on the internal borders as well as a prerequisite for further progress in addressing the migration policy of the EU. The proposal of the European Commission directly responds to the conclusions of the European Council, dated 28 June 2018, according to which the Member States should ensure the effective protection of the EU's external borders and strengthen the effective process of returning persons with illegal statuses with the financial and technical support from the EU. In both these respects, the supporting role of the Agency should be further strengthened in cooperation with third countries by increasing the allocated resources and by strengthening its mandate.

On 20 April 2018, the Commission presented a proposal for a regulation of the European Parliament and of the Council **to enhance the security**

features of the identity cards of the Union's citizens and the residence permits issued to the Union's citizens and their family members exercising their right of free movement. This proposal is a part of the Action Plan of the Commission from December 2016 to intensify the combat against fraud with documents in the EU, in which the Commission identified the measures for enhancing the security features of documents, including identity cards and residence permits, in the context of the recent terrorist attacks in Europe. The goals of the Commission's Action Plan were subsequently confirmed in the conclusions of the Council of 27 March 2017, which were based on the repeated calls of the Council for improvement of the security features of identity documents and residence permits. The proposal for a regulation specifically defines the minimum security features for national identity documents (if the Member States issue them) and for residence permits issued to the Union's citizens and their family members with the aim of improving security in the EU. However, it will still be up to the specific Member State to decide whether it will issue identity documents to its citizens.

The Entry/Exit System (EES) should most probably be launched by the end of the year 2020. The goal of the EES will be to mitigate the delays during border checks and to improve the quality of the border checks of third-country nationals, to ensure systematic and reliable identification of "overstayers" (persons who exceeded the period of permitted stay in the Schengen Area) and to strengthen internal security and intensify the fight against terrorism and serious crime.

On 9 October 2018, Regulation (EU) 2018/1240 establishing a **European Travel Information and Authorisation System (ETIAS)** entered into force. The main goal of this Regulation is to set up an automated information system of the Union, which will record data on third-country nationals who are not subject to a visa requirement for short-term stays in Member States. The ETIAS should collect and effectively evaluate

the information on these passengers still before their intended trip to the EU takes place, whereby it should help identify possible migration, security and health risks associated with this category of persons. Third-country nationals who are exempt from visa requirement for short-term stays will thus be required to meet a new condition for entry in the form of a travel permit, without which their entry should be denied at the external borders, save for certain exceptions. It is expected that the ETIAS will be launched by the end of the year 2021.

On 1 December 2012, **the European Agency for the Operational Management of Large-Scale IT Systems in the Area of Freedom, Security and Justice (eu-LISA)** started to perform its tasks. In 2013, this Agency assumed responsibility for operational management of large-scale IT systems supporting the activities of the authorities in charge of this area (SIS II, VIS, EURODAC). The Agency is based in Tallinn, some tasks associated with development and operational management are performed in Strasbourg in France. The backup site is situated in Sankt Johann im Pongau in Austria.

In 2018, the Management Board of the eu-LISA Agency held a total of 3 meetings and the advisory groups for SIS II, VIS and EURODAC held 4 meetings to discuss the documents concerning the operational matters of the Agency, information systems, resolution of acute problems and the planning of future activities. On 11 December 2018, Regulation (EU) 2018/1726 of the European Parliament and of the Council, expanding the mandate of the eu-LISA Agency to include the new information systems in preparation (replacing Regulation (EU) No. 1077/2011, which was repealed), entered into force. Based on the adoption of the Regulation on the Entry/Exit System (EES), eu-LISA commenced work on the implementation of this information system. An advisory group was set up for the EES, which held six meetings, and a Programme Management Board was set up, which held 4 meetings in Brussels, Tallinn, Amsterdam and Strasbourg and, among other things, organised 4 webinars.

On 27 December 2018, the legislative package designed to revise the **Schengen Information System** entered into force. This package consisted of a Regulation for police and justice cooperation in criminal matters, border checks and returns of illegally staying third-country nationals, which should effectively contribute to the fight against terrorism, cross-border crime and illegal migration. The revision consists mainly in adding new functionalities to the system such as extension of the use of biometric data or implementation of what is referred to as “query control”, which is an intermediary step between a discreet check and a special check and which should help combat serious crime and terrorism. Using the SIS for the purposes of return is a completely new instrument, which is supposed to monitor the effectiveness and information exchange in the return process.

On 12 December 2017, the European Commission presented proposals for regulations, which contain the long-announced solution to **interoperability between the EU’s information systems in the area of migration and internal security**. This new functionality is supposed to contribute to a higher degree of efficiency in utilisation of information sources and consequently help to better deal with the current problems in the area of security and combat against illegal migration. In its proposed form, the interoperability pertains to three of the existing EU’s centralised systems (the Schengen Information System (SIS), EURODAC and the Visa Information System (VIS) and three EU’s centralised systems in preparation (the Entry/Exit System (EES), the European Travel Information and Authorisation System (ETIAS), the European Criminal Records Information System for Third-Country Nationals (ECRIS-TCN). It also includes the Interpol’s databases (Stolen and Lost Travel Documents (SLTD), Travel Documents Associated with Notices (TDAWN) and the Europol’s data to the extent necessary for combatting serious crime and terrorism and for the functioning of the ETIAS. On 13 February 2019, Coreper confirmed the final compromise text that was the result of a trilogue among the Council, the European Parliament and the European Commission.

3.6 INTEGRATION, CITIZENSHIP

Integration

Migration into the Czech Republic can be effective and beneficial to both foreign nationals and the majority society, if it is directly linked to integration measures. An active integration policy is an absolute necessity. Its goal is to support the integration of foreigners into the society, to create opportunities for harmonic conflict-free co-existence between foreigners and the majority society, to prevent occurrence of negative social phenomena and to ensure the protection of the rights and security of all inhabitants of the Czech Republic. A successful integration policy makes it possible to prevent negative phenomena in the co-existence between foreigners and the majority society such as closed communities. Integration is a mutual process, which requires the willingness to integrate on the part of foreigners and the majority support of their efforts to integrate into the society.

The primary target group of the policy for the integration of foreigners are third-country nationals who have been staying in the territory of the Czech Republic legally on a long-term basis.

The percentage of this group of third-country nationals still represents the majority in the structure of foreigners in the Czech Republic. Secondary target groups of the integration measures are citizens of the European Union who have the opportunity to take advantage of some of the integration instruments and beneficiaries of international protection who can take advantage of the integration measures provided beyond the framework of services ensured under the State Integration Programme. The majority society is also a target group of the integration measures because integration is a two-way process.

The basic document of the integration policy of the CR is the **Policy for the Integration of Foreign Nationals in the Territory of the**

Czech Republic²⁹. The MoI presents a draft resolution on the Procedure for Implementing the Policy for the Integration of Foreign Nationals to the government every year. This draft resolution contains specific measures, which the relevant Ministries responsible for implementing the integration policy during the given year, will take to support successful integration of foreign nationals in the CR. In 2018, the key document was the *Procedure for Implementing the Updated Policy for the Integration of Foreign Nationals – In Mutual Respect in 2018*³⁰ (hereinafter referred to as the “Procedure”). At the beginning of the following year, the MoI then always presents information to the government on implementation of the Procedure in a *Report on the Situation in Migration and the Integration of Foreign Nationals in the Territory of the Czech Republic* for the previous year³¹.

Integration measures are focused on supporting self-sufficiency of foreign nationals to make sure that they know their rights and are able to fulfil their obligations, that they know their way around in the new environment, that they get to know the customs and way of life in the CR, which they chose as their new, whether temporary or permanent, home, that they understand and are able to communicate in Czech, that they are autonomous and self-sufficient in social and economic terms, and that they have enough information on where they can find help and support, if they need it.

In 2018, the system for ensuring awareness of foreign nationals was strengthened. **A new Centre for the Support of the Integration of Foreigners in the Region of Central Bohemia** was opened, which has its offices in Benešov, Kladno, Kutná Hora, Mladá Boleslav and Příbram. In order to facilitate the communication of foreign nationals and the processing of their matters, assistance was provided to foreign

²⁹ Government Resolution No. 26 of 18 January 2016

³⁰ Government Resolution No. 10 of 3 January 2018

³¹ The Policy, Procedure and Reports are available at <https://www.mvcr.cz/migrace/clanek/zakladni-dokumenty-k-integracni-politice-ke-stazeni.aspx>

nationals at the DAMP Offices for the Residence of Foreign Nationals on a continued basis. Assistance and interpretation was provided to foreign nationals or they were accompanied during their dealings at schools and with governmental authorities. Great emphasis was placed on supporting the awareness of both the professional community and the general public due to the experience that information sharing is significant prevention against feelings of uncertainty and endangerment, which may be manifested among members of the majority society in the form of xenophobia or rejection of foreigners. The implementation of integration measures on the regional and local levels was once again supported through the integration projects of municipalities and non-governmental non-profit organisations. Increased attention was paid to education of foreigners' children because the numbers of children and students from third countries have been significantly rising in the Czech Republic.

In the last quarter of 2018, the MoI prepared and presented the *Procedure for Implementing the Updated Policy for the Integration of Foreign Nationals – In Mutual Respect in 2019* to the government for discussion, based on the source materials from other Ministries and other entities. The government approved this document in early 2019 with its Resolution No. 6 of 7 January 2019.

Coordination of the integration policy has been entrusted by the government to the Ministry of the Interior³², which also continuously monitors and evaluates the situation and status of foreign nationals in the CR as well as the mutual relationships between foreign nationals and the majority at local, regional and national levels. Each Ministry is responsible for implementing the integration policy within its purview³³. The

³² Government Resolution No. 979 of 23 July 2008 on Transfer of Certain Activities Performed by the Ministry of Labour and Social Affairs to the Ministry of the Interior.

³³ Particularly the Ministry of Education, Youth and Sports, the Ministry of Labour and Social Affairs, the Ministry of Culture, the Ministry for Regional Development, the Ministry of Industry and Trade, the Ministry of Health and the Ministry of Foreign Affairs are involved in implementing the Policy.

task of each Ministry is to present proposals of their plans to implement the integration policy as inputs for the Policy and the Procedure and to perform these tasks. The MoI, as the coordinator for the integration policy, is in regular contact with the integration coordinators of each Ministry and organises bilateral meetings as well as meetings of a board consisting of representatives of other Ministries on a regular basis. In 2018, there were two joint **interdepartmental meetings held by the board consisting of representatives of Ministries**. The agenda of these meetings consisted of performance of the tasks arising from the Policy, the plans of Ministries in the field of integration and the legislative changes in preparation.

Matters concerning the education of pupils who are children of foreign nationals and matters associated with the envisioned increasing of the difficulty of examination in the Czech language as one of the conditions for obtaining a permanent residence permit to level A2 were discussed with representatives of the MoEYS on a regular basis.

Support of the integration policy at regional and local levels where the integration process actually takes place has been a long-term priority of the MoI. The main goal is to mobilise territorial self-governments to create and implement their own integration measures. The task is to create suitable conditions for the integration of foreigners into local structures and conflict-free coexistence of all inhabitants of a given municipality. The MoI supports individual municipalities and city districts with expertise and finances to help them create their own integration strategies through municipality projects supporting the integration of foreign nationals.

In 2018, 15 municipalities and city districts implemented the given projects. The projects were supported with the amount of CZK 16,330,236.30. Through these projects, a number of activities of self-governments were carried out, which supported foreign nationals in their integration and

also supported all the inhabitants of the municipality to get to know each other, which should result in formation of open and conflict-free relationships between foreigners and the majority. In November 2018, the tenth conference on the integration of foreign nationals in municipalities titled "Crossroads of Integration", which was organised by the statutory city of Brno, took place under the auspices of the Minister of the Interior and the mayor of the statutory city of Brno.

The calls to file applications for subsidies from the state budget for implementation of the NGO and municipality integration projects for the year 2019 were published. On 17 December 2018, the information meeting for applicants for subsidies for the integration projects of municipalities took place.

Traditionally, the **regional Centres for the Support of the Integration of Foreigners** (hereinafter referred to as the "Centres"), which are now operating in all of the 14 regions of the Czech Republic, played a major role in the implementation of the integration policy in regions. These Centres serve the function of regional information centres and offer a range of integration services, including the provision of legal and social consultancy, language and social-cultural courses for foreign nationals, or organise cultural and community activities to support conflict-free relationships between foreign nationals and the majority. Other objectives of the Centres include monitoring the situation in regions, supporting the activities of foreign nationals, developing the civil society and creating and developing regional platforms for integration. The Centres are financed predominantly from the Asylum, Migration and Integration Fund of the EU.

As part of dissemination of information among the professional community as well as the general public and in order to implement the communication strategy in the year 2018, representatives of DAMP gave several public professional speeches on the topic of the integration of foreigners.

Among other events, the director of DAMP gave a speech at the conference on the local integration of foreigners in municipalities, which was held in Brno. DAMP officials also presented their experience with the integration of foreigners on an international level, which included, for example, presenting the issues of the integration of foreigners in the Czech Republic to a delegation from Tajikistan, at a conference of Bangladeshis in Prague and at the international conference titled "Dialogue on Migrants' Integration – Challenges, Benefits and Good Practices". Whenever possible, DAMP representatives also attended the meetings of advisory bodies (referred to as "platforms") and other meetings dealing with the topic of integration at the level of towns and regions. On 28 May 2018, the MoI organised a seminar for experts where the *Analysis of Social Networks of Third-Country Nationals in the Territory of the City of Brno* was presented and where the conclusions of a research project titled *Specifics of the Integration of Minor Children of Foreign Nationals Living in the Territory of the Czech Republic* were also presented. The preparation of these expert materials was co-financed by the MoI. On 21 November 2018, the MoI organised a seminar for the workers of integration centres on the issues associated with employment of foreign nationals.

At the end of the year, representatives of DAMP gave lectures at the Institute for Public Administration in Benešov during the course titled Integration of Foreign Nationals, which is traditionally organised every year and which is primarily intended for experts from the regional Centres for the Support of the Integration of Foreigners and the collaborating NGOs. Like every year, DAMP organised two meetings with representatives of universities during the year 2018 to discuss particularly the issues of the awareness and the integration of newcomer foreign students and their residence permits. Several meetings with representatives of the academic sphere and research institutions were also held to specify the needs relating to research and professional surveys.

Citizenship

In 2018, **the citizenship of the CR was granted to a total of 3,757 foreign nationals** (a decrease by 1,249 persons in comparison with the previous year). In 25 cases, this included persons who had been granted international protection in the form of asylum in the CR in the past. Also, 28 applications for granting the citizenship of the CR to minor children pursuant to Section 28 of the Czech Republic Citizenship Act were granted (a decrease by 7 persons in comparison with the previous year), these were children whose father was a citizen of the CR and whose mother was a foreign national without permanent residence in the country and was not a citizen of an EU Member State, Switzerland or a state that is a signatory of the Agreement on the European Economic Area and for whom the paternity for the child was determined by concurring statements of the parents.

In 2018, the authorities also granted 4 applications for granting the citizenship of the CR pursuant to Section 29 of the Czech Republic Citizenship Act (a decrease by 10 persons in comparison with the previous year), based on these applications, the citizenship was granted to children who were born in the territory of the CR and who did not acquire the citizenship of either of their parents at birth and who had at least one parent that had a residence permit for residence in the territory of the CR for a period longer than 90 days.

In 2018, the citizenship of the CR was most often granted to the citizens of **Ukraine**: 1,317 persons (589 less than in the previous year). These were followed by the citizens of the **Russian Federation**: 633 (125 less than in the previous year), **Slovakia**: 501 (128 less than in the previous year), **Vietnam**: 231 (7 more than in the previous year), and **Belarus**: 139 (83 less than in the previous year).

