



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
ANACEN	Analytic Centre for Border Protection and Migration
ANO	ANO 2011
CIS	Information System of Foreign Nationals (Czech abbreviation)
CR	Czech Republic
ČSSD	Czech Social Democratic Party (Czech abbreviation)
DAMP	Department for Asylum and Migration Policy
DCAF	Geneva Centre for the Democratic Control of Armed Forces
DFPS	Directorate of the Foreign Police Service
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)
FPD	Foreign Police Department

FPI	Foreign Police Inspectorate
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 (<i>Medical Evacuation</i>)
MEP	Member of the European Parliament
MfRD	Ministry for Regional Development
MOBILAZE	Mobility Partnership with Azerbaijan
MoC	Ministry of Culture
MoEYS	Ministry of Education, Youth and Sport
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
OP RDE	Operational programme Research, Development and Education
OPU	Organisation 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
RDP	Regional Directorate of 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 2019 European Migration Network 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 2019.

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

As in previous years, the **upward trend of legal migration** into the Czech Republic continued in 2019. As of 31 December 2019, a total of **595,881 foreign nationals**¹ (a year-on-year increase by just below 5 %) were staying legally in the territory of the Czech Republic (for a period longer than 90 days). At the end of 2019, foreign nationals accounted approximately for 5.6 % of the population of the Czech Republic², which means that their number has grown by 0.3 percentage point in comparison with the year 2018. From among the total registered number of foreign nationals with residence permits in the Czech Republic, 50.5 % of them (300,684 foreign nationals) were staying in the country permanently and 49.5 % of them (295,197 foreign nationals) temporarily³. In terms of citizenship, the largest groups among them were the citizens of Ukraine (145,518), Slovakia (121,278) and Vietnam (61,952).

In the field of **economic migration, a total of 621,870 foreign nationals** were registered as employees with the regional branch offices of the Public Employment Service of the Czech Republic as of 31 December 2019, which represents an increase by 29.4 % as opposed to the year 2018. According to the registered information cards⁴,

¹ The data includes foreign nationals with permitted residence in the Czech Republic recorded in the Foreign Information System. However, the real numbers of foreign nationals legally resident in the territory of the Czech Republic may differ because the recorded number does not include all the nationals of other EU Member States resident in the Czech Republic. The statistical overviews only record those EU citizens who have applied for or been issued a certificate of temporary residence. Those who are merely asserting their right to free movement are not recorded in the statistics.

² As of 31 December 2019, the Czech Republic had a total of 10,693,939 inhabitants.

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.

this number included 383,736 citizens of EU/EEA Member States and Switzerland (including their family members) and 238,134 third-country nationals, among whom there were 97,066 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 (144,114 persons), the Russian Federation (16,912 persons) and Vietnam (13,935 persons) traditionally held the highest shares of our labour market. Among the EU/EEA Member States and Switzerland, the citizens of Slovakia (201,952 persons), Poland (46,430 persons), Romania (44,669 persons) and Bulgaria (35,720 persons) had the strongest presence.

In 2019, the Ministry of Industry and Trade registered a total of 93,781 foreign businesspersons, who had 124,568 registered trade licenses. Among the foreign businesspersons, the largest groups in terms of citizenship were the citizens of Ukraine (22,924 persons), Vietnam (20,733 persons) and Slovakia (19,035 persons). These three groups of foreign nationals constitute more than two thirds of all foreign businesspersons.

In 2019, there was an extensive **amendment to the Act on the Residence of Foreign Nationals**. The amendment came into force on 31. 7. 2019. The introduced changes were primarily associated with ensuring the transposition of Union directives⁵ into the national legal system, and they applied in particular to the 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.

⁵ 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

In the field of **economic migration**, the economic migration projects that have been created since 2012 in the context of interdepartmental cooperation of central bodies of state administration continued to be implemented. 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 2019, the Government of the Czech Republic initiated a **transformation of the existing projects into new programmes**, not only in order to reduce their high number and to achieve greater unification of the group of target third countries, but primarily to ensure the linkage of these programmes with the newly introduced quotas for regulating the volume of labour migration. On 1 December 2019, a new government migration programme was introduced for those applying for special work visas. The total number of migration programmes thus grew to 4.

With its resolution No. 384 of 3 June 2019, the Government of the Czech Republic **doubled the capacity of the Ukraine Regime from 19,600 to 40,000 Employee Card applications per year**. This change was based on experience from the Ukraine Regime, where an ongoing interest on the part of Czech employers in workers from Ukraine was noted and this interest was not sufficiently satisfied through the existing capacity of the Consulate General in Lvov. **In total, more than 51,500 foreign-national applicants and more than 2,630 Czech companies were included in the Ukraine Regime in 2019.**

In 2019, the **Integration Policy** was based on the *Procedure for Implementation of Updated Concept for Integration of Foreign Nationals – In Mutual Respect 2019*, which was approved by the Government of the Czech Republic.

The basic element for the integration of foreign nationals is the **network of 18 Centres for the Support of the Integration of Foreigners**

that operates in all regions of the Czech Republic. 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. The integration centres are currently financed from the Asylum, Migration and Integration Fund (AMIF). **In 2019, the network of integration centres was given a legislative foundation through the amendment of the Act on the Residence of Foreign Nationals.** Based on this amendment to the Foreign Nationals Act the adaption-integration course 'Welcome to the Czech Republic' becomes mandatory for selected groups of third-country nationals from 2021. Once again, great **emphasis was placed on supporting projects at a local level** because the integration process takes place particularly in the direct coexistence of foreign nationals with the majority society. In 2019, 16 municipalities and city districts received subsidies from the MoI, totalling 19.3 million CZK, which represented an increase by 3 million CZK in comparison with the year 2018. Under the subsidy scheme *2019 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 2019, **Czech citizenship was granted** to a total of **2,973 foreign nationals**⁶ (a decrease by 784 persons in comparison with the previous year), of whom 14 were persons who had been granted international protection in the form of asylum in the Czech Republic in the past.

⁶ Since 1 January 2014, legislation has been in force that completely abandoned the principle of single citizenship and accepted the possibility of existence of multiple citizenships.

INTERNATIONAL PROTECTION

In 2019, **a total of 1,922 persons** applied for international protection in the Czech Republic (a year-on-year increase of 13 %). The last time when a higher number was recorded in the Czech Republic was 2006. **The main source countries** of international protection applicants in 2019 were Armenia (372), Ukraine (311), Georgia (224), Vietnam (143) and Kazakhstan (109). Asylum was granted to 61 applicants in the Czech Republic, mainly to nationals of the Russian Federation (26). In 2019, international protection in the form of subsidiary protection was granted in 86 cases. This form of protection was most often granted to citizens of Syria (22), Libya (11) and Ukraine (10). Compared with other EU Member States the numbers of applicants for international protection in the Czech Republic are below average.

Those foreign nationals who were granted international protection in the form of asylum or in the form of subsidiary protection can take advantage of the **State Integration Programme (SIP)**. In 2019, a total of 109 eligible persons joined the SIP, which represents a 10 % decrease as opposed to the previous year. In the course of the year, 59 new individual integration plans were prepared for a total of 89 beneficiaries of international protection (both individuals and families). Due to the fact that the maximum period of implementation of an individual integration plan is 12 months, the year 2019 saw the successful completion of 43 individual integration plans initiated in 2018.

UNACCOMPANIED MINORS

In 2019, a total of 31 unaccompanied third-country minors were staying in the specialised Facilities for Children-foreigners (this concerns dozens of persons every year). In the same year, 8 unaccompanied minors from third-countries applied for international protection (every year the number of unaccompanied minors from third-countries applying

for international protection hovers around single digits). 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 2019 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** (hereafter the “Programme”) 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 2019, a total of **15 probable victims of human trafficking** were included in the Programme (a decrease by 2 persons as compared to the year 2018), specifically from the Philippines (6), Slovakia (1) and the Czech Republic (8). The cases of these persons involved labour and sexual exploitation. Since the Programme started in 2003, a total of 260 probable victims of human trafficking have been included in it.

In 2019, there were 2 voluntary returns carried out under the *Voluntary Returns Programme*, which is part of the Programme (both were arranged for Czech nationals who had been returned from Lithuania and GB).

INTERNATIONAL COOPERATION AND PROJECTS

International cooperation in the field of migration continued in the year 2019 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 2019, the **MEDEVAC**⁷ programme was implemented in seven countries, which reflect its territorial priorities. In the Middle East, the programme operated in Jordan, Lebanon and Iraq, in Africa in Senegal, Ethiopia, Morocco and Ghana, and in Eastern Europe in Ukraine. Moreover, two projects to reinforce medical infrastructure were supported in Burkina Faso and Mauritania.

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, in 2016 the budget for the aid was increased to 150 million CZK, and this budget amount was maintained in 2019. The priority areas of the Programme in 2019 include the greater Sahel region and North Africa, the Middle East region and Balkans.

In 2019, as regards the external dimension of the European Union, the Czech Republic continued to participate in developing and implementing

⁷ 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.

the instruments of the **Global Approach to Migration and Mobility (GAMM)**, which represents the conceptual framework for the EU's external migration policy.

In order to implement its priorities in the field of asylum and migration, the Czech Republic also closely collaborated with international organizations, particularly the International Organization 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 bordering 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. In 2019, there was a total of 765 joint patrols by officers from the foreign police departments of the RDP with units from neighbouring states.

ILLEGAL MIGRATION, HUMAN SMUGGLING

In 2019, a total of **5,677 persons** were identified as perpetrators of **illegal migration** in the territory of the Czech Republic (a year-on-year increase of 13.7 %). This number included 5,174 persons detected as illegally residing persons and 503 persons caught during illegal migration across the external Schengen border of the Czech Republic⁸. In connection

⁸ Since the external Schengen border consists only of the air border, persons illegally migrating via the external Schengen border are recorded only at the Foreign Police Service Directorate, which was organisationally expanded in 2008 by including 5 Foreign Police Inspectorates at international airports.

with illegal migration across the external Schengen border, the most frequently detained persons were citizens of Georgia (133), Ukraine (48) and Albania (47). An irregular travel document at the external Schengen border used 117 persons, most often nationals of Albania (41 persons). The highest number of persons identified as illegally staying persons was among citizens of Ukraine (1456), Moldova (825) and Vietnam (353). A total of 188 persons presented irregular travel documents during illegal residence, most often nationals of Moldova (42) and Ukraine (39).

RETURNS

In 2019, **a total of 487 voluntary returns of third-country nationals** were carried out. This included 399⁹ assisted voluntary returns of foreign nationals with administrative expulsion and 88 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 2019, the Czech Republic carried out a total of 84 transfers of foreign nationals from third countries to another EU Member State under the so-called Dublin Regulation, which designates the EU Member State competent to evaluate a request for international protection.

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

⁹ Implemented via the MoI and IOM.

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 Foreign Police Service (DFPS) in cooperation with the Ministry of the Interior of the Czech Republic, which only provides assistance and related consultancy for foreign nationals.

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 2019.

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 Foreign Police Service Directorate, 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.

In 2019, there was an interdepartmental debate at the Coordination Body about the transformation of migration projects into new migration programmes in connection with the introduction of quotas for regulating the volume of labour migration from third countries. A regular strategic debate about the needs of the Czech Republic in the area of legal migration in the Coordination Body, including evaluation of existing

projects and programmes and the proposal of new ones, is one of the tasks designated in the Migration Policy Strategy of the Czech Republic from 2015.

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, and its activities are managed by the Coordination Body for Managing the Protection of 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 arise¹⁰.