In 2018, **the MoI issued a total of 347 rejection decisions at first instance** (31 less than in the previous year). Furthermore, 1,498 foreign nationals (31 more than in the previous year) acquired the citizenship of the CR **based on one of the declarations**, which are laid down in the Czech Republic Citizenship Act, in 2018.

Thus, **a total of 5,287 persons** (1,235 less than in 2017) **acquired the citizenship of the Czech Republic in 2018, either as a result of having been granted the citizenship or having made a declaration.**

Table 3: The numbers of foreign nationals who were granted the citizenship of the CR in the period 2008–2018 (including the citizens of the Slovak Republic)

Year	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018
Number of foreign nationals who were granted the citizenship of the CR	1,190	1,128	1,088	1,653	1,565	2,253	4,915	2,620	3,897	5,006	3,757

Source: MoI

4 INTERNATIONAL PROTECTION

In 2018, a total of **1,701 foreign nationals** applied for international protection, which means that there has been an increase in the number of applications after two years.

The largest group of applicants were the citizens of **Ukraine (418)**, **Georgia (169)** and **Cuba (154)**. International protection in the form of asylum was granted to **47 applicants** (most often to citizens of China), **subsidiary protection** was granted in **118 cases**, which is the same number as in 2017 (most often to citizens of Syria).

The integration of persons who were granted international protection is governed by the **State Integration Programme (SIP)**. Since January 2017, the entity with overall responsibility for integration activities has been the Refugee Facilities Administration (SUZ), which is also the operator of integration asylum centres, among other roles. The ongoing goal of the programme is to facilitate the process of integration of recognised refugees and persons enjoying subsidiary protection and their inclusion in the society in the Czech Republic. A total of **121 eligible persons** joined the SIP in 2018.

4.1 APPLICANTS FOR INTERNATIONAL PROTECTION IN THE CZECH REPUBLIC

After two years of gradual decrease of the number of applications for international protection, their number increased in 2018. In 2018, a total of **1,701 applications for international protection** were registered. This number is higher by 251 applications than in the previous year, and a higher number was last seen in the Czech Republic in 2007. Since then, the numbers of applications for international protection were declining every year. This downward trend was only interrupted in the year 2014 (when there was a higher number of applicants in connection with the Ukrainian crisis) and in the year 2015 (when there was a higher number of applicants in connection with the migration crisis).

Applications for International Protection

In comparison with other EU Member States, the numbers of applicants for international protection in the CR are still below the average. The CR has registered significantly less applicants for international protection than the neighbouring countries Germany, Austria and Poland. From among neighbouring countries, only Slovakia registered less applicants (cca 170). It is still true that with respect to international protection, the CR is not a destination country primarily preferred by applicants for international protection in comparison with the other EU Member States.

Table 4: The number of applicants for international protection in the Czech Republic in the period 2008–2018

Year	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018
Number of applicants*	1,656	1,258	833	756	753	707	1,156	1,525	1,478	1,450	1,701
Year-on-year change in %	-11.8	-24.0	-33.8	-9.2	-0.4	-6.1	63.5	31.9	-3.1	-1.9	17.3

*The number of applicants includes EU citizens.

Source: MoI

From among the total number of 1,701 applications for international protection filed in 2018, **1,360** (i.e. 80 %) **applications were filed for the first time** and **341** (i.e. 20 %) **were filed multiple times**. In comparison with the year 2017, the percentage of applications filed multiple times has remained the same.

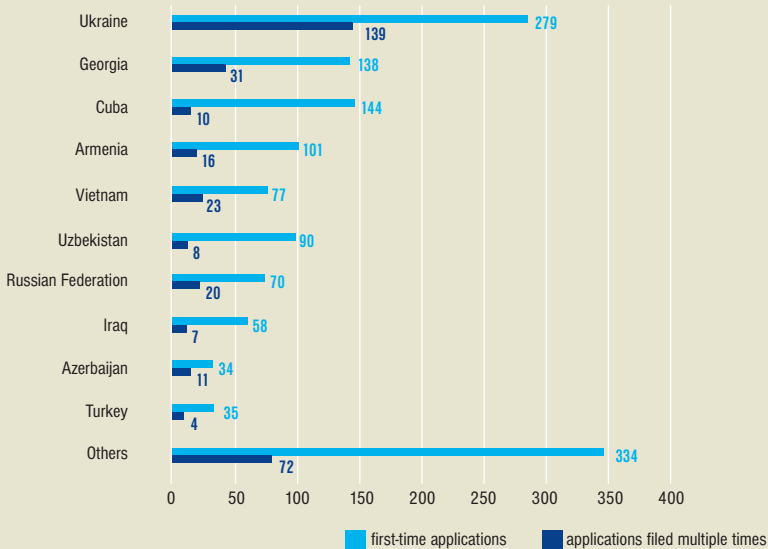
The monthly amount of applications for international protection hovered between roughly 120 and 180 applications. In comparison with the previous year in which the numbers of applications tended to decrease towards the end of the year, the monthly numbers of applications began to increase starting from August and reached the highest levels in November and December (see the chart). The average monthly amount for the year 2018 was 142 applications.

In 2018, the main source countries, from which applicants for international protection came, were Ukraine (418 applicants), Georgia (169), Cuba (154), Armenia (117), Vietnam (100), Uzbekistan (98), the Russian Federation (90), Iraq (65), Azerbaijan (45) and Turkey (39).

In the Czech Republic, asylum was granted to 47 applicants. Asylum was most often granted to citizens of China, specifically in 8 cases. Furthermore, 6 citizens of Syria and 6 citizens of Ukraine received asylum and 5 applicants from Myanmar received asylum.

In 2018, international protection in the form of subsidiary protection was granted in 118 cases, which is the same number as in 2017. It was most often granted to citizens of Syria (52 persons), Iraq (32 persons) and Ukraine (12 persons).

Chart 3: The numbers of first-time applications and repeated applications in 2018



Source: MoI

Most applications were filed by the citizens of Ukraine (418) although there was a decrease in the number of applications from them (-16) in comparison with the year 2017. The citizens of Ukraine have been the largest group of applicants for international protection since 2004. They usually file their applications after a several-year residence in the territory of the Czech Republic in an effort to legalise their residence. Ukrainians accounted for nearly one quarter of all applicants.

They were followed by the citizens of **Georgia with 169 applications**. In 2016, they were in the 10th position among the most strongly represented source countries but they moved to the second position in 2017, which they also held in 2018. The higher number of applications is particularly linked to the fact that visa liberalisation for the citizens of Georgia took place in 2017 and a year-on-year increase by 165 %

was also seen at that time. Now the year-on-year increase was 30 %, nevertheless, in absolute figures, it is the third highest increase in the number of applications (+39).

In 2018, a total of **154 citizens of Cuba** filed applications for international protection, which accounted for **9.1 % of the total number of 1,701 applications filed** in the reference year. This percentage began to grow in June 2018 when Cuba held the tenth position among the most strongly represented source countries and the share of the citizens of Cuba in the total number of applicants was merely 3.2 %. The monthly figures reached their peak in October and November and **Cuba reached the third position among the most strongly represented source countries**. The upward trend in the number of filed applications **pertained particularly to applications filed in the transit area of the airport in Prague** (from among the 154 applications, 135 applications, i.e. 87.7 %, were filed at the airport). These were flights from the Russian Federation (citizens of Cuba do not need visas to enter the Russian Federation) heading to Belarus (once again, without the need to have visas) with a layover in Prague. Approximately 80 % of the applications were subsequently withdrawn and these persons most probably went on to Spain. Due to the fact that these applications for international protection filed in the transit area of the airport were filed with a hidden agenda, an obligation was imposed on citizens of Cuba to have an airport transit visa³⁴ with effect as of 12 November 2018 and after several additional failed attempts, this modus operandi ceased.

The citizens of Ukraine, Georgia and Cuba were followed by citizens of **Armenia (117)**. On a long-term basis, the citizens of Armenia have not been among major groups of applicants for international protection, for whom the Czech Republic would be the main destination

³⁴ Ordinance No. 255/2018 amending Ordinance 428/2010 Coll., defining the group of foreign nationals who can stay in the transit area of an international airport in the territory of the Czech Republic solely with a granted airport transit visa, as amended.

country. Their numbers began to rise gradually in 2012 when they started to appear in the TOP 10 most strongly represented citizenships. A significant increase was seen in 2017 (an increase by 107 %). In that year, citizens of Armenia were the second largest group of applicants. This trend continued in 2018, in which there was a slight decrease in the total number of applicants (-5.6 %) in comparison with the year 2017 as well as a percentage decrease (Armenians accounted for 8.5 % of all applicants in 2017), but the same trend as with the citizens of Cuba appeared in September when citizens of Armenia started to use the transit area of the airport in Prague to file applications for international protection with a hidden agenda. More than a half of the applications from the citizens of Armenia (53 %) were filed at the airport in 2018³⁵.

These applicants were followed by citizens of Vietnam (100), Uzbekistan (98) and the Russian Federation (90). And finally, the lowest positions among the TOP 10 are held by citizens of **Iraq (65), Azerbaijan (45) and Turkey (39).** Among these citizenships, the highest increase in the number of applications for international protection occurred with the citizens of Uzbekistan who had filed merely 9 applications for international protection in 2017 (i.e. there was an increase by 90 applications). Consequently, Uzbekistan moved to the top ten source countries. There were only 3 minors among these applicants, men generally predominated among the applicants (89).

Conversely, the largest decrease was seen with **Azerbaijan** whose citizens filed a total of 45 applications for international protection in 2018, which is 83 less in comparison with the previous year (i.e. -65 %). Due to their number of applications, citizens of Syria were no longer among

³⁵ This trend continued in the first months of the year 2019 before, as a measure for citizens of Armenia, the obligation to hold a transit airport visa was introduced (on 11 March 2019, Ordinance No. 69 of 6 March 2019, amending Ordinance 428/2010 Coll., defining the group of foreign nationals who can stay in the transit area of an international airport in the territory of the Czech Republic solely with a granted airport transit visa, as amended, entered into force).

the TOP 10 because they filed a total of 37 applications for international protection in 2018, which was 39 less (i.e. -51 %) than in the previous year. As opposed to the year 2017, the citizens of Kazakhstan were also no longer among the TOP 10 because they filed a total of 31 applications in 2018 (there was a decrease by 8 applications, i.e. -20.5 %).

Proceedings on Granting International Protection

In 2018, **a total of 1,731 decisions were issued by the MoI in proceedings on granting international protection and 1,361 decisions were issued in proceedings to extend subsidiary protection.** As of 31 December 2018, there were 858 persons registered in pending proceedings (i.e. persons on whose applications decision was not made yet).

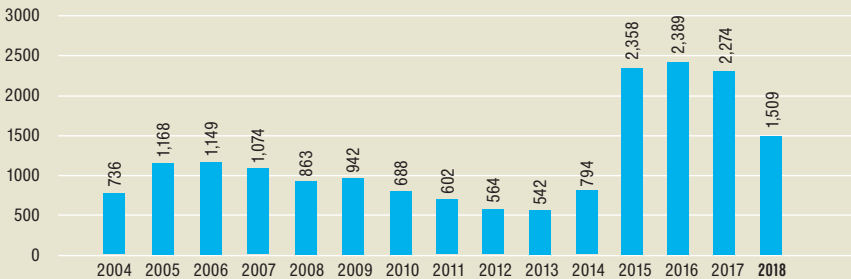
In 2018, there was a year-on-year increase in the number of issued decisions (by 14.8 %). The MoI **granted international protection in the form of asylum or subsidiary protection to 165 foreign nationals** in that year. In comparison with the year 2017, there was an increase in the number of persons who were granted international protection by 12.2 %. During the same period, **subsidiary protection was extended for another 551 persons.** In this respect, there was also an increase in comparison with the year 2017, specifically by 40.2 %.

During the year 2018, **a total of 750 negative decisions** (i.e. 43.3 %) were issued in proceedings on granting international protection, in which it was decided not to grant international protection or in which an application was rejected as clearly unfounded. Proceedings were discontinued in 816 cases (i.e. 47.1 %).

Application of the Dublin Regulation³⁶

In 2018, the CR registered **a total of 1,509 Dublin Cases**, which represented a decrease by 33.6 % in comparison with the year 2017. During the period, the most represented citizenship was the citizenship of **Armenia** (204 persons), followed by the citizenship of the **Russian Federation** (172), the citizenship of **Georgia** (132), the citizenship of **Turkey** (82) and the citizenship of **Iran** (71).

Chart 4: History of Dublin Cases in the Period 2004–2018



Source: MoI

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

During the year 2018, **the CR received a total of 1,191 applications** from another Member State (a decrease by 40.7 % in comparison with the previous year) **for reception or readmission of an applicant for international protection to the territory of the CR**. The highest numbers of these applications were received by the CR from **Germany** (538 applications), from **France** (281 applications), from **Austria** and from the **Netherlands** (72 applications each).

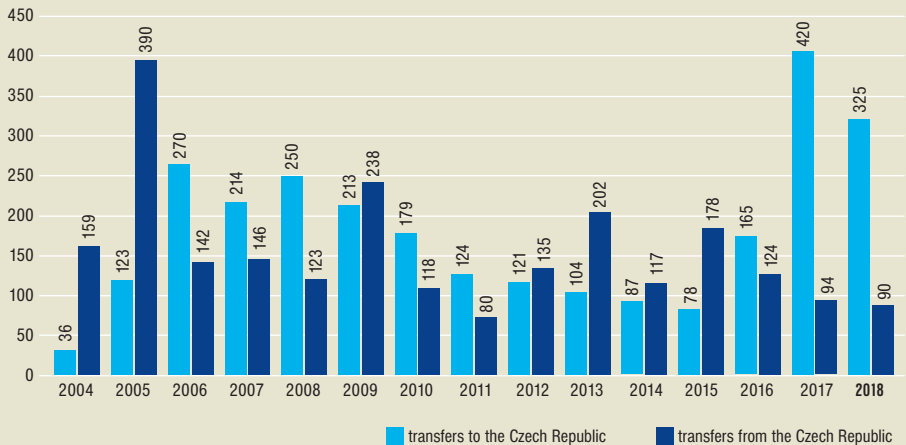
³⁶ The Dublin Regulation, Council Regulation (EC) No. 604/2013, defines the criteria determining the Member State responsible for examining an application for international protection. These criteria include, for example, an issued visa or residence permit, the first application for international protection in the territory of the Member State or family ties.

During the same period, **the CR sent** a total of **318 applications** to another Member State (an increase by 20.5 %) for reception or readmission of an applicant or a foreign national. The highest numbers of applications were sent to **Germany** (56 applications), **Romania** (39), **Italy** (29), **Austria** (28) and **Poland** (26).

In 2018, **a total of 325 transfers were carried out in the territory of the CR** (a decrease by 22.6 %). Most persons were transferred to the territory of the CR from **Germany** (194), **Austria** (53) and the **Netherlands** (20).

During the same period, **a total of 90 transfers were carried out from the territory of the CR to another Member State** (a decrease by 4.3 %). Most persons were transferred from the territory of the CR to **Germany** (31), **Italy** (14) and **Romania** (9).

Chart 5: Transfers carried out from and to the territory of the Czech Republic in the period 2004–2018



Source: MoI

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

4.2 ASYLUM FACILITIES IN THE CZECH REPUBLIC

The **Refugee Facilities Administration of the Ministry of the Interior** is the operator of reception, accommodation and integration asylum centres. The Refugee Facilities Administration (SUZ) provided services to applicants for international protection and to foreign nationals who have been granted international protection in a total of **eight asylum facilities** of three types. **A reception centre (RC)** serves to provide foreign nationals who applied for international protection with initial accommodation while the initial steps, such as registration or medical examination, are carried out. **An accommodation centre (AC)** serves to accommodate applicants for international protection until the time when the proceedings on granting international protection are finally completed. **An integration asylum centre (IAC)** serves to provide temporary accommodation for recognised refugees and persons who have been granted subsidiary protection.

The SUZ operates **two reception centres**, specifically the Zastávka reception centre and the reception centre at the International Airport of Václav Havel Prague. It also operates **three accommodation centres**, specifically the accommodation centre in Havířov, the accommodation centre in Kostelec nad Orlicí and, in May 2018, the Zastávka reception centre was also established as an accommodation centre to serve a dual purpose. In both types of facilities, food is provided in addition to accommodation services (a regular financial contribution that also serves to help with cooking one's own meals is donated). The role of social workers is irreplaceable, a balanced offer of leisure-time activities is available. The workers who are in direct contact with the target group work under expert supervision. Services of social nature are available to clients, a psychologist comes to visit the facility particularly to fulfil the needs of vulnerable persons.

As of 31 December 2018, **the total capacity of the reception and accommodation centres was 618 beds.**

Integration asylum centres serve to provide temporary accommodation for those persons who have been granted asylum or subsidiary protection in the first stage of their integration, the maximum period of accommodation is defined as 18 months in the Asylum Act. Here, all accommodated recognised refugees and beneficiaries of subsidiary protection are provided with assistance from a social worker, consultancy aimed at obtaining housing or employment, other integration activities and Czech language courses.

As of 31 December 2018, the SUZ operated a total of four integration asylum centres where a total of 43 accommodation units with the maximum capacity of 152 beds are available to recognised refugees (they are assigned according to the size and nature of the accommodated families).

Use of Accommodation Capacities in 2018

In 2018, **a total of 1,575 newly arrived foreign nationals** – applicants for international protection (including new-borns born while the mother was staying in an asylum facility) – came to asylum facilities. The citizens of **Ukraine** (380 persons, i.e. 24.1 %), **Georgia** (170 persons, i.e. 10.8 %), **Cuba** (143 persons, i.e. 9.1 %) and **Armenia** (115 persons, i.e. 7.3 %) most often came to asylum facilities.

On the average, **61 % of the capacity of reception and accommodation centres** was used, these data include only the persons physically staying in these facilities. If foreign nationals who are registered in the accommodation centres but who are physically staying outside the accommodation centres were also included, the extent of using the capacity of the accommodation centres would be 105 % on the average.

Applicants for international protection accommodated in an accommodation centre have the option to leave the centre on a long-term basis at their

request. In 2018, this option was used, on the average, by 41.8 % of the registered applicants for international protection.

With respect to the integration asylum centres (IAC), there were no changes in accommodation capacities during the year. The extent to which the capacity of the IACs was used hovered between 19 % in June and 45 % in the last months of the year (November and December) because, for capacity reasons, their capacity was also used to accommodate those applicants for international protection whose proceedings on granting international protection were still pending. The average occupancy rate of the IACs was 30 % during the year.

4.3 INTEGRATION OF RECOGNISED REFUGEES AND BENEFICIARIES OF SUBSIDIARY PROTECTION

The integration of persons who were granted international protection is governed by the **State Integration Programme (SIP)**. Legislatively, SIP is governed by Sections 68 through 70 of Act No. 325/1999 Coll., on Asylum. The current SIP was approved in a Government Resolution No. 954³⁷ of 20 November 2015 and entered into force on 1 January 2016. On 16 January 2017, the government approved the **updated version of SIP** in its Resolution No. 36³⁸. In addition to the binding principles of SIP, this Resolution provides that the Minister of the Interior **will ensure the function of the general provider of integration services (GPIS) in 2017 and in the following years. Since January 2017, this provider with an overall responsibility for integration activities has been the Refugee Facilities Administration**³⁹, which

³⁷ On the state integration programme for beneficiaries of international protection in the year 2016 and in the following years.

³⁸ On amendment to Government Resolution No. 954 of 20 November 2015, on the State Integration Programme for Persons with Granted International Protection in 2016 and the Following Years.

³⁹ This role is also assigned by the amendment of the aforementioned Act (Act No. 222/2017 Coll.), which entered into force in August 2017.

is, among other things, the operator of integration asylum centres. In its updated version, the programme is better able to respond to the needs of the integration process.

The goal of the programme is to continue to facilitate the process of integration of beneficiaries of international protection in the Czech Republic particularly with respect to Czech language lessons, entry into the labour market, housing, education of children and retraining.

The general provider of integration services under the State Integration Programme, i.e. the Refugees Facilities Administration of the MoI, mediates the integration services to recognised refugees and beneficiaries of subsidiary protection throughout the territory of the CR. The general provider is responsible for coordinating and ensuring integration services for recognised refugees and beneficiaries of subsidiary protection in cooperation with other entities, which mainly include the relevant Ministries, municipalities, non-governmental non-profit organisations, churches, volunteers, employers, etc. The provider may ensure individual services through a third party on a subcontracting basis. As a result of the transition to the GPIS, the expected stabilisation of the provision of these services under SIP has been achieved.

All the assistance to, support for and cooperation of the eligible person is governed by **an individual integration plan**, which the provider prepares in close cooperation with the eligible persons and the workers of integration asylum centres. An integration plan is a basic document describing the integration objectives for a specific person and the course of integration in the following key integration areas: housing, employment, education and removal of the language barrier as well as in the welfare and medical areas. These are activities that will lead to accomplishment of the defined goal. Finances for implementation and performance of the activities are drawn from a special budget and the duration of the cooperation on the implementation of the plan is

12 months. The plan also includes providing the eligible person with material equipment, which is paid from the budget according to pre-set limits.

In 2018, a total of **121 eligible persons** joined SIP, which represents a 17% increase as compared with the previous year. During the year, a total of 74 new individual integration plans were prepared for a total of 97 beneficiaries of international protection. From the finances in the amount of 46.5 million CZK allocated to SIP in the year 2018, the amount of CZK 10,394,437 was used to provide integration services. Direct costs of services, accommodation and equipment for the eligible persons accounted for the largest part of this amount, other costs included payments for integration services to non-profit organisations.

UNACCOMPANIED MINORS AND OTHER VULNERABLE GROUPS

In 2018, **29 unaccompanied third-country minor nationals** (hereinafter referred to as the “unaccompanied minors”, “UAMs”) were placed in the specialised Facility for Children-foreigners. In that year, **10 unaccompanied minors applied for international protection in the CR.**

In 2018, children from **Afghanistan (9 persons)** and **Iraq (5 persons)** most often stayed in the Facility for Children-foreigners.

In 2018, **the existing care system for unaccompanied minors in the CR continued to be developed, and certain internal changes within the purview of the MoEYS were made, particularly with regard to the best interests of the child and timely integration into the Czech educational system and the Czech society.** The modifications mapped and took into account the age, gender and ethnicity of the current migrant population and fully supported individualised and professional approach to addressing the problems of UAMs.

Regular meetings of what is referred to as the “expert group”, which responds to the current situation of UAMs in the CR and tries to provide suggestions for legislation governing the issues of minor foreign nationals, continued to be held. Once again, the crucial topic was **verification of the age of UAMs.** In 2018, headway was made in addressing these issues when the MoI CR, in cooperation with

the UNHCR and the Ombudsman Office, prepared a pilot project for verifying the age of UAMs, based on psychological interviews with the clients.

5.1 UNACCOMPANIED MINORS

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

At the moment when it is found out that an UAM is present in the territory of the Czech Republic, the Social-legal Child Protection Authority (OSPOD) is promptly notified. Care of an UAM starts immediately after the UAM is received by an OSPOD official who is obliged to act in the best interest of the child and provide the child with adequate care.

To take care of unaccompanied minors, the CR has a unique site – the **Facility for Children-foreigners (ZDC)**, which provides care to children who are not citizens of the CR and meet the conditions defined by the Act on the Social-Legal Protection of Children. The facility provides full direct custody, therapeutic and support services, education, intensive work on the integration process and preparation for future self-reliant life.

At the beginning of the child's stay at the ZDC, the needs and situation of the child is comprehensively assessed and, based on the results of this assessment, an individual personality development plan and individual educational plan is prepared for each client. The system adopted in

2015 particularly made sure that each minor foreign national is given the opportunity of being subjected to the comprehensive assessment at the ZDC. Based on such identified objective facts, it was possible to set up the aforementioned integration plans together with the client.

Collaboration with three institutions, which were assigned to collaborate with the ZDC in 2015 and which can also provide expert services for UAMs under the methodological guidance of the ZDC, has proved to be very fruitful. Last year, the details of the interconnection and close cooperation between the ZDC and these institutions, which provide clients with follow-up services after completion of diagnostics, were fine-tuned.

Collaboration with volunteers, which was taking place under the volunteer programme in a project of Organization for Aid to Refugees (OPU), was also of great importance for work with the clients of the ZDC throughout the year.

Together with OPU workers, representatives of the ZDC also participated in a **project of host care for unaccompanied minor foreign nationals**. Conditions for recruitment, selection and collaboration with parties interested in providing host care were prepared, and in several cases, very good relationships were established, which provided the clients of the ZDC with new experiences, support and a reassuring feeling.

In 2018, **regular meetings of experts participating in work with UAMs who were members of “expert groups” continued to be held**. Once again, the crucial topic was **determining the age of UAMs**. However, this year, headway was made in addressing this issue. The Ministry of the Interior of the CR, in cooperation with the UNHCR and the Ombudsman Office, prepared a pilot project for verifying the age of UAMs based on psychological interviews with clients. There were several meetings about this topic, including trainings of experts, and the project will subsequently be implemented in practice.

There were no changes in the legislation governing the methods of work with UAMs in 2018.

Statistics

In 2018, a total of **29 unaccompanied minors**⁴⁰ were staying in the specialised ZDC (this number amounts to dozens of persons every year), **10**⁴¹ **unaccompanied minors** applied for international protection in the same year (the number of unaccompanied minor applicants applying for international protection is approximately in single digits every year). In comparison with the other Member States, these are still very low numbers.

According to the figures for recent years, it is true that most unaccompanied minors staying in the CR are older than 15 years but they are not close to reaching legal age. Males clearly predominate. In 2018, it was mostly children from Afghanistan (9 persons) and Iraq (5 persons) who were staying in the Facility for Children-foreigners.

Table 5: The numbers of unaccompanied minor foreign nationals who applied for international protection in the period 2008–2018

Year	2008	2009	2010	2011	2012	2013	2014	2015	2016 ⁴²	2017 ⁴³	2018
Number of unaccompanied minors applying for international protection	36	9	4	8	5	2	6	14	4	7	10

Source: DAMP (for the period 2008–2015), Facility for Children-foreigners (ZDC) (for the years 2016 and 2017), starting from 2018, the source is once again DAMP

⁴⁰ Source: ZDC

⁴¹ Source: DAMP

⁴² This number may not be complete for the CR, this is the number of children who were placed in the Facility for Children-foreigners and applied for international protection in this facility in 2016.

⁴³ This number may not be complete for the CR, this is the number of children who were placed in the Facility for Children-foreigners and applied for international protection in this facility in 2017.

5.2 OTHER VULNERABLE GROUPS OF PERSONS

As concerns proceedings on granting international protection, persons with health issues, seniors, pregnant women, single parents with a minor child, persons with a mental disorder and persons who were subjected to abuse, rape or another serious form of mental, physical or sexual violence, as well as unaccompanied minor foreign nationals and victims of human trafficking belong to what is referred to as “vulnerable groups” according to Directive 2013/33/EU of the European Parliament and of the Council of 26 June 2013 laying down standards for the reception of applicants for international protection (Reception Directive).

The Czech Republic has a system in place to provide victims of trafficking with support and assistance and also focuses on prevention in this field. For victims of human trafficking older than 18 years, the Czech Republic has the Programme of Support and Protection of Victims of Trafficking, and for victims of human trafficking younger than 18 years, there is a special system of assistance in place, which is within the purview of the Ministry of Education, Youth and Sports. The offices of OSPOD, which protect the rights and defend the interests of a vulnerable child, also play an important role in addressing the situations of child victims of human trafficking. The topic of human trafficking is covered in greater detail in Chapter 6.

6 MEASURES AGAINST HUMAN TRAFFICKING

In 2018, **15 persons** were prosecuted for human trafficking and **16 persons** were convicted of this crime in the same year.

In 2018, a total of **10 victims of human trafficking from among third-country nationals** (in addition to 7 persons from the EU countries) were included in the special ***Programme for the Support and Protection of Victims of Human Trafficking*** operated by the Ministry of the Interior. The 10 third-country nationals included 9 persons with **Philippine citizenship**.

In 2018, a NGO specialising in the issues of human trafficking also provided its services to probable victims of human trafficking who, for one reason or another, did not want to join the Programme for the Support and Protection of Victims of Human Trafficking or did not want to cooperate with law enforcement authorities, these persons were from **Nigeria, Nepal and Pakistan**.

6.1 HUMAN TRAFFICKING

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

There is a Programme of the Ministry of the Interior of the Czech Republic for the Support and Protection of Victims of Human Trafficking (hereinafter referred to as the "Programme") for victims of human trafficking older than 18 years, for EU citizens trafficked in the territory of the CR, for third-country nationals trafficked in the territory of the CR as well as for CR citizens trafficked in the territory of the CR or abroad. The Programme is a measure created to provide victims of human trafficking with support and appropriate protection based on individual risk assessment.

In 2018, a total of **17 probable victims of human trafficking** were included in the Programme (this represents a decrease by 7 persons in comparison with the year 2017). The victims came from **Philippines** (9), **Romania** (1), **Sierra Leone** (1) and the **Czech Republic** (6). These persons were subjected to labour and sexual exploitation. The ages of the victims were between **28 and 45 years**.

The key objective of the Programme is the humanitarian dimension of assistance and protection of victims of human trafficking. Under the Programme, the victims of this serious crime are offered accommodation, psychological-social and medical assistance, interpretation services, legal assistance, lawyer services, assistance in searching for a job, the option to legalise the victim's residence and a dignified return to the victim's country of origin. Nevertheless, its purpose is also to obtain relevant information on the criminal environment that may lead to exposing, convicting and sentencing perpetrators. **All the victims included in the Programme showed interest in pressing charges at the relevant unit of the PCR to initiate investigation into their cases.**

There were no major changes in the situation in human trafficking during the year 2018 as compared with the previous year. Sexual and labour exploitations were still the most frequent forms of human trafficking. However, there were also mixed cases where the forms are combined, including forced marriages or coercion to perpetrate crimes.

It needs to be added that the information on the number of persons does not reflect the overall situation in human trafficking in the Czech Republic. The Programme needs to be perceived merely as one of the possible measures for victims of human trafficking. Since 2003 when the Programme was launched, a total of **245 probable victims of human trafficking** were included in the Programme.

Voluntary returns of 3 persons (Romania, Sierra Leone, Philippines) were carried out through the Voluntary Returns Programme, which is a part of the Programme, in 2018.

Costs amounting to **CZK 1,425,834** were spent on the aforementioned activities performed under the Programme in 2018.

6.2 PREVENTIVE ACTIVITIES AND EDUCATIONAL EVENTS IN 2018

Support of preventive activities and educational measures is an important part of the Programme. Extensive preventive-informational activities designed to raise awareness of human trafficking are carried out with the financial support of the MoI every year. In 2018, the non-governmental non-profit sector carried out a **preventive campaign** financed by the MoI, with a focus on trafficked and exploited persons and on persons who are at risk of being trafficked and exploited, and a campaign targeted on the general public in the form of a video clip and a comics. Non-governmental organisations also carried out **field surveys** in order to analyse the environment, seek out and inform potential victims in the territory of the CR.