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 2019, the Analytic Centre continued to prepare reports titled *Trends and Findings in Migration and Border Protection* on a monthly basis, which were 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.

¹⁰ Members of the Analytic Centre are delegated by representatives of the Ministry of the Interior, Foreign Affairs, Labour and Social Affairs, Industry and Trade, Education, Youth and Sport, Finance (Directorate- General of Customs), Police of the Czech Republic, and intelligence and security services.

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 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 Foreign Police Service (DFPS)

The Directorate of the Foreign 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 DFPS 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 Foreign Police, the Directorate of the Foreign 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 DFPS, include five Foreign Police Inspectorates (FPI) at international airports (IA)¹¹, 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 Vyšní Lhota, 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 Foreign 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 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.

¹¹ These are: the Foreign Police Inspectorate at the Václav Havel Praha International Airport, the Foreign Police Inspectorate at the Mošnov International Airport, the Foreign Police Inspectorate at the Brno Tuřany International Airport, the Foreign Police Inspectorate at the Karlovy Vary International Airport, and the Foreign Police Inspectorate at the Pardubice International Airport.

Ministry of Foreign Affairs (MoFA)

The Ministry of Foreign Affairs is the 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 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 independent 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 individuals 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. The phenomenon of illegal employment of foreign nationals persists in the Czech Republic. Among other authorities, the Interdepartmental Body for Combating 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 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 in particular 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.

2019 saw the completion of the legislative procedure associated with the bill 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 associated acts. The act,

which came into force on 31 July 2019, was submitted primarily in order to ensure the transposition of Directive (EU) 2016/801 EU 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 the arrival in the Czech Republic and integration on a regional level is to be institutionally anchored by transferring the Centre for the Support of the Integration of Foreigners to a government system. The amendment also reacts to the labour market demand, it creates a transparent system in the form of quotas that corresponds to the specific conditions and needs of the Czech market and also it is intended to improve the management and sustainability of the national migration system.

- 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 2019, the amendment to Ordinance No. 328/2015 Coll., implementing Act No. 325/1999 Coll., on Asylum, as amended, and Act No. 221/2003

Coll., on the Temporary Protection of Foreign Nationals, as amended, came into force. The objective of this legislative amendment was 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 (Algeria, Australia, Ghana, Georgia, India, Canada, Morocco, Moldova, New Zealand, Senegal, Tunisia and Ukraine).

In 2019, the Asylum Act was amended once, by Act No. 176/2019 Coll. One fundamental new feature of this legislative amendment is the change in the period for rejection of a request for the granting of international protection as clearly unfounded from the original 30 days to 90 days. The change is associated with the significant expansion of the list of safe countries of origin.

- 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 2019.

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 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 of a residence permit for the purpose of provision of temporary protection in the territory of the CR and 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.

In 2019, the amendment of Ordinance No. 328/2015 Coll., implementing the Asylum Act and Act on the Temporary Protection of Foreign Nationals came into force.

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

Conditions for the employment of foreign nationals in the territory of the Czech Republic are regulated by Act No. 435/2004 Coll., on Employment, as amended. In 2019, legislation was adopted with a direct impact on employment of foreigners in the context of Act No. 176/2019 Coll. (see sub-chapter 2.2 Legislative developments).

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

This act was amended twice in 2019. The first amendment, implemented by Act No. 207/2019 Coll., amending Act No. 186/2013 Coll., on the Citizenship of the Czech Republic and on the amendments of certain acts, came into force on 6 September 2019 and expanded the group of persons who can acquire Czech citizenship through declaration, where now children and grandchildren of former Czechoslovak and Czech citizens can acquire Czech citizenship in this way. The second amendment, implemented by Act No. 279/2016 Coll., amending certain acts in the area of internal administration, came into force on 21 November 2019 and responds to Regulation (EU) 2016/1191 of the European Parliament and of the Council of 6 July 2016 on promoting the free movement of citizens by simplifying the requirements for presenting certain public documents in the European Union and amending Regulation (EU) No. 1024/2012. As a result of these legal regulations, in the proceedings for Czech citizenship the requirement to submit higher legalisation and an official translation of public documents into Czech is abandoned if they are issued in compliance with the specified regulation.

2 DEVELOPMENTS IN THE AREA OF ASYLUM AND MIGRATION POLICY

In 2019, an amendment of Act No. 326/1999 Coll., on the Residence of Foreign Nationals on the Territory of the CR came into force. 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.

In addition, this amendment reacts to labour market demand and introduces a transparent system in the form of quotas for accepting applications for the purpose of economic activity at the embassies of the Czech Republic. Also, new government economic migration programmes were launched, including government programme for special work visa.

In addition to this, an amendment to the Act on the Residence of Foreign Nationals gave a **legislative basis to the network of Centre for the Support of the Integration of Foreigners**. The amendment also introduced **an obligation to complete an adaptation-integration course after arrival in the Czech Republic** for selected groups of foreign nationals.

2.1 POLITICAL DEVELOPMENTS

Political Situation in the Country

In May 2019, elections to the European Parliament took place. The Czech Republic gained 21 MEPs in the newly elected European Parliament, and Czech citizens could choose candidates from 39 political groups. In all regions apart from Prague, ANO 2011 won, with 21.18 % of votes in total and 6 seats in the European Parliament. Turnout was only 28.72 %, which makes it the third lowest turnout of all EU states (after Slovenia and Slovakia). There were also by-elections to the Senate of the Parliament of the Czech Republic in electoral district No. 24 and extraordinary council elections in 77 towns.

In the period from July 2019 to June 2020, the Czech Republic chaired the V4 countries and included the theme of migration as one of its main priorities.

The year was also significant for the Czech Republic because it was the 30th anniversary of the Velvet Revolution. Various cultural events, discussion panels and exhibitions were held all over the country.

2.2 LEGISLATIVE DEVELOPMENT

Legislative activities in 2019 focused on amendments to the below mentioned laws.

- **Act No. 326/1999 Coll., on the Residence of Foreign Nationals**

2019 saw the completion of the legislative procedure associated with the 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 primarily 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. Act No. 176/2019 Coll., which amends 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, came into force on 31 July 2019.

The changes concern, for example, the definition of study and expand possibilities for visa-free stay in the territory for specific groups of researchers and students from third countries (possibility of stay for up to 9 months in order to seek employment or start business activity after completion of their study in the territory, and for researchers who have completed their research activity).

In addition to the transposition of the aforementioned directive, there was also a change in the system for collecting administrative fees for requests submitted in the territory. The administrative fee is no longer collected separately, i.e., in the sum for receipt of residence authorisation request and in the sum for issue of residence permit, but as a single sum when the request is received. Yet there is still no fee for the receipt of an application for the issuing of certificate of temporary residence (for EU citizens), for temporary residence permit and permanent residence permit of an EU citizen or their family member.

The amendment also reacts to the labour market demand, it creates a transparent system in the form of quotas¹² that corresponds to

¹² Government Regulation No. 220/2019 Coll., on the Maximum Number of Applications for Visas for Residence in Excess of 90 Days for the Purposes of Business, Applications for Long-Stay Visas for the Purpose of Investment, and Applications for Employee Card that can be Submitted at an Embassy (effective as of 1 September 2019).

the specific conditions and needs of the Czech labour market and is intended to improve the management and sustainability of the national migration system. Through the introduction of quotas an instrument was introduced to implement in practice the goal set out in the Migration Policy Strategy, this being: *"desirable volume of legal migration in compliance with the absorption capacities and integration measures of the Czech Republic."* New government programmes for economic migration were also launched¹³, including new government programme of special work visa¹⁴.

Other amendments with impact on the employment of foreign nationals are the following:

- Expansion of the definition of unreliable employer to include user. A legal or natural person to whom a foreign national is temporarily assigned by an employment agency on the basis of an agreement concluded between the employment agency and user according to a specific legal regulation is considered an unreliable employer.
- Expansion of authorisation of Police of the Czech Republic. During a residency check the police are authorised to require of the employer of a foreign national or user for whom a foreign national works the submission of a document proving the justification of the foreign national's gainful activity.
- Expansion of requirements for application for Employee and Blue Card in the event that it involves agency employment, document with the first name, surname and surname at birth if applicable, citizenship, date and place of birth and home address of foreign national, type

¹³ Government resolution from the date 26 August 2019 No. 581, on Programmes Approved by the Government with the Aim of Attaining Economic Benefit for the Czech Republic (effective as of 1 September 2019).

¹⁴ The programme was launched on 1 December 2019 after the implementation of Government Regulation No. 291/2019 Coll.

of work which the foreign national will perform as a temporary agency worker, place of performance of work at user and name and registered office of user.

- Restriction on the possibility of Employee Card holder to change employer.

The entire sub-part X of the Act on the Residence of Foreign Nationals “administrative expulsion”, concerning decision-making and procedures during expulsion, was also amended. Now, according to Section 118, expulsion means termination of stay of a foreign national in the territory which is associated with designation of time for departure from the territory of EU Member States and period for which it is not possible to allow a foreign national entry to the territory of EU Member States. Particularly in the provision of Section 119 the individual objective elements of expulsion are regulated according to the requirements arising from practice and the conducted administrative proceedings.

There is also a new concept for the provision of Section 50a, which now regulates the issue of decision on the duty to leave the territory of the Czech Republic or territory of EU Member States.

In the area of integration, the Amended Act on the Residence of Foreign Nationals introduces that integration on a regional level is to be institutionally anchored by transferring the Centre for the Support of the Integration of Foreigners from Refugee Facilities Administration to a government system. The Centres for the Integration of Foreign Nationals are to be financed from the state budget, which will ensure its long-term stability. However, this will cover only the basic operational costs and other additional activities will still be funded from other sources. The amendment also designated a duty for selected groups of foreign nationals to undergo an adaptation-integration course after 1 January 2021.

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

In 2019, the amendment of Ordinance No. 328/2015 Coll., implementing Act No. 325/1999 Coll., on Asylum, as amended, and Act No. 221/2003 Coll., on the Temporary Protection of Foreign Nationals, as amended, came into force. The objective of this legislative amendment was 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 (Algeria, Australia, Ghana, Georgia, India, Canada, Morocco, Moldova, New Zealand, Senegal, Tunisia and Ukraine).

In 2019, the Asylum Act was amended once, by Act No. 176/2019 Coll. One fundamental new feature of this legislative amendment is the change in period for rejection of an application for the granting of international protection as clearly unfounded from the original 30 days to 90 days. The change is associated with the significant expansion of the list of safe countries of origin.

In 2019, work was performed on the draft amendment of the Act on Asylum and other associated acts, and this draft was sent for the interdepartmental comments procedure in September 2019.

- **Act No. 435/2004 Coll., on Employment (with regard to immigration)**

In 2019, legislation was adopted with a direct impact on foreign employment in the context of Act No. 176/2019 Coll. and the changes reflecting on the Employment Act are as follows:

- Possibility to include vacant job positions in the central register of vacant job positions which can be filled by the holders of an Employee Card or a Blue Card after 10 days (instead of 30) on the basis of an

evaluation of the situation on the job market by the regional branch of the Employment Agency of the Czech Republic (ÚP ČR).

- Duty to inform ÚP ČR about the start and end of posting for performance of work in the territory of the Czech Republic, and the transfer of the recording duty from the user to the employer.
- Facilitation of entering the labour market for family members of researchers, where no time limit for accessing the labour market of an EU Member State applies.
- Authorisation for the Police of the Czech Republic, Ministry of the Interior, Ministry of Foreign Affairs and embassies of the CR to obtain information for control purposes about work permits issued by the regional branch of the ÚP ČR, and written information of employers to ÚP ČR.