Human trafficking trainings of consular officials took place in 2018 and trainings of field social workers, OSPOD officials, regional officials involved in crime prevention and specialists from among members of the PCR in the issues of identifying potential human trafficking victims took place in socially marginalised locations (these trainings took place

in Ústí nad Labem, Pilsen and Ostrava). Other trainings and seminars were organised by NCUCOC as part of police training. At the Justice Academy, there was a seminar for public prosecutors and judges on the procedures for international cooperation. A representative of the Ministry of the Interior of the CR also acquainted the participants of the meetings of multidisciplinary teams for victims of crime, which were held in Liberec and Ústí nad Labem, with the human trafficking issues and the possibilities for assisting the victims of these crimes.

Cooperation of the involved entities contributes to effective combat against human trafficking. A meeting of the **Interdepartmental Coordination Taskforce for Combatting Human Trafficking** was held in 2018. This coordination taskforce serves as a platform for exchange of information among the members of the interdepartmental taskforce and for coordination of activities in the combat against human trafficking at the national level. The members of this taskforce, which include governmental as well as non-governmental organisations, provide input for the annual report on the situation of human trafficking in the CR⁴⁴.

The Czech Republic also cooperates with significant source countries and international organisations (OSCE⁴⁵, ICMPD⁴⁶, DCAF⁴⁷, etc.). It also actively participates in the sessions of the platform of National Rapporteurs and Equivalent Mechanisms, which are organised by the European Commission and the EU Member State currently holding the presidency twice a year. In the field of police cooperation, Joint Investigation Teams (JITs) are used abundantly and there is also cooperation with established platforms such as EMPACT⁴⁸/ETUTU⁴⁹.

⁴⁴ <http://www.mvcr.cz/clanek/obchod-s-lidmi-dokumenty-924305.aspx>

⁴⁵ *Organization for Security and Co-operation in Europe*

⁴⁶ *International Centre for Migration Policy Development*

⁴⁷ *The Geneva Centre for the Democratic Control of Armed Forces*

⁴⁸ *European Multidisciplinary Platform against Criminal Threats*

⁴⁹ ETUTU was created as a sub-project of EMPACT in 2012 and its goal is to combat human trafficking in connection with the citizens of Nigeria. The leading state of this project is Germany.

Statistics

In 2018, **15 persons** were prosecuted by the Police of the Czech Republic and **16 persons** were **convicted** of human trafficking in the same year.

Table 6: The numbers of persons prosecuted for and convicted of human trafficking in the period 2012–2018

Year	2012	2013	2014	2015	2016	2017	2018
Number of persons prosecuted for human trafficking*	31	25	16	12	23***	24	15
Number of persons convicted of human trafficking**	11	20	6	19	8	14	16

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

*** In 2016, there was an extensive reconstruction of the Crime Tracking Statistical System carried out, therefore, it is not possible to compare the number of persons prosecuted for human trafficking in that year with the numbers from previous years.

Crime of Human Trafficking in Relation to Foreign Nationals

In 2018, there was an increase of probable victims of human trafficking from Philippines in human trafficking in the CR in comparison with the previous years. It was not proved in 2018 that illegal migrants were subjected to human trafficking.

INTERNATIONAL COOPERATION AND PROJECTS CONCERNING MIGRATION AND ASYLUM

The Ministry of the Interior has been implementing the **Aid in Place** programme (**Programme of the Ministry of the Interior for Assistance to Refugees in Regions of Origin and for Prevention of Large Migration Flows**). In 2018, the budget of the Programme was **150 million CZK**, same as in the previous year. The assistance and support, which is complementary to the provision of humanitarian aid abroad within the purview of the MoFA is directed particularly to third countries with the purpose of providing refugees with direct support as well as providing support for building capacities for dealing with the issues of refugees and migration in the host states.

Implementation of the **MEDEVAC** programme continued in 2018. This programme is focused on providing professional medical care to vulnerable groups of inhabitants in regions affected by a refugee crisis or a natural catastrophe, specifically in **eight countries**, which reflect its territorial priorities.

During the year 2018, a total of **337 members of Czech compatriot communities in Ukraine and Venezuela** resettled to the CR under the **Programme for Providing Assistance to Czech Compatriots**.

7.1 INTERNATIONAL COOPERATION AND PROJECTS

The international cooperation in migration-related issues continued in 2018 particularly in the form of intensive contacts at the level of individual bodies of the European Union, including their agencies such as the European Border and Coast Guard Agency (FRONTEX) and the European Asylum Support Office (EASO). The Czech Republic also concentrated on strengthening the practical and operational cooperation in all aspects of migration, asylum and the protection of state borders on a bilateral level as well as on a multilateral and Union level.

In 2018, in the external dimension of the European Union, the Czech Republic continued to participate in developing and implementing the instruments of the Global Approach to Migration and Mobility (GAMM) representing a strategic framework of the external migration policy of the European Union. In 2018, in order to implement its priorities in asylum and migration, the Czech Republic also closely cooperated with international organisations, especially with the International Organisation for Migration (IOM), the International Centre for Migration Policy Development (ICMPD) and the Office of the UN High Commissioner for Refugees (UNHCR).

The Czech Republic has been engaged in long-term cooperation with the main transit and source countries of migration into the Czech Republic and the entire EU. For this reason, the Czech Republic is a definite supporter of cooperation with non-EU countries and tries to accomplish its priorities in migration dialogues (such as the Prague Process, Budapest Process, Rabat Process and Khartoum Process). The Czech Republic is actively involved in cooperating with and supporting third countries on a bilateral basis, too, particularly through long-term police and financial support for the West Balkan countries and through its operations in the Middle East and Africa. The Czech Republic also actively cooperates with European partners in reforming the asylum and migration system, which will result in creating a sustainable and

crisis-proof system at the EU level. To this end, the Czech Republic is trying to negotiate measures at the European level, which will lead to addressing the causes of and preventing illegal migration, improving the protection of external borders, reducing secondary movements and improving the return policy.

Examples of specific activities:

PRAGUE PROCESS

The Czech Republic maintains good relationships in the issues of eastern and south-eastern dimensions through the Prague Process, among other instruments. The Prague Process is the main dialogue with the countries of east regions, which are the main migration source countries for the Czech Republic. It is in the interest of the Czech Republic that there is a reinforced and effective dialogue, which will have a favourable impact on the overall situation in the EU. In 2018, the Czech Republic presided over the strategic group of the Prague Process and finished its mandate with a session of senior officials held in Prague in December 2018. Under the Prague Process, experts from the Czech Republic participated, for example, in the training of border guards from Ukraine in migration management, border protection and management of forced returns, for example, they also participated in a workshop covering the issues of the effective processing and sharing of asylum and migration information in North Macedonia. In 2019, Lithuania will be presiding over the strategic group but the Czech Republic will continue to be an active participant of respective activities.

MOBILAZE PROJECT WITH AZERBAIJAN

In 2015, the *MOBILAZE*⁵⁰ project was launched to support Azerbaijan. This project is divided into five components: a) monitoring and analysing

⁵⁰ Mobility Partnership with Azerbaijan

migration movements, b) management of work-related migration, c) combat against illegal migration, d) asylum policy, e) returns and reintegration. The project is implemented primarily through the International Centre for Migration Policy Development (ICMPD). Along with another six EU Member States, the Czech Republic is involved in co-implementing the project where these countries provide experts for many activities related to the project. In order to accomplish the goals, a total of 8 trainings for the professional community and for experts in the country were organised in 2018, there were also 2 training organised for judges to improve their knowledge of Geneva Conventions and other international migration legislation. One of the practical results is, for example, a dictionary for border and migration control, in the creation of which the experts from the Czech Republic played a major role. The project is planned to be implemented until June 2019 and it is expected that the implementation of the project will then continue under the name MOBILAZE 2.

COOPERATION AMONG THE VISEGRAD GROUP

At the regional level, the Ministry of the Interior of the CR is actively involved in cooperation among the countries of the Visegrad group, particularly through the *Migration Crisis Response Mechanism* set up in 2016. The main objectives of this mechanism are to reinforce mutual practical cooperation in three pillars – the internal dimension, information sharing and the external dimension. As part of this cooperation, there were several trainings of persons sent to hotspots as part of the operations of the European Asylum Support Office (EASO), a joint project led by the Czech Republic and designed to support Jordan was elaborated on and there were deliberations on and finalisation of other projects, such as a joint exercise of the V4 border guards, which will prepare experts for crisis situations (including the migration crisis), exchange of migration-related data among the V4 countries, etc.

EUROPEAN ASYLUM SUPPORT OFFICE (EASO)

In 2018, the key activities of the European Asylum Support Office (EASO) continued to include particularly the operational and technical support of the asylum systems in selected EU Member States – primarily in Greece and Italy. The Operational Plan of the EASO for Italy for 2018 defined 7 areas of assistance. The main activities were concentrated on assisting with registration of applicants for international protection, provision of information and identification of persons with special needs, the strengthening of capacity for processing Dublin Cases, etc. In Greece, the Operational Plan defined 10 measures aiming to provide assistance in the field of the asylum system and the system for receiving applicants for international protection, including assistance during proceedings on international protection in connection with the declaration made by the EU and Turkey on 18 March 2016.

In 2018, the EASO continued to carry out its duties arising from the current mandate, which entrusts the office with a supporting role for Member States particularly in harmonisation of the Single European Asylum System (SEAS), for example, as concerns the reception conditions, improvement of the quality of asylum procedures, assessment of vulnerability, Dublin Cases or preparation of shared information on countries of origin. The EASO also intensively concentrated on training national experts in the partial areas of its purview.

The CR participated in the activities of the EASO not only by attending the meetings of the EASO Board and other expert meetings but also by sending national experts whom the CR has been actively sending to Greece and Italy since autumn 2015. In 2018, the CR sent a total of 21 national experts, specifically 17 experts to Italy and 4 experts to Greece, as part of the aforementioned activities of the EASO. In the period 2015–2018, a total of 96 national experts of the Czech Republic were sent abroad. As part of the training activities of the EASO,

9 employees of the Ministry of the Interior of the CR were trained in 2018, particularly in the field of international protection, the SEAS, country of origin information and reception procedures.

On 19 June 2018, the EASO Day, attended by the officials of the Ministry of the Interior of the CR and a representative of the EASO, took place and served to present the current aforementioned activities of the EASO as well as to provide information for the employees of the Ministry of the Interior who might be interested in being sent to Greece and Italy in the future to perform the EASO activities.

7.2 HUMANITARIAN PROJECTS, RELOCATION, RESETTLEMENT

Assistance Abroad

In response to deterioration of the security and humanitarian situation in the immediate surroundings of the EU, associated mainly with the armed conflict in Syria, the Government of the CR approved the creation of a permanent Programme of the Ministry of the Interior for Assistance to Refugees in Regions of Origin and for Prevention of Large Migration Flows (hereinafter referred to as "Aid in Place") in January 2015. In autumn of the same year, the government approved the more general Policy of the Ministry of the Interior for Assistance to Refugees and States under Strong Migration Pressure, which formulates the general framework within which the Ministry of the Interior is carrying out and will carry out its future activities relating to the external dimension of migration. The implementation particularly takes on the form of assistance to refugees and those states, which are under strong migration pressure.

Under the Aid in Place programme, the Ministry of the Interior sends financial donations abroad, which are intended particularly to help

refugees directly on the site of their initial displacement and those states, which host a large number of refugees or face them as transit countries. In 2015, when the migration crisis was culminating particularly in the region of the Middle East, the Ministry of the Interior allocated a total of 100 million CZK to the projects involving support for refugees. Thus, the Czech Republic manifested solidarity directly with refugees who were provided with the basic care as well as with the states facing large migration pressure and, with its part, contributed to mitigation of the escalated migration situation.

However, the needs of refugees and the states hosting migrants in their territories still persist. According to the UNHCR data, up to 13 million Syrians still need assistance and a long-term and more comprehensive approach is required to resolve their situation. The unstable security, political and economic situation in a number of other countries has resulted in a growing number of refugees and migrants in the world. In spite of the significant decrease of illegal migration down to a level prevalent before the migration crisis, there has been an increase of migrants along the west Mediterranean migration routes, which requires further reinforcement of cooperation with the countries in the region of sub-Saharan and Northern Africa and stabilisation of situation in the countries of origin and transit countries.

The amount of aid in 2016 was increased to 150 million CZK by a decision of the Government of the CR with regard to the migration situation, and this budget amount remained the same in 2018. The priority areas of the Aid in Place programme in 2018 included the region of the Middle East, the region of West Balkans and the greater Sahel region and North Africa.

List of donations under the Aid in Place programme in 2018

Priority 1 – the Region of the Middle East

HASHEMITE KINGDOM OF JORDAN

- **40 million CZK to support further development of the Azraq and Zatari refugee camps in Jordan**

In 2018, the project implemented by the UNHCR concentrated on repairing homes and expanding the infrastructure in the Zatari and Azraq refugee camps. The beneficiaries were 42,700 persons in total. By December 2018, there were 2,000 homes and 1,068 homes repaired in the Zatari camp and the Azraq camp, respectively. 62 persons from among Syrian refugees worked on the repairs who thus had an opportunity to earn additional income. In the Azraq camp, the marketplace was expanded by additional 75 stores. 6,903 households in the Azraq camp received funds to buy gas for cooking. The implementation of the project was concluded in December 2018.

REPUBLIC OF IRAQ

- **10 million CZK to support reconstruction of the medical infrastructure in the Anbar province**

From the funds of the donation implemented by Caritas Internationalis, medical equipment for the hospital in the city of Al-Qaim in the Anbar province, Iraq, will be purchased. The target group consists of at least 90,000 inhabitants of the Al-Qaim district. A laboratory, an orthopaedic department, a dialysis unit, an ENT department, an eye department, a radiological department, a surgical department and a paediatric department will receive equipment. At the same time, medical and technical staff will be trained to operate and maintain the purchased

equipment. Furthermore, members of the management of the hospital will be trained in collecting, storing and evaluating statistical data on patients, procedures, etc. The implementation of the project was started in November 2018 and will be concluded in April 2019.

- **10 million CZK as a contribution to the Regional Development and Protection Programme for the Middle East**

In 2018, a second contribution to the Regional Development and Protection Programme for the Middle East was sent. The budget of the programme is 1.4 billion CZK for a three-year period (2019–2021). The projects under this programme led by the Kingdom of Denmark will be implemented in Jordan, Lebanon and Iraq and will concentrate on supporting livelihoods and the search for permanent solutions for refugees and internally displaced persons and on protecting the most vulnerable groups.

Priority 2 – the Region of West Balkan

NORTH MACEDONIA

- **25 million CZK to enhance the asylum and migration system in connection with addressing the migration situation**

A financial donation was given to the Macedonian Ministry of the Interior for purchase of technical equipment for the purposes of the Macedonian border police (10 automobiles, video cameras, thermal imaging devices, megaphones, field glasses, etc.). The implementation of the project will be concluded in March 2019.

BOSNIA AND HERZEGOVINA

- **25 million CZK to enhance the asylum and migration system in connection with addressing the current migration situation**

In connection with addressing the current migration situation, a financial donation was given to the Ministry of Security of Bosnia and Herzegovina to strengthen border protection, particularly on the border with the Republic of Serbia. The donation will be used to buy technical equipment (such as thermal imaging devices, drones, field glasses, heartbeat detectors, CO² detectors, LED flashlights and others). The implementation of the project will be concluded in March 2019.

Priority 3 – the greater Sahel region and North Africa

REPUBLIC OF MALI

- **25 million CZK to support stabilisation of the population of Mali**

The project is implemented by the UNHCR. The target group consists of internally displaced citizens of Mali and refugees from Mauritania. The planned activities include: construction of homes for 300 families, water sources reclamation, renovation of medical and educational facilities and the reintegration of returnees. The activities will be performed from January to December 2019.

REPUBLIC OF NIGER

- **10 million CZK to support stabilisation of refugees and internally displaced persons in Niger**

The goal of the project implemented by Care International⁵¹ is to stabilise refugees from Nigeria who fled to Niger from the attacks by Boko Haram and to stabilise the internally displaced persons in the territory of Niger in the region of Diffa in the south of the country. Care will concentrate on supporting sustainable livelihoods, food self-sufficiency and the support of income-generating activities of vulnerable persons. The target group consists of 1,600 women. These women will be trained in sustainable agriculture techniques, domestic animals (goats and sheep) and agricultural crop will be bought for them. The implementation of the project was started in November 2018 and will be concluded in November 2019.

REPUBLIC OF CHAD

- **5 million CZK to support stabilisation of the refugees and internally displaced persons in Chad**

Care International also focuses on the implementation of a project in the Republic of Chad where the main goal is to support sustainable livelihoods and food security of refugees and internally displaced persons in the Chad Lake region. The project activities include: support of agricultural production of the beneficiaries – distribution of agricultural packages and creation of 20 community fields for 900 persons, training the beneficiaries in innovative agricultural techniques, distribution of goats among 300 families, setting up 5 granaries, training 10 veterinary

⁵¹ Care International is a non-governmental organisation founded in 1945. CARE works all over the world and is a major international humanitarian agency, which provides special assistance and long-term international development projects.

assistants, financial grants for the most vulnerable families, setting up 8 female VSLAs (Village Saving and Loans Associations). The target group consists of a total of 1,660 persons. The implementation of the project was started in November 2018 and will be concluded in November 2019.

The Programme of Humanitarian Evacuations of Inhabitants with Health Issues – MEDEVAC Programme

The MEDEVAC Programme is focused on providing professional medical care to vulnerable groups of inhabitants in regions in need. In 2018, the Programme was implemented under Resolution No. 956 of the Government of the Czech Republic of 20 November 2015 through the following activities and projects: teams of physicians were sent abroad, medical staff was trained, medical-humanitarian evacuations of persons to be treated in the CR were carried out, and financial donations were made abroad to support and develop the medical infrastructure.

In 2018, activities were focused on 8 countries, which reflected the territorial priorities of the programme. In the Middle East, the programme was operated primarily in Jordan, which remained the priority country to which medical teams were sent in the reference year. Assistance was also provided to other countries in the region, for example, in the form of a financial donation, which was sent to Iraq, or in the form of medical evacuation, which involved evacuating a four-month-old child from Afghanistan to the Czech Republic for the purposes of a heart surgery. For the purpose of implementing future missions, a planning mission to Lebanon took place. In Africa, medical teams provided assistance particularly in Senegal where 2 medical missions took place. Assistance was also focused on Libya and Niger in the form of financial donations. In 2018, the MEDEVAC Programme remained present in East Europe and built on its previous successful trainings of medical staff in the field of physical therapy in Ukraine.

A total of 7 Czech hospitals under direct jurisdiction of the Ministry of Health and the Ministry of Defence participated in the Programme, specifically: the Hradec Králové University Hospital, the Královské Vinohrady University Hospital, the Motol University Hospital, the Olomouc University Hospital, the Na Bulovce Hospital, the Military University Hospital, and the General University Hospital in Prague.

Implementation of the MEDEVAC Programme in 2018

- 14 medical teams were sent abroad with the participation of 7 Czech hospitals (the Hradec Králové University Hospital, the Královské Vinohrady University Hospital, the Motol University Hospital, the Olomouc University Hospital, the Na Bulovce Hospital, the Military University Hospital, and the General University Hospital),
- 896 surgeries were carried out abroad (children's cardiac surgery, gynaecology, ophthalmology, ENT, orthopaedics, traumatology, reconstructive and plastic surgery),
- more than 1,200 expert examinations with diagnostics were carried out,
- 205 non-invasive procedures were carried out,
- 1 medical humanitarian evacuation of a person to be treated in the CR from Afghanistan,
- the first exhibition of the MEDEVAC Programme titled "Flying Doctors" in the National Technical Library in Prague from 5 February through 16 March 2018,

- 3 “Flying Doctors” exhibitions in the Czech Republic (the Olomouc University Hospital, the General University Hospital, the Ministry of the Interior of the CR),
- 3 “Flying Doctors” exhibitions abroad (Brussels, Geneva, Amman),
- 2 expert internships in the field of rehabilitation for foreign male physicians, female physicians and medical staff in Czech hospitals for a total of 11 Ukrainian professionals,
- participation of the MEDEVAC Programme in the 2018 Day of Europe in Prague,
- 4 financial donations totalling 20 million CZK for renovation of medical centres, medical apparatuses of hospitals and training of medical staff in Iraq, Libya, Niger and Ukraine (ADRA, CARE, Caritas, ICRC⁵²).

The Programme has had a constant budget of **60 million CZK** since 2016.

7.3 ASSISTANCE TO COMPATRIOTS

The **Programme for Providing Assistance with the Resettlement of Czech Compatriots** continued in 2018. The implementation of this programme was made possible by adoption of Government Resolution No. 1014 of 8 December 2014, in which the government approved new governmental policies for resettling persons with proven Czech origin (compatriots) living abroad. The programme is fully funded from the budget of the Ministry of the Interior. This method of funding ensures the necessary stability of the Programme and allows for maintaining continuity of the provided services.

⁵² The International Clinical Research Center

For the participants, participation in the programme does not mean that they automatically receive permanent residence permits. The programme simplifies the entire procedure, particularly by having the state assume responsibility for providing accommodation for them and funds for their stay. However, these benefits are only provided to those persons, in whose case such assistance is substantiated, that is, to persons from endangered areas or for those members of Czech compatriot communities who are disadvantaged medically, socially or economically.

A total of **337 persons** who were members of Czech compatriot communities in Ukraine and Venezuela were **resettled to the CR during the year 2018**. The compatriots from Ukraine were mainly members of the compatriot communities in the Zaporozhe, Odessa and Zhitomir Regions as well as from the areas of anti-terrorist operations in the Donetsk and Luhansk Regions. By the end of the year, 278 people from this group found permanent places of residence and jobs and have become completely self-sufficient, whereby the purpose of this programme was accomplished. The rest of resettled compatriots will move to their places of permanent settlement in early 2019. The highest number of compatriots resettled in Prague and in the Region of Central Bohemia, the Region of South Bohemia and the Region of Pilsen. The Caritas of Archdiocese of Prague, which ensures direct work with clients, continued to be a partner of the MoI in the implementation of this programme in 2018.

A total of **1,143 persons** have been resettled to the CR from the launch of the programme in 2015 until 31 December 2018. The average period of their stay in temporary accommodations provided by the MoI amounted to 50 days, which is less than one third of the maximum period permitted by the provisions of the aforementioned Government Resolution.

In accordance with the aforementioned Government Resolution, the programme is open to members of Czech compatriot communities regardless of their countries of origin. The implementation of the programme will continue in 2019 and in the following years due to the demand from clients, and it can be expected that the target group will be extended to include compatriots from other areas, particularly from South America.

7.4 INTERNATIONAL POLICE COOPERATION

The Police of the Czech Republic (PCR) significantly increased its representation in the operational activities of the Frontex Agency⁵³ in 2018. A total of **173 policepersons** were sent to all three types of external borders of the EU – land borders, sea borders and air borders. Besides human resources, the PCR also provided technical equipment (patrol vehicles and vehicles equipped with thermal imaging technology). The policepersons of the CR sent to sea borders were sent mainly to Greece and Italy where they operated in the hotspots. There, they performed tasks associated predominantly with registration, interviews and establishment of the identity of detained migrants. The policepersons of the CR were sent to Bulgaria, Greece, Poland and Hungary to provide the protection of external land borders and were sent to various international airports in the European Union in order to provide the protection of external air borders. In that capacity, their focus was more on carrying out border checks (particularly on checking travel documents), guarding the land borders and possibly carrying out specific activities at international airports.

⁵³ *European Border and Coast Guard Agency*

On 6 October 2016, the new Council Regulation (EU) on the European Border and Coast Guard became effective⁵⁴. With this document, the Frontex Agency obtained a new mandate, predominantly in the field of activities involving returning illegal migrants to their countries of origin, assessing the vulnerability of Member States and establishing more intensive cooperation with third countries and international organisations. The new regulation also plans for increasing operational activities and for their multi-purpose nature. The PCR is active in the following three areas:

- Return activities – in 2018, the CR nominated 9 specialists in escorting people by air and 3 persons engaged in monitoring return activities (Office of the Public Defender of Rights) and 2 specialists in returns (representatives of the MoI of the CR) for the team of the European Border and Coast Guard. In 2018, 5 of the policepersons in the escorting unit were involved in a single return activity and the monitoring policepersons were involved in 8 return activities (one monitoring policeperson in each activity).
- Assessment of vulnerability – the goal is to assess the readiness of individual states to carry out border checks in all their aspects. The representatives of DAPS actively attend regular meetings and participate in implementation of the approved methodology. An integral part of this activity is collection of data and information necessary for an objective assessment.
- Cooperation with third countries – in 2018, the PCR sent policepersons to the air borders in third countries, which are of key importance from the CR's point of view. Specifically, the CR sent one policeperson who was an expert on documents to North Macedonia and one expert on the second line of control to Georgia (both in the positions of observers).

⁵⁴ Regulation (EU) 2016/1624 on the European Border and Coast Guard

Cooperation with the Neighbouring States

The specific forms of cooperation with the neighbouring states are defined in international agreements on police cooperation.

As part of international cooperation, **joint patrols** are carried out under the jurisdiction of regional directorates of the Police of the Czech Republic, which are used for standard police work. The joint patrols concentrated on monitoring illegal migration, carrying out Schengen national search, monitoring the movement of vehicles, addressing cross-border crime, searching for stolen vehicles and perpetrators of crimes, checking the residence status of foreign nationals, including residence checks in night clubs, checking persons and vehicles. The operations of the joint patrols have been proven to yield good results on a long-term basis, particularly with respect to prevention, exchange of information and experience and general development of cross-border cooperation. The joint patrols are planned in advance but both sides are able to respond quickly and flexibly, if necessary. Police officers who received special training are assigned to the joint patrols.

In 2018, police officers carried out a total of **756 joint patrols**⁵⁵ of police officers from the Alien Police Departments of RDP together with units from the neighbouring states. In comparison with the year 2017, this number of patrols was higher by merely 19. From among the total number of 14 regional directorates of the PCR, joint patrols can be carried out with 11 of them.

The Regional Police Directorates also intensively cooperate with the neighbouring states through common centres of police and customs cooperation, which facilitate daily exchange of information on crime in areas near the border and which significantly contribute to maintaining the public order and security in areas near the border.

⁵⁵ Based on evaluation of the monthly reports sent by each RDP.

Stable cooperation was implemented in the field of activities performed by authorised representatives for operations near the border (the Czech Republic, Poland and Slovakia), particularly through provision of analytical and operational information on the movements and stays of groups of foreign nationals of interest on both sides of the state border. The authorised representatives for operations near the border took joint measures aimed at enhancing the monitoring of the developments in the migration routes of illegal migration by carrying out checks in selected road and rail corridors. In April 2018, a meeting of the main authorised representatives for operations near the border from the Czech Republic, the Slovak Republic and the Republic of Poland was held in the Czech Republic (Čejkovice).

In 2018, there was also a meeting of the directors of alien police forces of the **Visegrad Four countries (V4⁵⁶)** in Hungary where the following topics were discussed: the joint analytical report of the V4 countries for the year 2017, information on the current migration developments in the territories of the V4 countries, migration challenges, the impact on security and cooperation. In 2018, there were two meetings of the directors of border and alien police forces of the states belonging to what is referred the "Salzburg Forum" (SF) where topics relating to the migration situation in the territories of the SF countries were discussed.

Regional police international cooperation is also supported and developed with the use of the financial resources earmarked for performing the tasks of the 2014 National Schengen Plan. Several exercises with the neighbouring partners that were funded from these resources took place in 2018.

⁵⁶ The Czech Republic, Hungary, Poland and Slovakia.

Cooperation with Other States

In 2018, cooperation with both states continued in the same way. Both Serbia and the Republic of North Macedonia signed cooperation within the Frontex Agency during the year, nevertheless, neither of these countries managed to commence cooperation within this agency during the year. It is unclear even in the middle of the year 2019 when policepersons will start to travel to these countries as part of the Frontex activities. In 2018, a total of 320 policepersons were sent to the Gevgeliya region, 90 policepersons were sent to the Negotin region in Serbia. Starting from the beginning of the year 2019, policepersons have been sent to the Zaječar region.

Other Areas of Cooperation

As opposed to previous years, migration topics were not included in the agenda of the regular meetings of the police presidents of the Salzburg Forum countries (Bucharest, Romania in May 2018, Modra, Slovakia in December 2018).

In August 2018, **a working group of the countries from the Visegrad Group (V4) for the Western Balkans was formed** (V4 Western Balkans Working Group). This working group was set up based on two interrelated meetings held by V4+ in June where, among other things, the issue of assistance to the Western Balkan countries in border protection was discussed:

- The V4 and Austria summit held on 21 June 2018 where a memorandum of understanding was adopted, in which the countries agreed to provide assistance to the Western Balkans, and V4 PRES is supposed to coordinate the implementation of police activities on the borders and to carry out subsequent evaluation of the results.

- The V4 and Austria ministerial conference held on 26 June 2018 in Budapest where Slovakia (as the future V4 PRES at that time, following after Hungary) proposed that V4 PRES should not have the main coordination role and evaluation role in the implementation but that a working group should be set up.

The activities of this working group included sending policepersons to the West Balkans as part of the assistance to these countries in addressing the issues of illegal migration.

8 ILLEGAL MIGRATION, SMUGGLING OF MIGRANTS

In 2018, there were **4,992 persons** identified as perpetrators of **illegal migration** into the territory of the Czech Republic. Among them, 4,653 persons (i.e. 93.2 %) were detected as illegally staying and 339 persons were detected when they were perpetrating illegal migration across the external Schengen border of the CR. In the context of illegal migration across the external Schengen border, the detained persons were most often the citizens of Georgia, Albania and Ukraine. The detected illegally staying persons were most often from Ukraine, Moldova and Vietnam.

When illegally migrating across the external Schengen border, 94 persons used irregular travel documents, in terms of citizenship, the largest group among them were the citizens of Albania. In the context of illegal stay, 143 persons presented irregular travel documents, these were most often citizens of Ukraine and Moldova.

In connection with facilitation of illegal stay or the crossing of border, **36 persons** were registered in 2018. There were **11 persons** convicted of the crime of organising and facilitation of crossing the state border and **12 persons** convicted of the crime of facilitating illegal stay in the territory of the Czech Republic.

In 2018, in the context of the combat against illegal migration/people smuggling, the Czech Republic, represented by the NCUCOC Department for Human Trafficking and Illegal Migration, based on inclusion into the EMPACT project with the cooperation of EUROPOL, attended the meetings and performed the tasks according to the 2018 Operational Action Plan. As part of these activities, NCUCOC performed individual tasks and its representatives participated in the creation of operational joint action days (actions focused on the issues of illegal migration, smuggling groups, people smuggling as well as on the issues of the misuse of forged documents in connection with illegal migration). At the international level, meetings associated with the EUROPOL European Migrant Smuggling Centre (EMSC) regarding the joint action days were held with a focus on the current trends in illegal migration with the aim of breaking up organised groups of people smugglers. In this context, representatives of NCUCOC attended the Conference of Leading Units for Combat against Migrant Smuggling organised under the auspices of Europol and EMSC, which was focused on the current new trends, threats, modi operandi or changes, which appeared both at the national levels of respective countries and at the European level with an impact on the activities of the police authorities engaged in combatting illegal migration and related criminal activities. As concerned illegal migration, NCUCOC was performing tasks together with other police units as part of the respective activities defined by the aforementioned project, which were focused on all the ways of smuggling illegal migrants (where the health and lives of migrants are in immediate danger) as well as on the issues of sham and fictitious marriages.