In 2019, a legislative process relating to the bill amending Act No. 262/2006 Coll., the Labour Code, as amended, and certain other associated acts, inter alia the Employment Act (parliamentary press No. 689), was under way. It was presented particularly in order to ensure the transposition of Directive (EU) 2018/957, which amends Directive 96/71/EC concerning the posting of workers in the context of service provision. This amendment will result in a detailing of the conditions for short-term and long-term posting. In the case of long-term posting exceeding 12 months, or 18 months in the case of a justified announcement of the employer to the ÚP ČR, all working conditions arising from the Labour Code start to apply to the posted employee, with the exception of inception, change and termination of employment. In addition, legislative process of a bill amending Act No. 325/1999 Coll., on Asylum, as amended, and other associated acts, was taking place, in which there is a proposal for changes in the Employment Act in the area of employing foreign nationals. There is also a bill undergoing the legislative procedure that amends Act No. 435/2004

Coll., on Employment, as amended, where amongst other things a proposal for an increase in the minimum sanctions for legal persons and trading natural persons for allowing illegal work for foreign nationals, and there is also a bill amending Act No. 435/2004, on Employment, as amended, and Act No. 634/2004, on Administrative Fees, as amended, where amongst other things changes in the area of agency employment are proposed.

2.3 DEBATES IN THE MEDIA

In 2019, migration and topics related to foreign nationals in the Czech Republic still received considerable media coverage. In spite of the fact that interest in this topic has been decreasing since 2015, migration and matters associated with foreign nationals were still amongst the most popular issues in the public media and social networks. In this respect, it was most often possible to see reports related to the employment of foreign nationals in the CR. This is given by the fact that the Czech Republic has one of the lowest unemployment rates in the EU and, therefore, it strives to overcome the lack of labour force with incoming foreign workers. Significant attention was paid to crimes of foreign nationals. Against this backdrop it should be stated that there is not an abnormally high number of criminal cases committed by foreign nationals, but if a crime is committed by a foreign national, it is emphasized by the Czech media. 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) to the following topics in particular:

- 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 by 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 situation along migration routes:
 - > migrants arriving in Europe, in particular the situation on the Greek-Turkish border,
 - > migration from Latin America to the USA (so-called migrant caravans),
- the situation in refugee camps in Greece,
- accepting refugees, especially children, from Greek refugee camps (initiative of the group Czechs Help),
- Brexit – rules for British/EU nationals after Brexit,
- legislative proposals concerning EU migration policy (reform of common migration policy, migration pacts etc.),
- the situation in Germany and the German migration policy,
- the situation in source countries of migration (primarily development of the situation in Libya and Syria),
- 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,
- 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 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),
- integration activities of the CR (activity of CPIC, SUZ, festivals, meetings with foreign nationals etc.),
- the granting of international protection in the CR/EU.

During the year 2019, 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 volume of such activities in 2019 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 2019, a total of **595,881 foreign nationals** were staying in the territory of the CR on a long-term basis (for more than 90 days). At the end of 2019, foreign nationals constituted approximately 5.6 % of the population of the Czech Republic, which has grown by 0.3 % in comparison with the year 2018. Citizens of Ukraine (145,518), Slovakia (121,278) and Vietnam (61,952) were the largest groups among foreign nationals.

In 2019, the Czech government **transformed the previous economic migration projects into new programmes**. On 1 December 2019 a new government migration programme was introduced for those applying for special work visas. The total number of migration programmes thus grew to 4.

In 2019, the **Integration Policy** was based on the Procedure for Implementation of Updated Concept for Integration of Foreign Nationals – In Mutual Respect 2019, which was approved by the Government of the Czech Republic. **The network of integration centres was given a legislative foundation through the amendment of the Act on the Residence of Foreign Nationals**. This amendment also designated an obligation for selected groups of foreign nationals **to complete an adaptation-integration course from 1 January 2021**.

Last year, **4,509 foreign nationals acquired citizenship** of the Czech Republic, of whom 2,973 were granted citizenship, and 1,488 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 2019, a **total of 595,881 foreign nationals¹⁵** were registered as legally staying in the territory of the CR (for a period longer than 90 days), which represents an increase by 28,950 persons in comparison with the end of the year 2018. The year-on-year increase of the number of foreign nationals was 5.1 %, and thus the record-breaking increase of the previous year slowed (in 2018 the increase was 7.6 %).

At the end of 2019, foreign nationals accounted for approximately **5.6 % of the population of the Czech Republic**, which represents a 0.3 % percentage point increase as compared to the year 2018.

Table 1: History of the numbers of foreign nationals with residence permits in the territory of the CR (2009–2019)

Year	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019
Number of foreign nationals	433,305	425,301	436,389	438,213	441,536	451,923	467,562	496,413	526,811	566,931	595,881
Year-on-year change in %	-0.7 %	-1.8 %	2.6 %	0.4 %	0.8 %	2.4 %	3.5 %	6.2 %	6.1 %	7.6 %	5.1 %

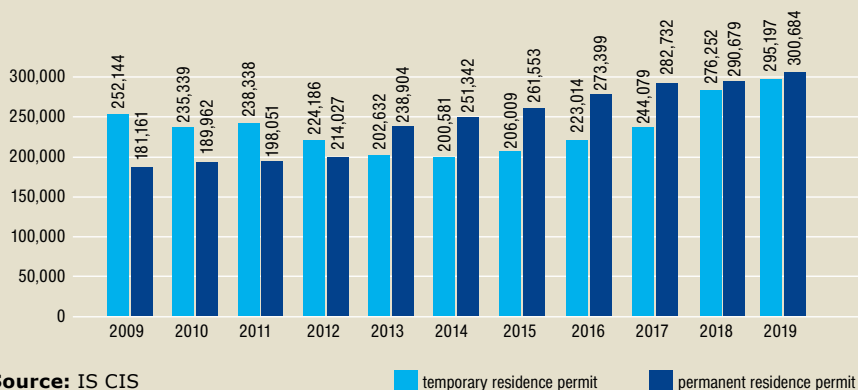
Source: IS CIS

¹⁵ This figure includes foreign nationals with residence permits in the CR registered in the Information System of Foreign Nationals. However, the real numbers of foreign nationals legally staying in the territory of the Czech Republic may differ because the recorded number does not include all the nationals of other EU Member States resident in the Czech Republic. The statistical overviews only record those EU citizens who have applied for or been issued a certificate of temporary residence. Those who are merely asserting their right to free movement are not recorded in the statistics.

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 gradually in recent years¹⁶, and in the year 2019, the number of foreign nationals with temporary and permanent residence was nearly equal. While the year-on-year increase for temporary residence was 6.9 %, there was a year-on-year increase by 3.4 % of foreign nationals in the category of permanent residence. Therefore, **the numbers of foreign nationals with temporary residence are rising at double the rate of the foreign nationals with permanent residence. This mainly applies to foreign nationals from third countries. There was an overall growth in the number of foreign nationals with temporary residence of 18,945, of whom 10,681 were third-country nationals. The year-on-year increase for permanent residence was 10,005, among whom there were 4,441 third-country nationals.**

Chart 1: History of the numbers of foreign nationals with temporary residence permits and permanent residence permits in the CR (2009–2019)



Source: IS CIS

temporary residence permit permanent residence permit

¹⁶ This includes people with an issued long-stay visa (above 90 days), long-term residence permit, permitted temporary residence of family member of EU national and person with issued certificate of temporary residence of EU national or national of state by the European Economic Area Agreement.

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 58.7 % of foreign nationals staying in the Czech Republic at the end of the year 2019, which represented 349,560 persons. There had been a year-on-year increase by 4.5 %, but it should be noted that not all foreign nationals from EU countries are recorded in official statistics. The statistical overviews only record those EU citizens who have applied for or been issued a certificate of temporary residence. Those who are only asserting their right to free movement in the territory of the EU are not recorded in the statistics.**

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 2019, a total of 246,321 EU citizens were recorded, and their year-on-year increase was 5.9 %, which is almost the same rate as in the preceding year. The EU citizens staying in the territory of the CR in the category of temporary residence accounted for 62.3 % of the total number of the EU citizens. The situation is the other way round with third-country nationals – 59.4 % 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 in recent years.

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.

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 Great Britain has reached the TOP 10, whereas the United States of America has dropped out of it.

At the end of the year 2019, citizens from these 3 countries: Ukraine (145,518), Slovakia (121,278) and Vietnam (61,952) accounted for more than a half of foreign nationals (55.2 %) 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 2019)

Type of residence	Number	Percentage %	Year-on-year change in %	Of which			
				Permanent residence	<i>i.e.</i> %	Temporary residence	<i>i.e.</i> %
Foreign nationals in total	595,881	100.0	6.1	300,684	50.5	295,197	49.5
among whom the highest numbers of citizens are from:							
Ukraine	145,518	24.4	10.5	86,930	28.9	58,588	19.8
Slovakia	121,278	20.4	3.8	53,045	17.6	68,233	23.1
Vietnam	61,952	10.4	1.3	52,478	17.5	9,474	3.2
the Russian Federation	38,207	6.4	0.0	22,158	7.4	16,049	5.4
Poland	21,767	3.7	2.3	10,906	3.6	10,861	3.7
Germany	21,478	3.6	1.0	4,541	1.5	16,937	5.7
Bulgaria	17,183	2.9	10.2	5,714	1.9	11,469	3.9
Romania	16,824	2.8	14.6	4,298	1.4	12,526	4.2
Mongolia	9,851	1.7	8.5	5,202	1.7	4,649	1.6
Great Britain	8,332	1.4	17.5	2,666	0.9	5,666	1.9
EU citizens	246,321	41.3	5.9	92,880	30.9	153,441	52.0
third-country nationals	349,560	58.7	4.5	207,804	69.1	141,756	48.0

Source: IS CIS

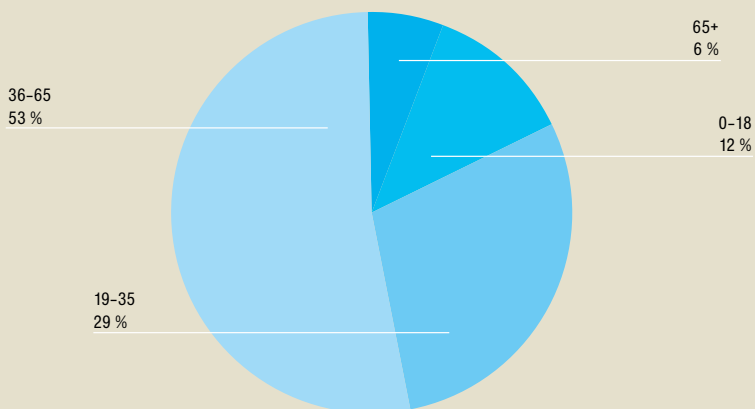
Great Britain displayed the highest percentage increase within the 10 most common nationalities (+17.5 %, i.e., +1,239), the next highest percentage growth was seen with the citizens of Romania (+14.6 %, i.e., +2,140), Ukraine (+10.5 %, i.e., +13,809) and Bulgaria (+10.2 %, i.e., 1,590). The only nationality in the TOP 10 displaying a slight decrease was the Russian Federation (-16 persons).