An important role in monitoring the migration into the territory of the Czech Republic, including all the related phenomena, is played by the Analytic Centre for Border Protection and Migration (ANACEN), which constantly monitors and analyses the current phenomena, which can be identified as risky or potentially problematic with respect to security and migration.

8.1 ILLEGAL MIGRATION INTO THE TERRITORY OF THE CR

Since 2008 (accession to the Schengen Area), two basic categories of illegal migration into the territory of the Czech Republic have been monitored.

1. Illegal crossing of the external Schengen border of the CR – in this category, persons who illegally crossed or attempted to illegally cross the external Schengen border (airport) of the Czech Republic are monitored. By “persons”, we mean foreign nationals and the citizens of the CR.

2. Illegal stay – this category registers those foreign nationals who are identified in the territory of the CR, including the transit areas at airports (illegal entry, expiration of validity or period of stay, etc.). This category also includes the sub-category of what is referred to as **“transit illegal migration”** (starting from the year 2015, this sub-category has contained foreign nationals illegally crossing mostly the land internal Schengen borders with the goal of travelling across the Czech Republic to other EU/Schengen Area countries). In this category, by “persons” we mean foreign nationals.

With respect to the reasons for illegal migration, the Czech Republic has become the destination country for most persons in recent years. The exception to this was the period of the global migration wave, which became apparent in the territory of the CR in late 2014 and culminated in 2015. During that time, the CR was abundantly used by foreign nationals as a transit area for illegal migration to other European countries. Since 2016, after the wave of transit illegal migration subsided, the CR has been misused for movement to other EU/Schengen Area countries to a far lesser extent.

The trend in illegal migration after 2008 (major changes occurred on 27 December 2007 as a result of the CR's accession to the Schengen Area) showed gradual increase of annual numbers after a sharp decline in 2010. The year-on-year increase in the period 2011-2014 was between 7 and 16 %. A major change occurred in 2015 when a marked increase by 78 % occurred in comparison with the year 2014. As a result, the highest annual number of identified illegal migrants was registered in 2015 since 2008. There was a significant decrease by 39 % in 2016 but if we compare the number for that year with the years 2008 through 2014, then the number is higher than the numbers for these years. In 2017, the decline, albeit more moderate, continued and there was a year-on-year decrease by 10 %. **In 2018, the trend of year-on-year decline stopped and a slight increase by 5 % was reported.**

As concerns transit illegal migration, that is, illegal entry into the country mainly from Slovakia and Austria with the goal of travelling across our country to Germany or other EU/Schengen countries, there was a slight year-on-year increase of numbers during the year 2018 (although the total number is significantly lower in comparison with the number for the year 2015 when the migration wave culminated). The Czech Republic is not the primary destination country for illegal migrants and continues to be a transit country in the European context.

This situation, which is positive for the Czech Republic, is the result of both the measures that were taken already during the "migration wave" (particularly the opening of border crossings between Hungary, Austria and Germany and the closing of the "Balkan route", which involved sealing the Greek-Macedonian border) as well as separate measures (such as political measures, changes of asylum conditions, etc.) taken by the countries along the migration routes. Among other things, the welfare benefit system, which is not as favourable for illegal migrants in the Czech Republic as in the countries of Western Europe or in Scandinavian countries, is an important factor for illegal migrants,

which has a crucial impact on their decision-making on whether the Czech Republic will be their destination. The routes of illegal migration are influenced by the current (political, military, social, economic) situation in the respective countries along the migration routes as well as by the individual measures taken by these countries, including the destination countries and the home countries of illegal migrants.

In 2018, **191 persons were detected as perpetrators of transit illegal migration**, which represents a year-on-year increase by 19 persons (i.e. +11.0 %). However, if we take a look at the number of cases, there were 96 cases detected in 2017 but there were 64 cases detected in 2018. The higher number of persons in 2018 was the result of exposing three larger groups. Otherwise it is more usual that individuals or small groups are detected. In terms of the direction in which illegal migrants were intercepted, the entry from Slovakia predominated (112 persons, i.e. 58.6 %) over the direction from Austria (51 persons, i.e. 26.7 %), while the trend in 2017 was the opposite. **For the overwhelming majority of persons, Germany was the stated destination of their trips** (148 persons, i.e. 77.5 %). The persons mainly used larger types of vehicles for transport (107 persons, including 75 persons in trucks and 35 persons in vans). In terms of citizenship, the largest groups of detected illegal migrants consisted of citizens of **Iraq** (84 persons), **Syria** (24), **Afghanistan** (20) and **Nigeria** (15). The reason was particularly the situation in the region of Syria and Iraq in conjunction with the political situation in Turkey as well as the risk of possible escalation of illegal migration of persons from economically weak countries of North Africa across Italy to other European countries.

The main modi operandi for transit illegal migration were to misuse the asylum procedures of the EU/Schengen area Member States, to use mainly trucks and vans (the hiding places in the means of transport are related to this) during movement across the country and to use people smuggling networks.

Statistics

In the period from 1 January to 31 December 2018⁵⁷, there were **a total of 4,992 persons detected when illegally migrating into the territory of the CR**. In comparison with the year 2017, **there was a slight increase by 254 persons (i.e. +5.4 %)**. Among them, **4,653 persons (i.e. 93.2 %) were detected as illegally staying and 339 persons were detected when they were perpetrating illegal migration** across the external Schengen border of the CR⁵⁸.

There were **411 persons** (i.e. 8.2 % of the total number of persons detected during illegal migration) **repeatedly detected as perpetrators of illegal migration**⁵⁹. On a year-on-year basis, there was almost no change of trend (+27 persons). The top position was held by citizens of **Ukraine** (136 persons, i.e. 33.1 % of the total number of persons repeatedly detected as perpetrators of illegal migration). The following positions were held by citizens of **Uzbekistan** (63, i.e. 15.3 %) and **Vietnam** (45, i.e. 10.9 %).

⁵⁷ Based on the reports entered into the Event IS by the units of the PCR.

⁵⁸ Since the external Schengen border only consists of an air border, persons who illegally migrated across the external Schengen border are only recorded with the "Directorate of the Alien Police Service", which was organisationally expanded in 2008 by including 5 Alien Police Inspectorates at international airports.

⁵⁹ The persons are checked in the "Illegal Entry and Residence of Persons" database for the current year and for the previous year.

Table 7: Illegal migration in the CR in 2018 – TOP 10 by category

Illegal migration in the Czech Republic					
Illegal stay	Persons detected	i.e. %	Illegal migration across the external Schengen border	Persons detected	i.e. %
Total	4,653	100.0	Total	339	100.0
			of which CR citizens	1	0.0
			foreign nationals	338	100.0
of which EU citizens	149	3.2	of which EU citizens	3	0.9
third-country nationals	4,504	96.8	third-country nationals	336	99.1
of which TOP 10 citizenships			of which TOP 10 citizenships		
Ukraine	1,470	31.6	Georgia	51	15.0
Moldova	567	12.2	Albania	39	11.5
Vietnam	312	6.7	Ukraine	28	8.3
Russian Federation	273	5.9	1951 Convention refugee	21	6.2
Uzbekistan	157	3.4	Yemen	21	6.2
Georgia	137	2.9	China	19	5.6
China	126	2.7	Turkey	19	5.6
Saudi Arabia	109	2.3	Russian Federation	17	5.0
Iraq	103	2.2	Iran	12	3.5
Kazakhstan	86	1.8	Saudi Arabia	9	2.7

Source: DAPS

As regards citizenship, the citizens of Ukraine have been traditionally the largest group of persons detected as perpetrators of illegal migration since 2008. There was a change in 2015 due to the large migration wave and the top position went to the citizens of Syria. After the migration wave subsided, the citizens of Ukraine returned to the top position in 2016. A total of **1,498 citizens of Ukraine** (i.e. 30.0 %) were detected in 2018. The following positions based on the statistics were occupied by citizens of the **Moldova** (568 persons, i.e. 11.4 %), **Vietnam** (318 persons, i.e. 6.4 %), **the Russian Federation** (290 persons, i.e. 5.8 %) and **Georgia** (188, i.e. 3.8 %). These 5 citizenships account for approximately 60 % of the total number of persons detected as perpetrators of illegal migration. In the two categories of illegal migration (illegal stay and illegal migration across the external Schengen border), the representation of citizenships is different. In the category of illegal

stay, the citizens of Ukraine hold the first position, while the citizens of Georgia are the largest group in the category of illegal migration across the external Schengen border.

If we divide illegal migrants into two categories, specifically children (aged less than 18 years) and adults (18 years or more), then the share of children in the total number of detained persons was 4.5 % in 2018 (the share of children was 5 % in 2017). A higher share of children tends to occur during waves of transit illegal migration when entire families – parents with multiple children – are often detected, this is why the share of children was 17.4 % at the height of the migration wave in 2015. Some children were identified as being unaccompanied by an adult relative. In 2018, there were 11 children detected who were travelling illegally, unaccompanied by an adult. The situation of these children was addressed in cooperation with the Social-legal Child Protection Authority (OSPOD).

With respect to structure by gender, the share of illegally staying men (75 %) was higher in comparison with women. With respect to structure by age, persons aged 26-35 years (32 %) predominated, the other highly represented categories were persons aged 36-45 years (22 %) and persons aged 19-25 years (19 %).

8.2 FACILITATION OF ILLEGAL MIGRATION

After the year 2015 in which the transit illegal migration culminated, the pressure gradually subsided (the period of June through December 2015⁶⁰: 3,294 persons, the year 2016: 511, the year 2017: 172, the year 2018:191) but this type of illegal migration still needs to be seen as highly risky with regard to the persons facilitating the illegal crossing of the state border of the Czech Republic.

⁶⁰ As a sub-category of illegal migration, this has been reported separately since 17 June 2015.

In 2018, there were 125 persons⁶¹ detected as having used the services of people smugglers, in whose case the officials of the PCR directly caught a driver or their co-driver who was a human smuggler. In these cases, 23 people smugglers – drivers and co-drivers – were directly detained, this is a higher number than the one reported for the persons covered by the documentation units from the Alien Police Department (APD) of RDP because some persons were covered, for example, by the Criminal Police and Investigation Service. These were mainly citizens of Romania, Bulgaria, Turkey, Ukraine, Austria, Greece, Slovakia and others. Although a people smuggler was not directly caught in many cases, it clearly follows from the testimonies of these foreign nationals that they used the assistance of other persons at a certain section of their journey, or in the cases where irregular travel documents were used, facilitation by another person can be inferred. A decrease in the overall lower numbers of detained people smugglers as such has certainly also been caused by the fact that migrants receive instructions for the journey from their relatives, acquaintances and people smugglers via modern technologies that make communication and navigation easier.

Facilitation of illegal migration is also carried out by **providing irregular documents**. Irregular documents were presented by foreign nationals during residence proceedings, during their employment, after the end of their legal stay or during their illegal migration across the territory of the Czech Republic. In terms of citizenship, the main groups who used irregular documents for residence or for illegal gainful activity were citizens of **Ukraine** and **Moldova**.

The main route of migrants heading to us still leads mainly from the Balkan countries and their “refugee camps” where they are recruited particularly by their compatriots for a further trip to the countries of Western Europe. The most frequent form of illegal migration in 2018

⁶¹ Based on the data from the “Illegal Entry and Residence of Persons” maintained at the DAPS.

in the territory of the Czech Republic included transporting migrants in hidden places in trucks or vans (modified for concealed transport of migrants in a number of cases). To a lesser extent, international train connections were used (when this form of people smuggling is used, the organised group does not have to pay the costs of a people smuggler and usually only a small amount of illegal migrants is detained during checks). Besides the land route, the air route was also used, particularly the intra-Schengen flights (Greece and Greek islands) were used and the passengers had irregular travel documents. Just as in the previous years, the destination countries of transiting illegal migrants were primarily Germany⁶², France, the United Kingdom and Scandinavian countries.

Sham marriages continued to be used to legalise residence in the territory of the Czech Republic. In most cases, it was the same modus operandi where female citizens of the CR entered into marriage in the territory of the CR as well as outside the territory of the CR (for example, in Tunisia, Egypt, etc.) with foreign nationals for the pretended purpose of family reunification against financial payment promised to them by the organiser. Based on the marriage, the foreign national applies at an embassy for a permit for temporary residence in the territory of the CR. Subsequently, the foreign national is issued with a short-term visa for a family purpose and the foreign national arrives in the CR with this visa. These cases were documented and submitted either to DAMP of the Ministry of the Interior to commence proceedings on termination

⁶² For example, in March 2018, the detectives from the National Central Unit for Combatting Organised Crime carried out a raid based on a crime case file with the cover name TORAX, which concerned smuggling migrants across several European countries to Germany. The investigation of the entire criminal case was carried out in close cooperation with colleagues from Germany and Slovakia. The attention of the detectives was concentrated on an international organised group, which allegedly organised transports of migrants, most often from Turkey (Romania) across the territories of Bulgaria, Romania, Hungary, the Slovak Republic and the Czech Republic to Germany as the destination country for payments on the order of thousands of EUR per migrant at least since November 2017. During the raid, which took place in the territory of the capital city of Prague on 6 through 8 March 2018, 3 perpetrators were detained who were caught in the act of transporting 21 migrants with Iraqi and Turkish citizenships. Two citizens of Turkey and one citizen of Belgium are prosecuted for the crime of organising and facilitating an illegal crossing of the state border pursuant to the provision of Section 340(1), (3)(a) of the Criminal Code.

of residence permits for residence in the territory of the Czech Republic or the result of the investigation was sent to the relevant embassy of the Czech Republic abroad so that measures are taken that would prevent the foreign nationals from arriving in the Czech Republic or the Schengen Area. Another reported modus operandi involves cases where female citizens of the Czech Republic made it possible for a third-country national to stay in the territory of another Member State after entering into marriage (Czech women, as citizens of the European Union, had a job and place of residence administratively arranged in another EU Member State and their husbands then applied for residence in that state for family reunification based on the sham marriages). Investigation of cases aimed to detect sham marriages is done through the search activities of the law enforcement authorities as well as with the use of findings from other persons and other public administration authorities. In their efforts to detect this trend, the Documentation Units are most often in contact with embassies in Nigeria, Tunisia, Egypt, Algeria, Italy, Greece, Cyprus, Germany, Morocco, Poland, the United Kingdom, Vietnam, Ukraine and Spain.

To a lesser extent, the officials of the Documentation Department of APD RDP also investigated those persons who facilitated residence through **false paternity (using the official option of parents' concurrent declaration)**. This involves registering an EU citizen/a foreign national as a parent in a child's birth certificate against payment or organising such operations. The identified forms of misuse of this official option include the method where the foreign national has himself or herself registered as the father or mother, hereinafter referred to as the parent, of a Czech child (whether the child has already been born or is yet to be born) and subsequently applies for residence for the purpose of reunification with a citizen of the Czech Republic. There is also a method where a Czech citizen has himself or herself registered as the parent of the child of a foreign national (whether the child has already been born or is yet to be born) and a method where a foreign

national has himself or herself registered as the parent of the child of another foreign national who already has permanent residence status in the territory of the Czech Republic. An amendment to Act No. 186/2013 Coll., on the Citizenship of the Czech Republic, contributed to suppress this phenomenon because Section 7(2) (from the year 2014) provides that a child (whose mother is not a citizen of the Czech Republic or an EU Member State and does not have permanent residence status in the territory of the Czech Republic and is not homeless) will acquire the citizenship of the Czech Republic on the day, on which the concurrent declaration of parents on determination of paternity of a citizen of the Czech Republic was made, on the condition that the parents presented a genetic test in the form of a forensic expert's report to a registry of vital records.

In connection with sham marriages and false paternity used by foreign nationals to legalise their stay in the Czech Republic and used by citizens of the Czech Republic as a source of a usually inadequately low one-time financial income, there are also financial losses incurred by the public administration, for example, as a result of unjustified reception of welfare state support benefits or benefits for people in financial need in those cases where the applicant is not entitled to such welfare benefits (facts, which may have decisive influence on the payment of such benefits or on the amount of such a benefit, are intentionally withheld in the application for a contribution, a bonus or a specific benefit).