Foreign Nationals by Gender and Age

Among the foreign nationals with residence permits in the territory of the CR **men continued to predominate** in 2019 (341,719 men, i.e., 57.3 %), and this percentage increased slightly by 0.5 % in comparison with the previous year. 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 62 %. 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 2019, 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 489,075 accounted for 82.1 % of the total number of foreign nationals. In total 72,709 persons younger than 18 years with residence permits in the country were registered at the end of the year 2019 and accounted for 12.2 % of the total number of foreign nationals.

Chart 2: Age structure of foreign nationals with residence permits in the CR (as of 31 December 2019)



Source: IS CIS

3.2 ECONOMIC MIGRATION

As of 31 December 2019, the regional branch offices of the Employment Agency of the Czech Republic (ÚP ČR) **registered a total of 621,870 foreign workers in the positions of employees, which was 9.4 % more than in 2018** (there were 568,676 foreign workers in that year). A total of **383,736 foreign workers (i.e., 61.7 %)** 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** (201,952 information cards), **Poland** (46,430 information cards), **Romania** (44,669 information cards) and **Bulgaria** (35,720 information cards). **There were a total of 238,134 foreign workers from among those who were not citizens of the EU/EEA Member States and Switzerland – third-country nationals (i.e., 38.3 %)**, with the highest numbers found among the citizens

of **Ukraine** (80,093 information cards¹⁹ + 64,021 work permits²⁰), the **Russian Federation** (13,641 information cards + 3271 work permits) and **Vietnam** (11,247 information cards + 2,688 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** (212,422) on a long-term basis, followed by the Region of **Central Bohemia** (100,406), the Region of **South Moravia** (64,363) and the **Region of Pilsen** (57,994).

Foreign nationals with free access to the labour market accounted for the majority of foreign workers in 2019. According to the register, the total number of 621,870 foreign workers **included 383,736 information cards of the citizens of the EU/EEA Member States and Switzerland, including their family members, and 141,068 information cards** of third-country nationals. Among the foreign workers who enter the labour market **with a work permit**, their total number of **97,066** included **59,209 Employee Card holders, 37,127 employment permit holders** and 730 Blue Card holders as of 31 December 2019.

As of 31 December 2019, a total of 2,190 **job agencies**, entities with a license to mediate employment issued by the General Directorate of the Employment Agency, were registered, including 1,114 job agencies licensed for agency employment.

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.

Programmes in the Field of Economic Migration

Migration programmes (formerly 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 preceding years, the projects proved to be a suitable tool for managing labour migration. They contributed significantly to a reduction in the security risks associated with labour migration from third countries to the CR through increased checks on employers in favour of whom the migration was realised.

In September 2019, significant changes in the economic migration system were introduced. In connection with the amendment of the Act on the Residence of Foreign Nationals, through Government Resolution No. 581 dated 26 August 2019, **all the original economic**

migration projects, with the exception of the project Training, were replaced by new government programmes that came into force on 1 September 2019. Through the transformation of the projects, three new programmes were created with the aim of attaining economic benefit for the CR. In contrast with the concept of a migration project, the institute of a migration programme is incorporated directly into the Act on the Residence of Foreign Nationals, which also enables the provision of certain advantages to programme participants. As of the date of the change, the participants of the previous projects automatically became participants of the new programmes.

The following projects were implemented in 2019 up to the end of August:

- **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. By the end of August 2019, a total of **191** workers from third countries, in particular 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, USA, Ukraine and the Russian Federation**.

Since the launch of the project in February 2012, more than 1000 foreign nationals and more than 100 employers have been included in it.

- **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. By the end of August 2019, a total of **39** applicants (15 of whom were family members) had been included in the Welcome Package for Investors Project, these were mainly managers and specialists. Most of the candidates came from **the Russian Federation and Ukraine.**

Since the project was launched in July 2013, more than 330 foreign nationals and more than 40 employers have been included in it.

- **Pilot project 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. In the first half of 2019, **441 candidates from Ukraine and 145 candidates from India were included in the Ukraine and India Project.** IT professions (software developers, coders and IT specialists, etc.) were in the highest demand.

Since the launch of the project in November 2015, more than 1,900 foreign nationals and more than 360 employers have been included in it.

- **System of Special Treatment for Skilled Employees from Ukraine, referred to as „Ukraine Regime“ (the project was launched on 1 August 2016)**

The Ukraine Regime allowing the submission of applications for Employee Cards for workers from Ukraine, who are interested in performing medium-skilled to low-skilled work in the territory of the Czech Republic, has long been the most intensely used project, and from the time of its launch in August 2016 to August 2019 (inclusive), more than 51,500 foreign candidates and more than 2,630 Czech companies have been included in it.

With its Resolution No. 384 of 3 June 2019, the Government of the Czech Republic **doubled the capacity of the Ukraine Regime from 19,600 to 40,000 Employee Card applications per year**. This change was based on the fact that an ongoing interest on the part of Czech employers in workers from Ukraine was noted and this interest was not sufficiently satisfied through the existing capacity of the Consulate General in Lvov.

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

The validity of the Farmer Project terminated on 31 July 2019. Under this project, entrepreneurs in the field of agriculture, food processing, forestry and timber processing could employ foreign workers exclusively from Ukraine. From its launch in January 2018, more than 124 employers and 755 Ukrainian workers were involved in the Farmer Project, which had an overall quota of 2,000 applications per year. In 2019, alone 91 employers and 432 applications were included in it.

- **Other States Regime for Mongolia, Philippines, Serbia (the project was launched on 1 May 2018)**

The Other States Regime is similar to the Ukraine Regime. The annual quota is 1,000 persons from the 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 on the basis of a code generated at the time of registration. After the defined quota is filled, no additional applications can be filed. In the first half of 2019, the Other States Regime focusing on the targeted and selective acceptance and processing of applications for Employee Cards for medium-skilled to low-skilled nationals of Mongolia, the Philippines and Serbia was used by **738 candidates from Mongolia, 671 candidates from the Philippines and 1,295 candidates from Serbia.**

Since the project was launched in May 2018, more than 4,300 foreign nationals and more than 150 employers have been included in it.

- **Training (the project was launched on 24 November 2014 in cooperation with the Confederation of Industry and Transport 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.

In 2019, the Training project included **517 trainees** and **more than 35 companies**, and the highest number of candidates were from **the Russian Federation, India, China** and the **USA**.

As stated above, in September 2019, there was a **transformation of the existing projects into new programmes**, not only in order to reduce their high number and to achieve greater unification of the target group of third-country nationals and criteria for inclusion of employers and their foreign employees, but primarily to ensure the linkage of these programmes with the newly introduced quotas for regulating the volume of labour migration. The migration programmes thus represent a tool for the transparent provision of preferential treatment for selected foreign nationals within the designated quotas in whose entry the state is most interested. On 1 December 2019, a **new government migration programme was introduced for those applying for Special work visas**.

The total number of migration programmes thus grew to 4:

- The **Highly Qualified Worker Programme** (replaces the Project Ukraine and India) is intended for companies employing highly skilled third-country workers (for foreign nationals performing in the CR a profession classified in the CZ-ISCO classification of occupation in the main classes 1 to 3: managers, specialists, technicians and expert workers). The target group also includes healthcare professionals. The programme **is open to the nationals of all third countries**, and along with the employed foreign nationals, their closest family members may participate in it as well.

In the period of its implementation, i.e., from 1 September 2019 to 31 December 2019, **270 candidates and 70 companies** were involved in the Highly Skilled Employees Programme, where most came from **India, Ukraine and the Russian Federation**. In 2019, the most popular were professions in the field of IT and healthcare.

- **Qualified Worker Programme** (replaces the Ukraine Regime and Other States Regime + Farmer Project) is intended for companies employing medium-skilled to low-skilled employees (for foreign nationals performing in the CR a profession classified in the CZ-ISCO classification of occupation in the main classes 4 to 8, such as drivers, welders, sewing machinists, butchers, fitters, workers in the automobile and chemical industry etc.). The programme guarantors (i.e., business representation in the CR and the CzechInvest agency) decide on the inclusion of a concrete employer in the programme, and the guarantors should consider the need for inclusion for each employer individually. For this programme, source countries for economic migration to the CR were chosen on the basis of their suitability for the needs of the Czech labour market and with regard to the security and migration risks. Specifically, the following countries were chosen: **the Philippines, Montenegro, Mongolia, Serbia, Ukraine, Belarus, India, Kazakhstan and Moldova**. At the same time, the capacity of the Programme for Skilled Employees from Ukraine was increased from the original 19,600 applications per year to **40,000**.

During the time of its implementation, i.e., from 1 September 2019 to 31 December 2019, **103 candidates from Moldova, 292 candidates from Belarus, 132 candidates from Kazakhstan, 156 candidates from India, 544 candidates from the Philippines, 481 candidates from Mongolia, 522 candidates from Serbia and from Montenegro and 10,139 candidates from Ukraine** participated in the Skilled Employee Programme.

- **The Key and Research Staff Programme** (replaces Fast Track and Welcome Package) is intended for investors of newly founded companies, start-ups and now also research organisations and technology companies with an interest in employing highly skilled workers from third countries. The programme is open to the nationals of all third countries, and along with the employed foreign nationals, their closest

family members may also participate in it. Their requests for residence permit are processed on a fast-track basis, within 30 days.

During the implementation period, i.e., from 1 September 2019 to 31 December 2019, **354 candidates** and **56 companies** were included in the Key and Scientific Workers Programme, where most of the foreign workers came from **the Russian Federation, India** and the **USA**.

▪ **Programme Special Work Visa for Ukrainian Nationals Working in Agriculture and Food Industry or Forestry**

Based on an amendment to the Act on the Residence of Foreign Nationals the government may pass a resolution to activate **institute of special work visa**, which is intended to help in a situation where there is an acute labour shortage in a certain sector.

In connection with the agricultural sector's need for labour force (in particular with reference to the bark beetle crisis that has persisted since 2018), and in view of the acute labour shortage on the Czech labour market that the agricultural sector is currently facing, the institute of special work visa was **activated for Ukrainian nationals working in agriculture, the food industry or forestry**.

The programme has a monthly quota of 125 applications per month, and it is intended to run to the end of 2022. In 2019, only 2 applications were received (from one employer). The ZÚ ČR in Kiev accepts applications for this special visa. An annual capacity of 1500 applications has been designated.

The introduction of the new government programmes resulted in a significant territorial expansion of previous projects, it allowed a wider group of employers to participate in the new programmes, and it simplified and unified the criteria for entry to these programmes. Employed

foreign nationals do not themselves apply for entry in the programme, but their employers, who must meet the criteria for inclusion, submit applications for their inclusion into the programme. The criteria are designated in such a way that the programme is closed to employers who have not discharged their liabilities towards the state, do not perform their legal duties, breach legal regulations, and do not contribute to the development of the economy and employment through job creation. One of the important criteria are minimum wages for various categories of employed foreign nationals that the employer must ensure and which serve to prevent social dumping and strengthen the economic status of foreign workers.

3.3 FAMILY REUNIFICATION

There were no legislative changes in this area in 2019.

In 2019, 6.3 % 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 (1,207), Vietnam (1,026) and the Russian Federation (111).

3.4 STUDENTS AND SCIENTISTS

Based on Government Resolution No. 621 of 29 July 2015 *on the Migration Communication Strategy of the Czech Republic for migration* in June 2016, the MoEYS approved the **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.

In connection with the amendment to the Act on the Residence of Foreign Nationals in the territory of the CR and amendment of certain acts, as amended, and other associated acts, that came into force on 31 July 2019, there was a simplification of the rules for entry to and residence in the territory of the CR with regard to university students and researchers. The changes applied to the definition of study and expansion of possibility of visa-free stay for specific groups of researchers and students from third countries (possibility of stay for up to 9 months for the purposes of seeking employment or starting business activity after completion of their study in the territory and for researchers who complete their research). In addition to this, the changes make it easier for family members of researchers to enter the labour market, where for these persons there is no time limit to access the labour market of an EU Member State.