The officials of the Alien Police Departments have also encountered cases where foreign nationals **share a household with citizens of the Czech Republic or the EU on false pretences** with the aim of obtaining a residence status (pursuant to the provision of Section 15a of Act No. 326/1999 Coll., a family member of a citizen of the European Union has a permanent partner relationship with a citizen of the European Union, which is not marriage, and lives with the citizen of the European Union in a shared household). It is more difficult to

issue a decision on administrative expulsion to these foreign nationals because of inadequate interference with private and family life. In order to prove that a household is shared on false pretences, it is necessary to collect evidence, which is very challenging.

The language examinations in the Czech language taken by foreign nationals were also monitored in 2018. In this year, there were no findings of misuse (in the previous years, there had been persons posing as other persons, fraud during the examinations or circumvention of the system of examinations based on corruption of the examiners). Changes in the examination system and the examination procedures significantly contributed to prevention of this phenomenon and more effective control mechanisms were created last year. Another modus operandi in 2018 was represented by a case where a person posed as another person during an examination in a different language because a person residing in a different EU Member State assumed that there would be a lower risk of the fraud being exposed in the Czech Republic than in the given Member State.

The police officers from the APD Documentation Units also investigated findings relating to the activities of groups organising **facilitation of illegal employment**. These are mainly cases where persons mediate jobs to foreign nationals who do not have valid employment permits and in order to make it easier for the foreign nationals to start a job, forged or otherwise altered identity documents are procured for these foreign nationals, which are later used as authentic documents. For example, in 2018, the APD at the RDP of the Region of Olomouc initiated criminal proceedings in two cases due to suspicion of illegal employment of foreign nationals. Based on the relevant substantive jurisdiction, both cases were referred to the organisational section of the Economic Crime Department of the Criminal Police and Investigation Service where the subject matter of the proceedings was extended to include suspicion of the crime of tax evasion and failure to pay social security insurance premium and similar mandatory levies.

Statistics

In connection with **facilitation of illegal stay or crossing of border, there were 36 persons registered in 2018**. In comparison with last year, there was a slight decrease by 8 persons (-18.2 %). In 2018, there were **11 persons** convicted of organising and facilitating an illegal crossing of the state border and **12 persons** convicted of facilitating an unauthorised stay in the territory of the CR⁶³.

Table 8: Facilitation of an illegal stay or a crossing of a border – comparison between the years 2017 and 2018

Period	2017	i.e. %	2018	i.e. %	Change as compared with the previous period	
					i.e. %	Absolute figure
Total number of persons detected by APD RDP	44	100.0	36	100.0	-18.2	-8
persons who facilitated illegal migration						
sham marriage and organisation thereof	17	38.6	26	72.2	52.9	9
sham paternity and organisation thereof	10	22.7	2	5.6	-80.0	-8
sham invitation and organisation thereof	2	4.5		0.0	-100.0	-2
facilitation of an illegal crossing of the state border	9	20.5	5	13.9	-44.4	-4
other facilitation of an illegal stay (procurement of visas, forged documents, etc.)	6	13.6	3	8.3	-50.0	-3

Source: DAPS

⁶³ Source: The Ministry of Justice of the CR

9 RETURNS

In 2018, a total of **6,528 administrative return decisions** were registered. A total of 5,734 enforceable decisions on administrative expulsion were registered, which represented an increase by 15.3 % in comparison with the previous year. There were also 794 decisions on imposition of the obligation to leave the country issued in 2018, which meant there was a year-on-year increase by 9.5 %.

The largest groups of foreign nationals who were issued an enforceable decision on administrative expulsion were the citizens of Ukraine, Moldova and Uzbekistan. Administrative expulsion was carried out for **441 foreign nationals**, among whom the expulsion had the form of an assisted voluntary return in 424 cases.

In the area of voluntary returns, **the programmes of assisted voluntary returns are implemented by the Department for Asylum and Migration Policy at the Ministry of the Interior of the CR, the International Organisation for Migration, and the Refugee Facilities Administration of the Ministry of the Interior.** During the year 2018, a total of 522 voluntary returns of third-country nationals were registered. This number included 424 assisted voluntary returns of foreign nationals with decisions on administrative expulsion (378 returns under the programme of the MoI of the CR and 46 under the programme of the IOM) and 98 assisted voluntary returns of former applicants for international protection.

The return policy also forms an integral part of the migration policy as a whole. The Czech Republic always prefers the option of a voluntary return from the country to a forced return, which is also reflected in the statistics.

9.1 ADMINISTRATIVE DECISION ON RETURN

In 2018, a total of **6,528 administrative return decisions were issued**. An administrative return decision may have the form of a decision on an obligation to leave the country or a decision on administrative expulsion.

Decision on an obligation to leave the country

Under the Return Directive, legislation providing for a decision on an obligation to leave the territory of the Czech Republic (Section 50a of Act No. 326/1999 Coll., on the Residence of Foreign Nationals) was adopted in January 2011. Formerly, a decision on administrative expulsion would have been issued to some of these persons. In 2018, **there were 794 decisions on imposition of an obligation to leave the country issued⁶⁴**. **According to a year-on-year comparison**, there has been **a slight increase** by 69 decisions (i.e. +9.5 %).

In 2018, a decision was made in 108 cases on an appeal against a decision on an obligation to leave the country, which represents a slight decrease by 18 decisions (i.e. -14.3 %) according to a year-on-year comparison. In 59 cases, the appeal was dismissed, in 21 cases, the appeal was granted, in 25 cases the decision was overturned and returned, and in 3 cases, the decision was changed.

⁶⁴ Based on the monthly reports on selected activities of RDPs.

Decision on Administrative Expulsion

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

In 2018, a total of **5,713 foreign nationals (an increase by 11.6 %)** were issued a decision on administrative expulsion. The largest group of foreign nationals who were issued with such a decision consisted of citizens of **Ukraine** (3,856 persons, i.e. 67.5 % of the total number of foreign nationals who were issued a decision on administrative expulsion). After a large gap, they were followed by citizens of **Moldova** (888 persons) and **Uzbekistan** (107 persons).

In 2018, **5,734 enforceable decisions on administrative expulsion** were registered (multiple decisions can be issued to a single person over a given period of time).

As concerns the reasons for issuing a decision on administrative expulsion (a total of 6,615 reasons), breach of the residence conditions had predominated for a long time⁶⁵. There was a change in 2017 **and the reason that the foreign national was employed without a residence permit or without a work permit⁶⁶ started to predominate**, and the same trend continued in 2018. With this reason (3,495 reasons, i.e. 52.8 %), there was a year-on-year increase by 384 reasons (i.e. +12.3 %). In terms of citizenships, citizens of **Ukraine** (3,010 reasons, +405, i.e.

⁶⁵ Residence without a visa or a residence permit, without a travel document, etc.

⁶⁶ Pursuant to Section 119(1)(b)(3) of Act No. 326/1999 Coll.

+15.5 %) and citizens of **Moldova** (418, -45, i.e. -9.7 %) were the largest groups where performance of work without a permit was detected. There was a year-on-year increase by 196 reasons (i.e. +8.6 %) in the number of cases where the reason was breach of the residence conditions⁶⁷ (2,463 reasons, i.e. 37.2 %). Another category of reasons is **presentation of an irregular document during a border check or a residence check**⁶⁸ (335 reasons, i.e. 5.1 %) where a year-on-year decrease was seen (-58 reasons, i.e. -14.8 %). This reason was found particularly with citizens of **Ukraine** (204 reasons) and **Moldova** (71). This was followed by the category of failure to comply with a decision on expulsion⁶⁹ (234 reasons, i.e. 3.5 %) and the category of other reasons (88, i.e. 1.3 %).

9.2 EXECUTION OF A DECISION ON RETURN

Voluntary returns

The Czech Republic prefers the option of a voluntary return to a forced return. At the national level, voluntary returns are governed by the provision of Section 123a of the Act on the Residence of Foreign Nationals. Pursuant to this provision, it is the Ministry of the Interior, specifically DAMP, which is responsible for making a decision on an application filed by a foreign national and for possibly approving and implementing his or her application. If a foreign national, who has been detained and placed in the Facility for Detention of Foreign Nationals (ZZC), applies for a voluntary return, then the forced return of such a foreign national is carried out by DAPS.

⁶⁷ Pursuant to Section 119(1)(b)(8) and (c)(1), (2) and (3) of Act No. 326/1999 Coll.

⁶⁸ Pursuant to Section 119(1)(b)(1) and (2) of Act No. 326/1999 Coll.

⁶⁹ Pursuant to Section 119(1)(b)(9) of Act No. 326/1999 Coll.

Voluntary repatriation is also governed by the Asylum Act, pursuant to its Section 54a, the Ministry of the Interior may bear the costs associated with a voluntary return, if it is in the public interest.

In the context of the issues of voluntary returns and returns in general, the EU's legislation is also important with respect to the legislation governing these issues. This specifically includes 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 irregularly staying third-country nationals.

As concerns voluntary returns, the MoI, SUZ and the IOM implement their **programmes of assisted voluntary returns**. In their programmes, the MoI and the IOM focus particularly on those foreign nationals to whom a decision on administrative expulsion was issued. Under its programme, SUZ provides assistance with voluntary return for the country of origin to failed applicants for international protection.

Under all these programmes of assisted voluntary returns, the MoI, SUZ and the IOM carry out not only the actual voluntary return but they also provide all the related consultancy and assistance, which are necessary for fast and successful implementation of a return. The provided services include the provision of information on voluntary return to foreign nationals placed in reception and accommodation centres for applicants for international protection or in facilities for detention of foreign nationals as well as the provision of consultancy concerning returns, which is provided to foreign nationals with an obligation to leave the territory of the CR who have not been detained. In connection with the consultancy concerning returns, the foreign nationals concerned are also provided with assistance in their communication with the embassies of their countries of origin, most often in connection with procurement of an emergency travel document. If necessary, the IOM can also provide a foreign national with transit assistance and assistance after his or her arrival in the country of origin.

Besides the possibility to use one of the working programmes of assisted voluntary returns, failed applicants for international protection, foreign nationals with terminated residence or foreign nationals on whom administrative expulsion was imposed can leave the country spontaneously at their own expense.

During the year 2018, **a total of 522 assisted voluntary returns of third-country nationals** were registered. This included **424 assisted voluntary returns** of foreign nationals with decisions on administrative expulsion and **98 assisted voluntary returns** of failed applicants for international protection. In terms of citizenship, the largest groups among these returnees consisted of citizens of **Ukraine, Moldova** and **Uzbekistan**.

a) Voluntary returns carried out by DAMP

The Ministry of the Interior, specifically the Department for Asylum and Migration Policy, has been implementing its own programme of assisted voluntary returns since January 2017. The DAMP assisted voluntary returns programme is governed by the basic rules laid down in the provision of Section 123a of Act No. 326/1999 Coll. on the Residence of Foreign Nationals. In accordance with the aforementioned legal provision, the current target group of the programme consists of foreign nationals who were issued with a decision on administrative expulsion.

The primary goal of implementation of the programme of assisted voluntary returns administrated by the MoI is to improve the effectiveness of the return process. The successful reintegration of the returnees in their countries of origin can also contribute to that. For this purpose, the MoI announced a call for submission of applications for support under the National Programme of the Asylum, Migration and Integration Fund for activities consisting in the implementation of an informational campaign about the possibilities of assisted voluntary returns and in the support

for the implementation of voluntary returns, including the pre-departure, transit and post-arrival assistance, including reintegration assistance. The approved project will be implemented during the year 2019.

In 2018, as part of the implementation of assisted voluntary returns, the Ministry of the Interior not only carried out the actual voluntary return but also provided all the related consultancy and assistance, which are necessary for effective, fast and successful implementation of a return. The provided services include particularly the provision of information on voluntary returns to foreign nationals placed in the facilities for detention of foreign nationals in Balková, Bělá-Jezová and Vyšší Lhoty. In 2018, nearly 1,000 such interviews were conducted with citizens of 46 different countries who were detained in the aforementioned facilities for detention of foreign nationals. The return consultancy is also provided to foreign nationals who were issued with a decision on administrative expulsion and who were not detained. In connection with return consultancy, the foreign nationals concerned are also provided with assistance in communication with the embassies of their countries of origin, most often in connection with procurement of an emergency travel document.

For foreign nationals who decided to take advantage of the assisted voluntary return option, the Ministry of the Interior ensures implementation of the actual return, including assistance with flight departure. The MoI always tries to carry out a return in such a manner so that it takes place as soon as possible in accordance with the interests of the foreign national as concerns mainly the final destination while taking into account the amount of the costs associated with the administrative expulsion.

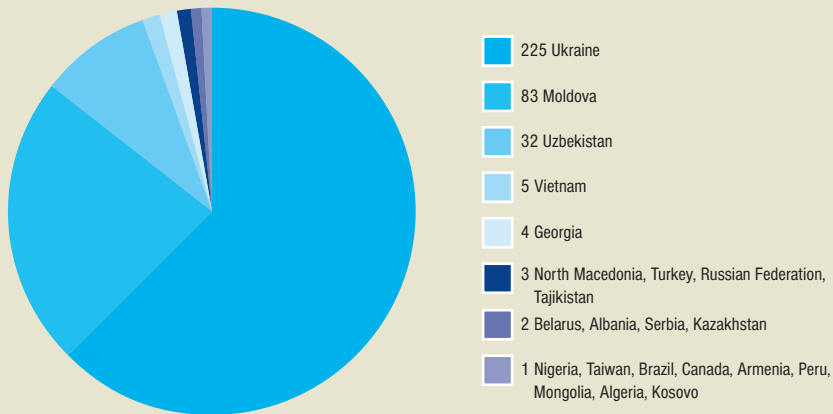
In 2018, the Ministry of the Interior carried out a total of 378 voluntary returns. This number included 368 persons placed in facilities for detention of foreign nationals. Assisted voluntary returns through the Ministry of the Interior were most often carried out for citizens

of **Ukraine** (225 persons), **Moldova** (83 persons), followed by **Uzbekistan** (32 persons) after a large gap. In total, assisted voluntary returns of foreign nationals with 22 different citizenships were successfully carried out.

When carrying out the return activities, DAMP cooperates with other entities at the national level. Cooperation with other entities, which implement their own assisted voluntary returns programmes, such as the SUZ and the IOM, is an indispensable part of the return activities performed by DAMP.

In 2018, an amendment to Act No. 326/1999 Coll., on the Residence of Foreign Nationals, was discussed in the Parliament. This amendment is supposed to allow, among other things, for enhancing the flexibility of the currently implemented assisted voluntary returns programme and for expanding the target groups of the programme to include additional groups of foreign nationals, such as foreign nationals with an imposed expulsion sentence, provided that they are not serving a prison sentence or that they were not placed in expulsion detention, foreign nationals with an imposed obligation to leave the country pursuant to the provision of Section 50a of Act No. 326/1999 Coll. and foreign nationals for whom a deadline was set for leaving the country based on an issued exit order pursuant to the provision of Section 50 of Act No. 326/1999 Coll.

Chart 6: Structure of voluntary returns carried out under the DAMP programme



Source: DAMP

b) Voluntary returns of applicants (after withdrawal of an application)/failed applicants for international protection carried out by the SUZ of the MoI of the CR

Every foreign national meeting the conditions defined in the provision of Section 54a of the Asylum Act is eligible to apply for repatriation – a voluntary, dignified and safe return to their country of origin or a third country, paid from the state budget. The eligibility for a voluntary return is not obtained automatically. Each application is examined individually. The SUZ bears the costs of repatriation, taking into account whether the foreign national meets the conditions defined in Section 54a of the Asylum Act, the opinion of DAMP, the financial standing of the applicant, the degree of cooperation on the part of the foreign national, and the health and mental state, the family and social situation and other factors are also taken into account.