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 Czech Government on 22 May 2017 with effect from 1 June 2017. 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. Under the Student Mode, foreign students are granted faster access to an embassy for submission of an application. The goal of the Student Mode is to ensure flexible cooperation of the included universities with the relevant administrative bodies in the Czech Republic and ensure quality information for foreign nationals from the part of universities leading to the submission of applications without formal or substantive errors. As of the end of 2019, in total 27 public and private universities were involved in the Student Mode. Nominations for the Student Mode were collected from March to December, and in 2019, a total of 1,855 candidates were included in the Student Mode, which is an increase of 785 candidates compared with the preceding year. In 2019,

a total of 20 states were included in the Student Mode, and as some embassies cover several states, in total 63 states were covered by the Mode.

2019 saw continuation of implementation of the project **Fast Track Procedure for Granting Residence Permits to Foreigners – Foreign Students from Third Countries**, which was first introduced in 2013. The project focuses in particular on student migration of foreign scholarship holders – the MoEYS is the administrator of this project (the MoI and MoFA are co-administrators). The participation of foreign nationals in selected scholarship programmes is based on international agreements (bilateral or multilateral ones) or decisions of the Government of the CR (developing countries or compatriots abroad). Towards the end of 2019, the project administrator had initiated, under interdepartmental cooperation, preparation for an adjustment to the project, in particular to expand the project participants to include students of the Erasmus+ Programme, International Credit Mobility and Fullbright programme, and as a result of this, there has been an increase in the potential number of submitted requests dealt with in the fast-track mode.

Since 2017, under the Research, Development and Education Operational Programme (OP RDE),²¹ the MoEYS has been supporting the international mobility of PhD students, post-graduate students and researchers under the calls International Mobility of Researchers and International Mobility of Researchers – MSCA-IF. The goal of these calls 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 call

²¹ 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.

International Mobility of Researchers – MSCA-IF, the MoEYS also provides funding 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 Fellowships, but were put on the backup list due to lack of resources and could not be financed under this programme.

3.5 VISA POLICY AND SCHENGEN COOPERATION

Visa Policy

Ever since its full involvement in Schengen cooperation (21 December 2017), the Czech Republic has conducted the common visa policy, **the basic document of the common visa policy is Regulation of the European Parliament and of the Council (EU) 2018/1806 (so-called Visa Regulation). This document designates a list of third countries whose nationals must have a visa when crossing the external borders and also a list of third countries whose nationals are freed of this duty.** In this regard, it must be stated that one of the important changes having an impact on Regulation of the European Parliament and of the Council (EU) 2018/1806 is the withdrawal of Great Britain from the European Union in 2019. At the end of 2019, the British Parliament, the European Council and the European Parliament agreed the **final form of the Agreement on the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union**²². Under the withdrawal agreement, the rights of EU citizens and rights of citizens of the United Kingdom and their family members are regulated for the transition period (up to

²² The date of withdrawal of the United Kingdom of Great Britain and Northern Ireland was deferred several times in 2019. The original date of 29 March 2019 was deferred twice, originally to 30 October 2019 and then 31 January 2020 in connection with early elections to the lower house of the British Parliament.

31 December 2020). Under the withdrawal agreement, EU law (current directive 2004/38/EC)²³ will continue to apply for the transition period to citizens of the United Kingdom with effects comparable to the current ones. UK citizens residing in the CR for the duration of the transition period will gain life-long status of a beneficiary of the rights arising from the withdrawal agreement²⁴. The status of third country national in the sense of Regulation 2018/1806 will apply to citizens of the United Kingdom who travel to the CR after the expiry of the transition period and do not prove that they had previously resided in the CR.

In the first half of 2019, dialogues were completed with the EP on proposals for an amendment to the Visa Code. The draft was then approved and came into force on 20 June 2019²⁵. The amended Visa Code has been effective since 2 February 2020. The amendment reflects the recent developments in the area of security and migration, and as a tool for resolving the problems associated with illegal migration, it links visa policy to cooperation of the individual third countries in the area of readmission of illegal migrants. In the case of insufficient cooperation on the readmission of third-country nationals, it is possible to apply certain escalating restrictions in the visa issue process to non-cooperative third countries and thus exert pressure for an improvement in returns (such as increasing visa fees or extending the period for deciding on them).

²³ Directive 2004/38/EC of the European Parliament and of the Council of 29 April 2004 on the right of citizens of the Union and their family members to move and reside freely within the territory of the Member States amending Regulation (EEC) No. 1612/68 and repealing Directives 64/221/EEC, 68/360/EEC, 72/194/EEC, 73/148/EEC, 75/34/EEC, 75/35/EEC, 90/364/EEC, 90/365/EEC and 93/96/EEC.

²⁴ The Ministry of the Interior issued a total of 4 recommendations for British citizens mainly intended as an appeal to citizens of the United Kingdom who were not holders of a confirmation of temporary residence to apply for one at any office of the Ministry of the Interior if they were intending to live on the territory of the Czech Republic after the transition period. The Ministry of the Interior is in contact with the British embassy in the CR, and there were 5 information meetings for British citizens in Prague and Brno under the aegis of the British embassy in the CR.

²⁵ Regulation (EU) 2019/1155 of the European Parliament and of the Council of 20 June 2019 amending Regulation (EC) No. 810/2009 establishing a Community Code on Visas.

In the case of good cooperation, it is possible to offer the relevant third country an easing of visa issue.

Another new feature is the possibility to submit a visa application 6 months before the anticipated departure, but at the latest 15 days before travel. It also establishes the possibility to fill in and sign an application form digitally. The regulation clearly states which Member State is competent to evaluate a request if the intended visit includes several Member States. It also introduces a **harmonised approach to the issuing of visas for several entries of regular travellers** with a positive Schengen history for a gradually increasing period from 1 to 5 years. It also abandoned the duty of personal presence when submitting a request, with the exception of cases where it is necessary to acquire biometric data. 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 amendment also included changes which developments in visa practice brought to the visa process; the most important included the need for broader cooperation with external service providers (which means the use of visa centres) when processing visa applications and the ongoing digitalisation of administrative procedures whilst at the same time maintaining the integrity and security of the visa process.

As far as **visa liberalisation** is concerned, in view of the impacts of visa-free travel of certain previously liberalised countries, great attention was paid to the functioning of the mechanism for suspending the cancellation of visa duty based on the Regulation of the EP and the Council (EU) No. 2018/1806, the so-called suspension mechanism, and monitoring of fulfilment of the liberalisation criteria from the part of previously liberalised countries. In contrast, regarding the security reservations of the CR, in 2019 no progress was made in the question of the possible inclusion of Kosovo on the visa-free list of the specified regulation.

In the course of 2019, series of trialogues on a **revision of the Visa Information System (VIS)** was taking place. The objective of the regulation amendment is an effort to strengthen the security procedure by granting short-stay visas, the inclusion of long-stay visas and residence permits in the VIS, and ensuring interoperability between the VIS system and other relevant systems and databases of the EU. Now for the evaluation of visa applications enquiries should be made in the EU systems and databases (SIS, EES, ETIAS including lists of persons of interest, Europol and Interpol databases (SLTD, TDAWN). A slight friction in the discussion was caused by the question of including the ECRIS-TCN and Interpol (TDAWN) systems in the group of EU databases where enquiries are made. Similarly, agreement was not found on the use of hardcopy photographs and facial scanning, the collection of fingerprints from children from the age of 6, and manual processing of queries in other European databases. Trialogues continue in 2020. The original plan assumed the operational launch of the revised system in 2023.

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 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.

The regular (now third) **Schengen evaluation of the Czech Republic in the implementation of the Schengen acquis** was performed from January to March 2019 on the basis of Council Regulation (EU) No. 1053/2013 establishing an evaluation and monitoring mechanism to verify the application of the Schengen acquis.

In the period from 1 January to 31 December 2019, the **department for Asylum and Migration Policy performed a check on adherence to security conditions at two operators of international airports.** Inspections were carried out at one operator of an international airport through which passes at least 5,000 persons on internal flights in a calendar year and at one operator of an international airport through which passes at least 1,000,000 persons on internal flights in a calendar year. A total of 7 breaches of the Act on the Protection of State Borders was ascertained amongst the persons checked.

In January 2019, there was a Schengen evaluation at the Embassy of the Czech Republic in Abu Dhabi and the Consulate General of the Czech Republic in Chengdu in the area of visa policy which resulted in many recommendations for the Czech Republic, primarily in the area of visa IT systems, but also in the process procedures and personal data protection. The MoFA prepared an action plan for achievement of the specified recommendations, which on an ongoing basis it acts on.

The newly prepared Schengen cooperation information systems include the Entry/Exit System (EES), which is a newly created centralised system using biometric data for registering data about the entry, exit and denial of entry of third-country nationals crossing the external border of Member States with the aim of a short stay. Owing to this system, the Member States gain a reliable overview of who crossed the external border, when and where. Also, it fundamentally simplifies the identification of persons exceeding the permitted period of stay. This system is regulated by Regulations (EU) 2017/2226 and 2017/2225, which came into force on 29 December 2017. The EES system will most probably become operational in February 2022.

In addition, the **European Travel Information and Authorisation System (ETIAS)** has been prepared. The main goal of this system is to set up an automated information system of the Union, which will

record data on third-country nationals who are not subjected 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. This system is regulated by Regulations (EU) 2018/1240 and 2018/1241, which came into force on 9 October 2018. The ETIAS system will most probably go into operation at the end of 2021.

On 10 June 2019, the Regulations (EU) 2019/817 and 2019/818 came into force that establish the framework for **interoperability of EU information systems**. 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. The basic technical components of interoperability according to the proposals of the regulation are: the European Search Portal (ESP), the shared Biometric Matching Service (sBMS), the Common Identity Repository (CIR) and Multiple Identity Detector; which are augmented with these supporting components: the automatic data quality control mechanism, unified message format (UMF), and Central Repository for Reporting and Statistics (CRRS). Interoperability in the proposed form applies to three existing systems (Schengen Information System /SIS/, Eurodac and Visa Information System /VIS/) and three prepared centralised systems of the EU (Entry/Exit System /EES/, European Travel Information and Authorisation System /ETIAS/, European Criminal Records Information System for Third-Country Nationals /ECRIS-TCN/). It also includes some Interpol databases (Stolen and Lost Travel Documents /SLTD/, Travel Documents Associated with Notices /TDAWN/) and Europol data to the extent necessary for the fight against serious crime and terrorism and for the operation of the ETIAS system.

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 society, to create opportunities for harmonic conflict-free co-existence between foreigners and the majority society **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 the establishment of ghettos of foreign nationals or radicalisation). 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 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, such as provision of information or assistance during resolution of difficult life situations. As an additional group, beneficiaries of international protection²⁶ can also take an advantage of the integration measures provided beyond the framework of services ensured under the State Integration Programme. In exceptional cases, citizens of the Czech Republic may also be part of the target group if

²⁶ This means recognised refugees and beneficiaries of subsidiary protection.

they have integration needs that are similar to the aforementioned groups of inhabitants.

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 Republic***²⁷. 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 2019, the key document was the *Procedure for Implementing the Updated Policy for the Integration of Foreign Nationals – In Mutual Respect in 2019*²⁸ (hereafter 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 year*²⁹.