When carrying out a voluntary return, the SUZ provides applicants with a free air ticket or a free ticket for travel by land to the destination country, direct assistance at their departure and consultancy, and if it is not possible to ensure transportation for the client to the destination chosen by the client, a contribution for transportation to the requested destination can be paid to the client.

In addition to that, the SUZ may provide other necessary assistance that will lead to a successful return of a foreign national, this includes, for example, assisting with procuring a travel document if such a document is absent, paying the costs associated with this, ensuring transportation to the point of departure from the Czech Republic, providing a medically unfit foreign national with a specialised transport medical service that will accompany him or her, providing assistance during a possible transfer in a foreign country, etc.

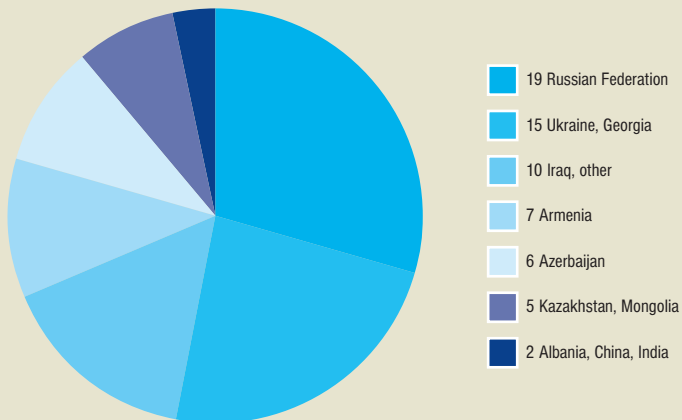
If necessary, the SUZ cooperates with DAMP, the IOM or the Czech Red Cross in implementing repatriations. In order to protect the personal data of applicants for international protection, the SUZ does not come into direct contact with the foreign authorities in the countries of origin. The SUZ cooperates with the aforementioned organisations under a contract particularly in the following cases:

- if it is necessary to procure emergency travel documents or to renew the period of validity of the existing travel documents,
- if a child is born to an applicant for international protection in the territory of the Czech Republic and, as a result, is not stated in the parent's travel document, and the Police of the CR cannot issue a travel identity card or such a travel identity card is not sufficient for the return,

- if assistance is necessary during a layover (for example, due to a disability),
- if a layover and transfer in the countries of the Schengen Area is inevitable,
- if the returnee is an unaccompanied minor applicant for international protection.

In 2018, a total of **131 applications** for voluntary returns were processed, from among them, a total of **98 persons** were returned to the requested countries. In comparison with the year 2017, there was a slight quantitative increase by 16.7 %. The most frequent destination country of return was the **Russian Federation** (19 persons), **Ukraine** (15 persons), **Georgia** (15 persons), **Iraq** (10 persons) and **Armenia** (7 persons).

Chart 7: Repatriations carried out by the SUZ in 2018 by country of return



Source: SUZ

c) Voluntary returns of third-country nationals with an issued decision on return, carried out through the International Organisation for Migration

The International Organisation for Migration (IOM) has also been engaged in voluntary returns for a long time. This organisation ensures not only the actual implementation of a voluntary return but also all the related consultancy and assistance, which are necessary for successful implementation of a return. In its programme of voluntary returns, the IOM focuses on foreign nationals with an issued decision on administrative expulsion who were not detained in a facility for detention of foreign nationals and who were given a deadline for leaving the country.

The services provided by the IOM include providing foreign nationals with basic information on a voluntary return as well as providing foreign nationals with comprehensive consultancy regarding returns, including assistance in communication with the embassies of their countries of origin, most often in connection with procurement of an emergency travel document. As a rule, the returning foreign nationals are provided with departure assistance at the airport and, if necessary, also with transit and post-arrival assistance.

In 2018, the IOM carried out a total of 46 voluntary returns, with **Uzbekistan** (12 persons) and **Vietnam** (10 persons) being the most frequent destinations.

Forced Returns

Based on a final and enforceable decision on administrative expulsion, "forced implementation"⁷⁰ of returns was carried out for **19 foreign nationals** (a year-on-year decrease by 2 persons) in 2018 (according

⁷⁰ These are cases of implementation of administrative expulsion, which do not include returns with the assistance of the MoI of the CR or the IOM.

to the entries made in the IS AIS). In terms of citizenship, the highest number of administrative expulsions was carried out for citizens of Ukraine (11 persons).

When it comes to the implementation of voluntary returns programmes by DAMP for foreign nationals detained in a facility for detention of foreign nationals (ZZC) who apply for a voluntary return from the ZZC, it is a case of what is referred to as a **“pseudo-voluntary return”**. In this case, the MoI of the CR only provides assistance and an air ticket, the other matters, i.e. establishment of identity, consular interviews, procurement of travel documents, the escorting of foreign nationals are carried out by the DAPS. Although these are foreign nationals who have applied to join the voluntary returns programme, the legal conditions for their detention and implementation of expulsion are still met.

During the year 2018, rulings were made on appeals against a decision on administrative expulsion in 953 cases, which is 83 (i.e. +9.5 %) appeals more than in the year 2017. This number includes 744 cases, in which an appeal was dismissed, 18 cases, in which the decision was overturned, 154 cases, in which the decision was overturned and returned for a new hearing, 34 cases, in which the decision statement was changed, and 3 cases, in which the proceedings were stayed.

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

In 2018, the Czech Republic did not start negotiations about readmission agreements with any new countries but it tried to finalise the agreements, which were in preparation, and to agree on the implementing protocols

for the EU readmission agreements, where this is desirable. The Czech Republic also actively participates in the EU return policy by having its representatives attending the relevant meetings of the Council and the Commission as well as meetings with specific third countries.

In 2018, in the area of bilateral agreement agenda, the Czech Republic entered into an implementing protocol for the EU readmission agreement with Macedonia (signed on 30 November 2018) and prepared a draft text of an implementing protocol with Armenia (this was sent to Armenia on 4 January 2019).

As of 31 December 2018, the CR had bilateral readmission agreements in effect with a total of 16 states: **Austria, Poland, Germany, Slovakia, Romania, Hungary, Canada, Croatia, Bulgaria, Slovenia, Moldova, Vietnam, Switzerland, Armenia, Kazakhstan and Kosovo.**

A draft bilateral memorandum of understanding on returns with India was also prepared and was sent to the Indian side in November 2018. On the contrary, there has been no progress with the bilateral readmission agreements with Mongolia and Uzbekistan, which were in the drafting stages, due to inactivity of the counterparties.

As concerns negotiations of EU readmission agreements, the Commission did not receive a mandate for negotiating a readmission agreement with a new third country in 2018. At present, the Commission is negotiating the texts of readmission agreements with Nigeria and Tunisia. Negotiations with other countries (China, Morocco and Algeria) saw little to no progress. Readmission issues are being negotiated with China as part of an agreement on combatting illegal migration. Further negotiations will be taking place as part of the dialogue on migration and mobility. A consensus was reached with Belarus with respect to the visa facilitation agreement, at the same time, Belarus confirmed the text of the readmission agreement, which had already been previously approved.

The EU continues its efforts to negotiate documents such as Standard Operating Procedure or Best Practices with third countries. Draft documents were presented to certain third countries, some of which have already been agreed on and cooperation has started (Bangladesh, Afghanistan, Guinea and Ethiopia) while negotiations between the EU and some other countries (Ghana, Gambia and Egypt) are still under way.

There were a total of 17 EU readmission agreements in effect with the following states: **Hong Kong, Macao, Sri Lanka, Albania, the Russian Federation, Ukraine, Moldova, Serbia, Montenegro, North Macedonia, Bosnia and Herzegovina, Pakistan, Georgia, Turkey, Cape Verde, Armenia and Azerbaijan.**

The Czech Republic's membership in the EU is also associated with aspects impacting the implementation of returns. In the field of returns, at an international level, the MoI cooperates with entities, which participate in the creation of the legislative framework of the European return policy and the actual implementation of returns in the EU Member States, i.e. with the European Commission, the Council and the European Border and Coast Guard Agency (FRONTEX) as well as with the immigration authorities of other EU Member States. The goal of these activities is to translate the interests of the Czech Republic into the adopted EU legislative acts, proposed procedures and priorities within the EU, which have an immediate impact on the implementation of return measures and the overall effective migration management in the Czech Republic. In this respect, the amendment to Directive 2008/115/EC on common standards and procedures in Member States for returning irregularly staying third-country nationals, referred to as the Return Directive, plays an important role, the debate about this amendment started in 2018. The Czech Republic was also active in the working groups of the aforementioned EU entities addressing the operational aspects of returns to specific third countries as well as in the working groups focused on horizontal issues concerning information exchange, best

practices and coordination of return measures. The Czech Republic also agreed to send experts with return-related expertise to Greece whose primary task would be to assist and help the local authorities there with the process of implementing returns of illegally staying third-country nationals. This support is designed to speed up the return process and, consequently, to prevent secondary migration to other countries of the Schengen Area, including the Czech Republic. With the operational assistance to be provided and the experience and best practices from the Czech Republic to be shared, the sending of an expert specialising in returns has the potential of favourably influencing the return process in the sending country on a long-term basis. It is planned to send the experts with return-related expertise in 2019.

9.3 EXPULSION SENTENCE IMPOSED BY COURTS

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

If a decision on administrative expulsion is not respected, such an action of a foreign national can qualify as a crime of obstructing the execution of an official decision. However, in practice, this provision of the law is usually not applied until the occurrence of the second and further violation of/failure to comply with the imposed obligation.

An expulsion sentence is carried out by the DAPS if the foreign national is serving a prison sentence or has been placed in expulsion detention. In this case, the DAPS procures the travel and transport documents, communicates with the embassies and cooperates with other public administration authorities, particularly the Prison Service of the CR, courts and the Ministry of Foreign Affairs.

Chart 8: The numbers of persons who were sentenced to expulsion in the period 2008–2018



Source: The Ministry of Justice

In 2018, there was a total of **1,722 persons on whom courts imposed expulsion sentences in criminal proceedings**, which represented a year-on-year increase by 109 persons (i.e. +6.8 %). This category was dominated by citizens of **Ukraine** (492 persons, i.e. 28.6 %), **Romania** (258 persons, i.e. 15.0 %) and **Moldova** (164 persons, i.e. 9.5 %). These 3 citizenships accounted for 53 % of the total number of persons on whom expulsion sentences were imposed. The largest year-on-year increases were seen with citizens of Moldova (+58 persons, i.e. +54.7 %) and Poland (+44 persons, i.e. +50.0 %), conversely, there was a year-on-year decrease in the number of citizens of Ukraine (-86 persons, i.e. -14.9 %). Among citizens of Ukraine and Moldova, the predominating grounds for expulsion were forgery and alteration of a public document and obstruction of execution of an official decision and expulsion, among citizens of Romania, the predominating grounds

for expulsion were thefts and unauthorised procurement, forgery and alteration of a payment instrument.

The most frequent **grounds** for an expulsion sentence (this concerned a total of 2,235 criminal acts) were **theft** (464 criminal acts, i.e. 20.8 %), **forgery and alteration of a public document** (362 criminal acts, i.e. 16.2 %), **obstruction of execution of an official decision and expulsion** (284, i.e. 12.7 %) and **unlicensed production and other management of intoxicating and psychotropic substances and poisons** (151, i.e. 6.8 %) as well as **unauthorised procurement, forgery and alteration of a payment instrument** (140, i.e. 6.3 %). The largest year-on-year increase was seen with endangerment under the influence of an addictive substance (125 criminal acts, +66 criminal acts, i.e. +111.9 %).

Court-imposed expulsion was carried out for 298 foreign nationals during the reference period, which represents a figure similar to that for the previous year (+6 persons, i.e. +2.1 %). In terms of citizenships, the largest groups consisted of citizens of **Slovakia** (67 persons, i.e. 22.5 %), **Ukraine** (54 persons, i.e. 18.1 %) and **Romania** (51 persons, i.e. 17.1 %). According to a year-on-year comparison, the highest increase occurred among citizens of Romania (+21 persons, i.e. +70.0 %).

ANNEXES

Annex 1: Methodology and Definitions

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

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

For the most part, information and data from the working version of the Report on the Situation in Migration and the Integration of Foreign Nationals in the Territory of the Czech Republic in 2018⁷¹ and from the

⁷¹ This report is prepared by the Ministry of the Interior on an annual basis.

reports and studies of the European Migration Network in the areas concerned were used. Particularly the national contribution (Technical Part 1) to the synthesis EMN Annual Report on Migration and Asylum 2018, which the Czech National Contact Point of the EMN prepared in early 2019, was used.

For the purposes of this report, the analysis of press articles concerned with asylum and migration in 2018 was also used.

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

Annex 2: List of Sources and Literature

SOURCES

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

LITERATURE

The MoI of the CR, the Report on the Situation in Migration and the Integration of Foreign Nationals in the Territory of the Czech Republic in 2018

EMN, 2018 EMN Annual Policy Report, Annex 1, national contribution from the Czech EMN Contact Point

EMN, Specification of Requirements for the 2018 EMN Annual Policy Report

EMN, Asylum and Migration Glossary, 6th edition

LEGISLATION

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

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

Act No. 191/2016 Coll., on the Protection of the State Borders of the Czech Republic and on amendments to related Acts

Act No. 222/2017 Coll., amending Act No. 326/1999 Coll., on the Residence of Foreign Nationals in the Territory of the Czech Republic and on amendments to certain Acts, as amended, and other related Acts

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

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

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

Act No. 40/2009 Coll., the Criminal Code

Act No. 45/2013 Coll., on Victims of Crimes and on amendments to certain Acts

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

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

Regulation (EU) 2016/399 of the European Parliament and of the Council of 9 March 2016 on a Union Code on the rules governing the movement of persons across borders (Schengen Borders Code)

Directive (EU) 2016/801 of the European Parliament and of the Council of 11 May 2016 on the conditions of entry and residence of third-country nationals for the purposes of research, studies, training, voluntary service, pupil exchange schemes or educational projects and au pairing

Regulation (EU) 2018/1240 of the European Parliament and of the Council of 12 September 2018 establishing a European Travel Information and Authorisation System (ETIAS)

Regulation (EU) 2018/1726 of the European Parliament and of the Council of 14 November 2018 on the European Agency for the Operational Management of Large-Scale IT Systems in the Area of Freedom, Security and Justice (eu-LISA)

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

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

Government Resolution No. 954 of 20 November 2015 on the State Integration Programme for Persons with Granted International Protection in 2016 and the Following Years

Government Resolution No. 956 of 20 November 2015 on the Creation of the Permanent Medical Humanitarian Programme MEDEVAC

Government Resolution No. 572 of 21 August 2017 on the Special Procedures for Workers in Agriculture and Food Industry from Ukraine project

Government Resolution No. 79 of 31 January 2018 on the Regimes for the Purpose of Efficient and Targeted Reception of Applications for Employee Cards at the Embassies of the Czech Republic

Government Resolution No. 279 of 30 April 2018 on the Report on Fulfilment of the National Schengen Plan as of 31 December 2017

Government Resolution No. 416 of 22 June 2018 on Including Serbia in the Regimes for the Purpose of Efficient and Targeted Reception of Applications for Employee Cards at the Embassies of the Czech Republic, the regime for other states – inclusion of Serbia

Government Resolution No. 6 of 7 January 2019 on the Procedure for Implementing the Updated Policy for the Integration of Foreign Nationals – In Mutual Respect in the Year 2019

INTERNET SOURCES

www.mvcr.cz

www.suz.cz

www.mzv.cz

www.mpsv.cz

www.emncz.eu

www.psp.cz

www.vitejtevcr.cz

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