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. Assistance during the integration of foreign nationals significantly reduces their risk of the abuse, manipulation and dependency on intermediaries.

²⁷ Government Resolution No. 26 of 18 January 2016

²⁸ Government Resolution No. 10 of 03 January 2018

²⁹ The Policy, Procedure and Reports are available at <https://www.mvcr.cz/migrace/clanek/zakladni-dokumenty-k-integracni-politice-ke-stazeni.aspx>

The basic element for the integration of foreign nationals is the **network of 18 Centres for the Support of the Integration of Foreigners** that operate in all regions of the Czech Republic. They offer foreign nationals a wide range of integration services and aid the mutual understanding of foreign nationals and majority society. The Centres are financed predominantly from the Asylum, Migration and Integration Fund (AMIF) and the state budget. **The network of integration centres was given a legislative foundation through the amendment of the Act on the Residence of Foreign Nationals.** This amendment also designated a duty for selected groups of foreign nationals **to undergo an adaptation-integration course from 1 January 2021.** The goal of this measure is to familiarise foreign nationals with their rights and duties and reinforce their independence. They should also free them of the system of dependence on intermediaries and give them information about the possibilities to seek the help of the authorities, Integration Centres and non-governmental non-profit organisations.

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. Against this background, the MoI once again in 2019 carried out grant proceedings for projects of municipalities and city districts in support of integration of foreign nationals. The projects are a set of intensive and comprehensive integration activities and measures leading to an improvement in an existing situation in the given locality and prevention of potential conflicts. In 2019, 16 municipalities and city districts implemented the given projects. The projects were supported with the amount of 19.3 million CZK. In October 2019, the eleventh annual conference on the local integration of foreign nationals in municipalities organised by the city district Prague 13 took place under the auspices of the Minister of the Interior.

Support also continued for the **projects of non-governmental non-profit organisations (NGOs)**, which are a key partner in the implementation

of integration policy. Via the grant proceedings “Integration of Foreign Nationals” 17 subjects were supported with a sum of 19.2 million CZK.

In 2019, emphasis was placed on information for foreign nationals and majority society. As a result, the internet pages focusing on integration of foreign nationals are updated on an ongoing basis. In cooperation with the MoI, the MoLSA operates the website **www.cizinci.cz**, where one can find comprehensive information about the integration of foreign nationals, statistics about foreign nationals, possibilities for financing projects in this area, and information materials for foreign nationals. Also, updated information about matters associated with arranging residence permits for foreign nationals can be found on the official internet pages of the Ministry of the Interior (**www.mvcr.cz/cizinci**), which are also available in English. In addition, an updated information for foreign nationals can also be found on the pages of some local government sites, such as the website of the Capital Prague (**www.metropolevsech.eu**).

The active involvement of MoI employees in the activities of the EC working group called European Integration Network continued, as did other forms of international cooperation.

In connection with Government Resolution 954/2015 or its Amendment No. 36/2017, in 2019, work continued on the implementation of the State Integration Programme for Persons with Granted International Protection (see sub-chapter 4.3 Integration of Recognised Refugees and Beneficiaries of Subsidiary Protection), as did the programme for resettlement and integration of foreign nationals of Czech heritage – compatriots, mainly from Ukraine and Venezuela.

Citizenship

In 2019, **the citizenship of the CR was granted to a total of 2,973 foreign nationals** (a decrease by 784 persons in comparison with the previous year). In 14 cases, this included persons who had been granted international protection in the form of asylum in the CR in the past. In addition, 41 applications for granting the citizenship of the CR to minor children pursuant to Section 28 of the Czech Republic Citizenship Act were granted (an increase by 13 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 2019, the authorities also granted 7 applications for granting the citizenship of the CR pursuant to Section 29 of the Czech Republic Citizenship Act (an increase by 3 persons in comparison with the previous year), where 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 2019, the citizenship of the CR was most often granted to the citizens of **Ukraine**: 1,003 persons (314 less than in the previous year). These were followed by the citizens of the **Russian Federation** – 574 (59 less than in the previous year), **Slovakia** – 421 (80 less than in the previous year), **Vietnam** – 129 (102 less than in the previous year), and **Belarus** – 107 (32 less than in the previous year).

In 2019, the MoI issued a **total of 214 rejection decisions** at first instance (133 less than in the previous year). In addition, **1,488 foreign nationals acquired the citizenship of the CR based on one of the declarations**, which are laid down in the Czech Republic Citizenship Act (10 less than in the previous year).

Thus, a total of **4,509 persons (778 fewer than in 2018) acquired the citizenship of the Czech Republic in 2019, 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 2009–2019

Year	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019
Number of foreign nationals who were granted the citizenship of the CR	1,128	1,088	1,653	1,565	2,253	4,915	2,620	3,897	5,006	3,757	2,973

Source: MoI

4 INTERNATIONAL PROTECTION

In 2019, a total of **1,922 foreign nationals** applied for international protection, which is **the highest recorded number since 2006**. One characteristic trend for 2019 was the high number of applications filed in the transit area of the Václav Havel Airport Prague (the share of them has increased more than tenfold over the past five years), which apply in particular to **Armenian nationals**.

In addition to the aforementioned **Armenian nationals (372)**, the next largest group of applicants were nationals of **Ukraine (311), Georgia (224), Vietnam (143) and Kazakhstan (109)**. International protection in the form of **asylum** was granted to **61 applicants** (most often Russian nationals), and **subsidiary protection** was granted in **86 cases**, which is 27.1 % less than in 2018. Most often it was granted to nationals of **Syria (22), Libya (11) and Ukraine (10)**.

The integration of persons who were granted international protection is governed by **the State Integration Programme (SIP)**. Since January 2017, the subject with overall responsibility for integration activity has been the Refugee Facilities Administration (SUZ). The goal of the programme is to facilitate the process of social integration of recognised refugees and beneficiaries of international protection in the Czech Republic. In 2019, a total of **109 eligible persons** joined the SIP.

4.1 APPLICANTS FOR INTERNATIONAL PROTECTION IN THE CZECH REPUBLIC

As in the previous year, in 2019, there was **an increase in the number of applicants for international protection**, this time by 13 %. In total, **1,922 applications for international protection** were registered. This number is higher by 221 applications than in the preceding year, which represents the highest recorded number since 2006. **The main reason for the growth in the number of applications in 2019 was the increase in the number of Armenian citizens submitting applications in the airport transit zone.**

Applications for International Protection

In comparison with other EU Member States, the numbers of applicants for international protection in the Czech Republic remain below average. The Czech Republic registers significantly less applicants for international protection than neighbouring Germany (150 thousand applicants), Austria (12.5 thousand) and Poland (4 thousand). From among neighbouring countries, only Slovakia had fewer applicants (230). 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. The nationality composition of the applicants also differs.

Table 4: Numbers of applicants for international protection in the Czech Republic in the period 2009–2019

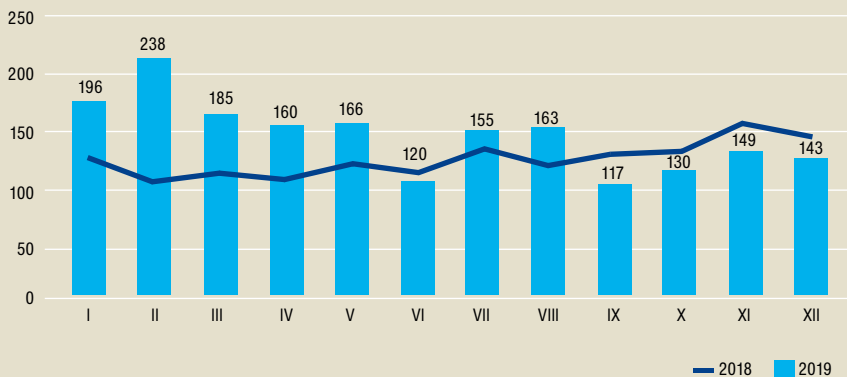
Year	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019
Number of applicants	1,258	833	756	753	707	1,156	1,525	1 478	1,450	1,701	1,922
Year-on-year change in %	-24.0	-33.8	-9.2	-0.4	-6.1	63.5	31.9	-3.1	-1.9	17.3	13.0

Source: MoI

Out of the total number of 1,922 applications for international protection filed in 2019, **1,578** (i.e., 82.1 %) **applications were filed for the first time** and **344** (i.e., 17.9 %) **multiple times**. In comparison with the year 2018, the percentage of applications filed multiple times has remained at more or less the same level.

The monthly amount of applications for international protection hovered between roughly 120 to 240 applications. Higher numbers of applications were submitted especially in the first quarter, where in February they culminated (238), and then they decreased in the summer, and they further declined in the last quarter of the year. The average monthly number in the year 2019 was 160 applications.

Table 5: The Numbers of applicants for international protection in the individual months – comparison 2018/2019



Source: MoI

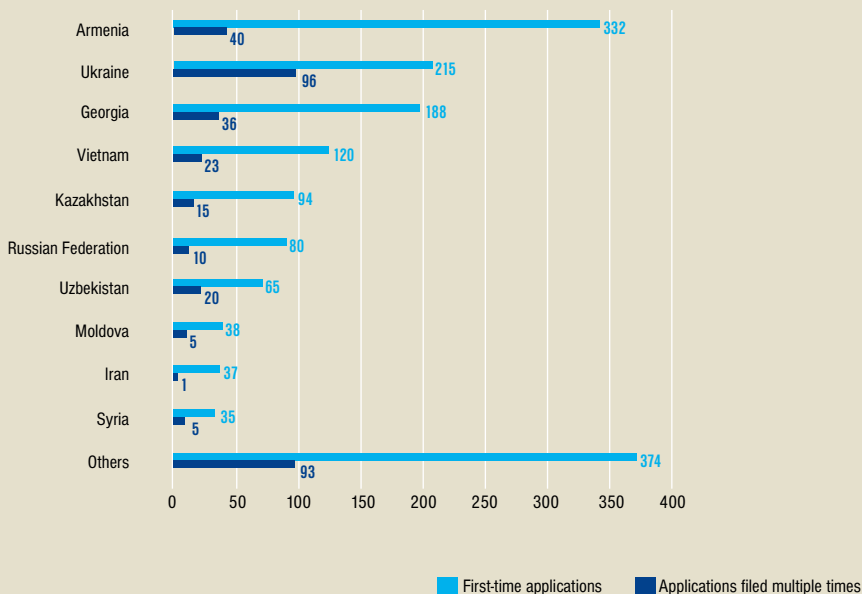
In 2019, the main source countries of applicants for international protection were Armenia (372 applicants), Ukraine (311 applicants), Georgia (224 applicants), Vietnam (143 applicants) and Kazakhstan (109 applicants).

Asylum was granted to 61 applicants in the Czech Republic.

Asylum was most often granted to nationals of the Russian Federation (in 26 cases), as well as nationals of Egypt, Turkey and Cuba.

In 2019, international protection in the form of subsidiary protection was granted in 86 cases, which is 27.1 % less than in 2018. Most often it was granted to citizens of Syria (22 persons), Libya (11 persons) and Ukraine (10 persons).

Chart 3: The numbers of first-time applications and related applications in 2019



Source: MoI

As has already been mentioned, the growth in the number of applications is mainly due to the **increase in the number of Armenian applicants**, who submitted the largest number of applications (**372**), which

represents almost one fifth of all filed applications. In comparison with the previous year, the number of applications from Armenian citizens grew **more than threefold (it represents the greatest increase in absolute terms)**. The growth was caused in particular by the **high number of applications filed in the transit zone of the Václav Havel international airport** (over the last 5 years their share has increased more than tenfold), which applies in particular to Armenian citizens (total of 310 applications submitted at the airport, i.e., 83.3 % of all applications submitted from Armenian citizens), who by filing applications often abuse the transit territory to enter the territory of the CR. There was a higher number of applicants for asylum at the international airport in Prague, in spite of the introduction of a duty (on 11 March 2019) to have an airport transit visa when transiting the CR (Armenian citizens replaced it with a Bulgarian or Cypriot short-stay visa). However, after a warning about this negative phenomenon by the Bulgarian and Cypriot side, their numbers only declined in the third quarter. Armenian applicants included a total of 158 women (i.e., 42.5 %) and 88 infants (i.e., 23.7 %) and 40 applications were filed multiple times. If we consider only applications submitted for the first time, their share filed by Armenian applicants at the airport was actually 93.4 %.

Another large group of applicants were citizens of **Ukraine, with a total of 311 applications** (i.e., 16.2 %), although, it should be noted there has been a repeated decrease in the number of this nationality. In 2019, it involved a decrease of 25.6 % (-107), thus an even greater decrease than in the preceding year, when 16 fewer applications were submitted. As a result, this is the first time since 2004 when Ukrainian nationals were not in first place in terms of the number of applications filed. It still applies that Ukrainian citizens file their applications after a stay of several years in the Czech Republic in an attempt to legalise their stay.

In terms of the number of applications, citizens of **Georgia came third with a total of 224 applications for international protection** (i.e., 11.7 %).

The higher number of applications from Georgian applicants is associated in particular with the fact that in 2017 there occurred visa liberalisation for Georgian citizens, and since that time there has been an increase in applications every year (in 2019 + 32.5 %). Georgian applicants included 29 women and 14 minors. A total of 29 applications were submitted repeatedly.

Amongst the applicants, citizens of Vietnam (143) and Kazakhstan (109) follow. In the case of Vietnamese citizens, 26 applications were filed by women, and the applicants included only 3 minors. A total of 23 applications were submitted multiple times. In the case of Kazakhstan, there were 15 multiple applications, and the applicants included 36 women and 11 minors. For both of these nationalities there was an increase in the number of applications compared with the preceding year – and in the case of Kazakhstan it was the second highest increase in absolute figures (+78) – compared with 2018 the percentage increase is 251.6 %. Over the course of the year, there was a large number of misused visas from Kazakhstan nationals. And this was also the second most significant group of applicants who filed international protection applications in the airport transit zone.

They were followed by applications from nationals of **the Russian Federation (90), Uzbekistan (85), Azerbaijan (47), Moldova (43)** and **Syria (40)**. The numbers of applicants from the Russian Federation stayed at the same level as the preceding year, and the numbers from nationals of Uzbekistan dropped slightly. In other cases, there was an increase – in the case of Moldova a significant year-on-year one. Although their numbers are not that high, there was a year-on-year increase of 230 %.

In connection with the crisis in **Venezuela**, one must mention the increase in the number of citizens of this country amongst applicants for international protection. Whereas in 2018 only 6 international protection

applications were recorded for people from this country, in 2019, there were **33** applications. This is the highest year-on-year percentage growth (by 450 %), which suggests that the crisis in this Latin American country was also manifested in the Czech Republic.

Conversely, the largest year-on-year decreases were for citizens of **Cuba (-122)**, **Ukraine (-107)**, and **Iraq (-43)**.

Proceedings on Granting International Protection

In 2019, **a total of 2,137 decisions were issued by the MoI in proceedings on granting international protection, and 461 decisions were issued in proceedings to extend subsidiary protection.** As of 31 December 2019, there were **778 persons registered in pending proceedings** (i.e., persons on whose applications decision was not taken yet).

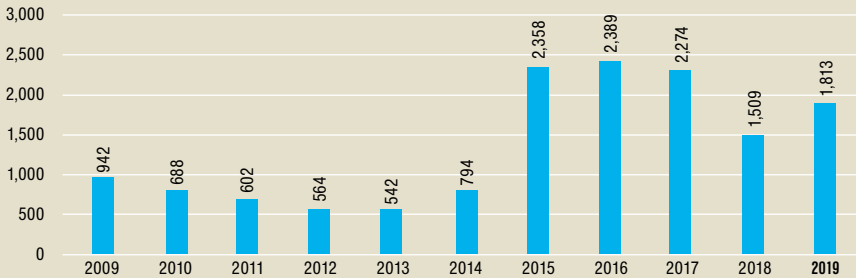
In 2019, there was a year-on-year increase in the number of issued decisions (by 23.5 %). The MoI granted **international protection in the form of asylum or subsidiary protection to 147 foreign nationals** in that year. In comparison with the year 2018, there was an increase in the number of persons who were granted international protection by 10.9 %. **Subsidiary protection was extended** for another 396 persons, which is 28.1 % fewer people than in the preceding year. They were most often nationals of **Syria (134)**, **Ukraine (105)** and stateless persons (35).

During the year 2019, **a total of 961 negative decisions** (i.e., 50 %) **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 1,029 cases (i.e., 53.5 %).

Application of the Dublin Regulation³⁰

In 2019, the CR registered a total of **1,813 so-called Dublin cases, which is an increase of 20.1 % compared with 2018**. During the period, the **most frequently represented citizenship** was the citizenship of **Armenia** (488), followed by **Kazakhstan** (177) and **the Russian Federation** (127). One significant fact influencing the number of Dublin cases in the territory of the Czech Republic in 2019, was the trend of increase in number of international protection applications filed by nationals of Armenia in the transit zone of the Václav Havel International Airport, many of whom held visas issued by Bulgarian authorities in Yerevan or Moscow (total 89), Cypriot authorities (58) or Romanian authorities (3). The Czech Republic then asked these Member States to take these persons under the Dublin Regulation. However, shortly after filing an international protection application (within a few days), the Armenian citizens voluntarily left the territory of the Czech Republic for western European countries, especially France and Germany, where they once again filed for international protection. In this context, the CR recorded a growth in the number of applications from these countries to take back these persons to the territory of the CR.

³⁰ 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.

Chart 4: History of Dublin Cases in the period 2009–2019³¹

Source: MoI

During the year 2019, the **CR received** a total of 1,412 applications from another Member State (an increase by 18.6 % compared with the preceding year) for 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** (617), from **France** (463) and **Sweden** (108).

During the same period, **the CR sent** a total of **401 applications** to another Member State (an increase by 26.1 %) for readmission of an applicant or a foreign national. The highest numbers of applications were sent to **Bulgaria** (102), **Germany** (70) and **Cyprus** (57).

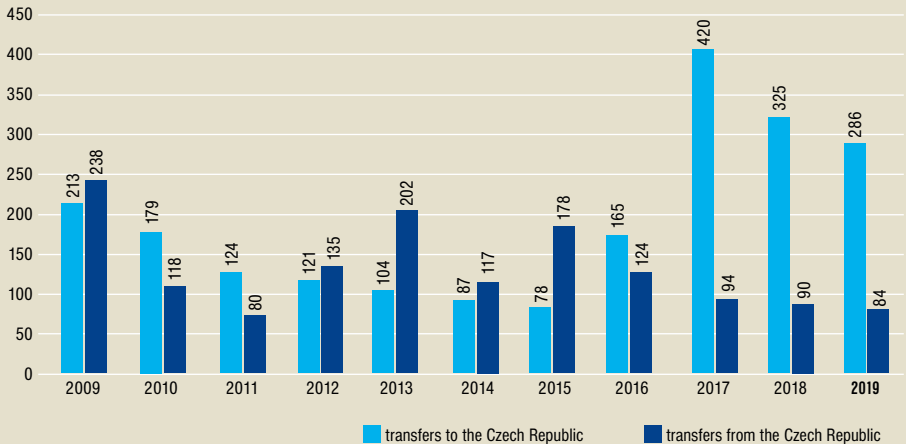
In 2019, a **total of 286 transfers** were carried out **in the territory of the CR** (a decrease by 12 %). Most persons were transferred to the territory of the CR from **Germany** (171), **Sweden** (43) and **Austria** (18).

During the same period, a **total of 84 transfers** were carried out **from the territory of the CR to another Member State** (a decrease by

³¹ Information requests were not included in the statistics of so-called Dublin cases in the years 2012 to 2015.

6.7 %). Most persons were transferred from the territory of the CR to **Germany** (22), **Italy** (18) and **Romania** (14).

Chart 5: Transfers carried out from and to the territory of the Czech Republic in the period 2009–2019³²



Source: MoI

4.2 ASYLUM FACILITIES IN THE CZECH REPUBLIC

The Refugee Facilities Administration of the Ministry of the Interior (SUZ) is the operator of reception, accommodation and integration asylum centres. The Refugee Facilities Administration provided services to applicants for international protection and to foreign nationals who have been granted international protection in a total of **nine asylum facilities** of three types. A **reception centre (RC)** serves to provide foreign nationals who have applied for international protection with initial accommodation while the initial steps, such as registration or medical

³² Information requests were not included in the statistics of so-called Dublin cases in the years 2012 to 2015.

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. The SUZ also operates **four 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, and since **1 April 2019 also the Bělá – Jezová Accommodation Centre**. In both types of facilities, food is provided in addition to accommodation services (the managing authority either cooks or issues a regular financial contribution so that clients can cook their own meals). The role of social workers is irreplaceable, and 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 2019, the **total capacity of the reception and accommodation centres was 807 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, consultation

aimed at obtaining housing and employment, other integration activities and Czech language courses.

As of 31 December 2019, the SUZ operated a total of four integration asylum centres where a total of 44 accommodation units with the maximum capacity of 124 beds are available to recognised refugees (they are assigned according to the size and nature of the accommodated families). October saw the completion of a conversion of a ground floor flat in IAS Jaroměř into a barrier-free flat with the possibility to accommodate persons with a physical disability.

Use of Accommodation Capacities in 2019

In 2019, a total of **1,820 newly arrived foreign nationals – applicants for international protection** (including new-borns while the mother was staying in an asylum facility) – came to asylum facilities. The citizens of **Armenia** (371 persons, i.e., 20.4 %), **Ukraine** (292 persons, i.e., 16.0 %), **Georgia** (221 persons, i.e., 12.1 %) **Vietnam** (141 persons, i.e., 7.7 %) and **Kazakhstan** (109 persons, i.e., 6.0 %) most often came to asylum facilities.

On average, **58 % 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 104 % on 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 2019, this option was used, on average, by 44.5 % of the registered applicants for international protection.

With respect to the integration asylum centres, there was a change in accommodation capacities during the year, when they were reduced from 152 to 124 beds in August. In the course of the year, the average occupancy rate of the IAS capacity was 51 % (26 to 47 beds occupied). In the course of 2019, the occupancy rate of the IAS dropped, but at the end of 2019 there was a slight increase.

4.3 INTEGRATION OF RECOGNISED REFUGEES AND BENEFICIARIES OF SUBSIDIARY PROTECTION

The integration of persons, who have been granted international protection, is governed by the **State Integration Programme** (SIP). Legislatively, the SIP is governed by Sections 68 through 70 of Act No. 325/1999 Coll., on Asylum. The current SIP was approved in Government Resolution No. 954³³ of 20 November 2015 and came into force on 1 January 2016. On 16 January 2017, the government approved the updated version of SIP in its Resolution No. 36³⁴. 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**³⁵, which 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.

³³ On the state integration programme for beneficiaries of international protection in the year 2016 and in the following years.

³⁴ 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.

³⁵ This role is also assigned by the Amendment of the aforementioned Act (Act No. 222/2017 Coll.), which entered into force in August 2017.

The goal of the programme is to facilitate the process of social integration of refugees and beneficiaries of international protection (eligible persons) in the Czech Republic. This primarily involves assistance and social consultation in the area of housing, entry to the job market, health, social assistance and education, including requalification system and in the area of learning and developing the Czech language.

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 the 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 elimination of the language barrier as well as in the welfare and medical areas. These are activities that will lead to meeting of the defined goal. Funds 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 2019, a total of **109 eligible persons** joined SIP, which represents a 9.9 % decrease as compared with the previous year. During the year, **a total of 59 new individual integration plans were prepared for a total of 89 beneficiaries of international protection (individuals and families)**. In view of the fact that the implementation period of an individual integration plan is a maximum of 12 months, in 2019, the total of 43 individual integration plans initiated in 2018 were successfully completed. From the finances in the amount of 46.5 million CZK allocated to SIP in the year 2019, the amount of 7.4 million CZK 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 2019, **31 unaccompanied third-country minor nationals** (hereinafter referred to as the “unaccompanied minors” or “UAMs”) were placed in the specialised Facility for Children-foreigners. In that year, **8 unaccompanied minors applied for international protection in the CR.**

In 2019, the **existing care system for unaccompanied minors (UAMs) 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, a crucial topic was **verification of the age of UAMs.** In 2019, a **pilot project was created in cooperation with the OSPOD focussing on non-invasive methods for verifying the age of unaccompanied minors.** There should be an evaluation of the effectiveness of the proposed method in 2020.

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 care, 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 are 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 made sure in particular that each minor foreign national is given the opportunity of being subject to 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 took 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 2019, **regular meetings of experts participating in work with UAMs who were members of “expert groups” continued to be held**. Once again, a crucial topic was **determining the age of UAMs**. However, this year, headway was made in addressing this issue, because a **pilot project** was created in cooperation with the OSPOD focussing **on non-invasive methods for determining the age of unaccompanied minors**. The result of the project is a manual created by external consultants, which should serve as source material for the psychologists conducting interviews with minors. There should be an evaluation of the effectiveness of the proposed method in 2020.

There were no changes in the legislation governing the methods of work with UAMs in 2019.

Statistics

In 2019, a total of **31 unaccompanied minors**³⁶ were staying in the specialised ZDC (this number amounts to dozens of persons every year), **8**³⁷ **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 very low numbers.

According to the figures for recent years, most unaccompanied minors staying in the CR are older than 15 years but they are not close to reaching legal age. Males clearly predominate.

Table 5: The numbers of unaccompanied minor foreign nationals who applied for international protection in the period 2008–2019

Year	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019
Number of unaccompanied minors applying for international protection	36	9	4	8	5	2	6	14	4	7	10	8

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

5.2 OTHER VULNERABLE GROUPS OF PERSONS

As concerns proceedings on granting international protection, persons with health issues, seniors, pregnant women, single parents with an underage 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

³⁶ Source: ZDC

³⁷ Source: OAMP

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 2019, **26 people** were prosecuted for human trafficking and 9 people were convicted of this crime in the same year.

In the year 2019, a total of **6 victims of human trafficking from among third-country nationals** (in all cases Philippine nationals) and 9 people from EU countries were included in the *Programme for the Support and Protection of Victims of Human Trafficking* of the Ministry of the Interior.

In 2019, there was continuation of the trend of seeking out men and women with poor social and educational status in the CR and then tempting them abroad, especially to Great Britain, where the men were forced to perform physically demanding labour, and the women were forced into prostitution or to marry citizens of third countries.

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 2019, a total of **15 probable victims of human trafficking were included in the Programme** (this represents a decrease by 2 persons in comparison with the year 2018) from the **Philippines** (6), **Slovakia** (1) and the **Czech Republic** (1). These persons were subjected to labour and sexual exploitation.

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.**

The situation relating to human trafficking did not change significantly in 2019 compared with the preceding period. The most common forms of human trafficking still include sexual and labour exploitation. But there are also mixed cases where the forms are linked, including forced marriages or when people are forced into criminal activities. In 2019,

there was continuation of the trend of seeking out men and women with poor social and educational status in the CR and then tempting them abroad, especially to Great Britain, where the men were forced to perform physically demanding labour, and the women were forced into prostitution or to marry citizens of third countries.

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 the Programme started in 2003, a total of **260 probable victims of human trafficking have been included in the Programme**. Under the Programme victims are also afforded voluntary repatriation to the country of origin. In 2019, there were **two voluntary repatriations**. Both were arranged for Czech nationals who had been returned from Lithuania and GB.

6.2 PREVENTIVE ACTIVITIES AND EDUCATIONAL EVENTS IN 2019

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 2019, 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 at the general public in the form of interactive workshops and a press campaign. Non-governmental organisations also carried out **field surveys** in order to analyse the environment, and seek out and inform potential victims in the territory of the CR.

Human trafficking **trainings of consular officials** took place in 2019. Other trainings, sessions and seminars were organised as part

of police training of the NCUCOC. At the Justice Academy there was a seminar on the elimination and prosecution of human trafficking, which, in addition to national legislation, also contained an analysis of the Council of Europe Convention on Action against Trafficking in Human Beings, the relevant case law of the European Court of Human Rights and other international instruments and national examples of good practice in protecting victims of trafficking.

Cooperation of the involved entities contributes to effective combat against human trafficking. A meeting of the **Interdepartmental Coordination Taskforce for Combating Human Trafficking** was also held in 2019. This coordination taskforce serves as a platform for exchange of information among the members of the interdepartmental taskforce and for coordination of activities to combat human trafficking at the national level. The members of this taskforce, which include governmental as well as non-governmental organisations, also provide input for the annual report on the situation of human trafficking in the CR³⁸.

The Czech Republic also cooperates with significant source countries and international organisations (OBSE³⁹, ICMPD⁴⁰, DCAF⁴¹ 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 (JITs⁴²) are used extensively and there is also cooperation with established platforms such as EMPACT⁴³.

³⁸ <http://www.mvcr.cz/clanek/obchod-s-lidmi-dokumenty-924305.aspx>

³⁹ *Organization for Security and Co-operation in Europe*

⁴⁰ *International Centre for Migration Policy Development*

⁴¹ *The Geneva Centre for the Democratic Control of Armed Forces*

⁴² *Joint Investigation Teams*

⁴³ *European Multidisciplinary Platform against Criminal Threats*

Statistics

In 2019, **26 persons were prosecuted** by the Police of the Czech Republic and **9 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 2013–2019⁴⁴

Year	2013	2014	2015	2016	2017	2018	2019
Number of persons prosecuted for human trafficking*	25	16	12	23	24	15	26
Number of persons convicted of human trafficking**	20	6	19	8	14	16	9

Source: * Police Presidium; ** MoJ

Crime of Human Trafficking in Relation to Foreign Nationals

In 2019, there was a decrease of probable victims of human trafficking from Philippines in human trafficking in the CR in comparison with the previous years. It was not proven in 2019 that illegal migrants were subjected to human trafficking.

⁴⁴ In 2016, there was an extensive reconstruction of the Crime Tracking Statistical System, so it is not possible to compare the number of persons prosecuted for human trafficking in that year with the numbers from previous years.

INTERNATIONAL COOPERATION AND PROJECTS CONCERNING MIGRATION AND ASYLUM

Since 2015 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 2019, the budget of the Programme was 150 million CZK, same as in the previous year. The priority areas of the Programme in 2019 include the wider Sahel region and North Africa, the Middle East region and Balkans.

2019 saw continuation of the **MEDEVAC** Programme, which focuses on providing expert medical care to vulnerable groups of inhabitants in regions impacted by the refugee crisis or natural disaster, specifically in seven countries reflecting its territorial priorities.

During the year 2019, a total of **336 members of Czech compatriot communities in Ukraine and Venezuela** were 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 2019 in particular 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 focused on strengthening the practical and operative cooperation in all aspects of migration, asylum and border protection at the bilateral, multilateral and Union level.

In 2019, 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 order to implement its priorities in the area of asylum and migration, the CR in 2019 worked closely with international organisations, primarily the International Organisation for Migration (IOM), the International Centre for Migration Policy Development (ICMPD) and United Nations 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 specified 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. Although at the end of 2018 the Czech Republic passed its presidency of the strategic group of the Prague Process to Lithuania, it continues to be one of its main political leaders.

MOBILAZE PROJECT WITH AZERBAIJAN

In 2015, the MOBILAZE⁴⁵ project was launched to support Azerbaijan. This project is divided into five components: a) monitoring and analysis of 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. The project was terminated in July 2019, but there is an assumption that the project will continue in the future under the name MOBILAZE 2.

⁴⁵ Mobility Partnership with Azerbaijan

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. In 2019, there were several discussions that led to the preparation and implementation of concrete projects in the context of the three pillars of mutual cooperation of the *Migration Crisis Response Mechanism* (intra-EU, information exchange and external dimension).

In the period from July 2019 to June 2020, the Czech Republic chaired the V4 countries and included the theme of migration as one of its main priorities. At the political level, amongst other things, in November 2019, it organised a conference of interior ministers which focused on formulating the goals of the V4 in terms of the new European Commission and confirmed the long-term support for the countries of the western Balkans which are playing a fundamental role in dealing with questions associated with migration.

EUROPEAN ASYLUM SUPPORT OFFICE (EASO)

In 2019, the key activities of the 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 2019 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 2019, the EASO agreed to a restructuring of its activities in Italy. In this year, the core part of the EASO's involvement in Italy shifted to structural support for relevant Italian authorities. As a result of these changes there was a reduction in the need to send national experts in support of implementation of the operational plan for

Italy. In the case of Greece, the Operational Plan defined 8 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 2019, the office 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 2019, the CR sent a total of 6 national experts, specifically 5 experts to Italy and 1 expert to Greece, as part of the aforementioned activities of the EASO. In the period 2015–2019, a total of 102 national experts of the Czech Republic were sent abroad. As part of the training activities of the EASO, 45 employees of the Ministry of the Interior of the CR were trained in 2019, especially in the field of international protection, the SEAS, country of origin information and reception procedures.

On 19 June 2019, 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. There was

also a presentation of the experience gained so far with the working of the Czech experts in the activities of EASO, and the synergistic linkage of the individual fields implemented by experts was emphasised.

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 Flow** (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 MoI sends financial donations abroad, which are intended in particular 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. There are still 5.6 million Syrian refugees living in the countries neighbouring with Syria. And there are also, for example, more than 950,000 displaced persons living on Libyan territory. In 2019, migration pressure on Europe was noted, especially on the eastern Mediterranean and western Balkan migration route. Arrivals of migrants on this route increased by 53 % compared with 2018.

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 2019. The priority areas of the Programme in 2019 include **the wider Sahel region and North Africa, the Middle East region and Balkans.**

List of donations from the Aid in Place programme in 2019

Priority No. 1 – wider Sahel region and North Africa

▪ Libya – Protection and assistance to refugees – 25 million CZK.

The projects implemented by the UNHCR focused on assistance to refugees after landing by sea in Libya, in UNHCR GDF (Gathering and Departure Facility) centre in Libya. Under the project, 1,058 health consultations were provided, and 4,755 rescue packages were distributed to refugees after disembarkation. In total 17,149 health consultations were provided in detention centres. In the UNHCR a contribution was made to health and psychosocial care, food, accommodation and basic needs for 1500 of the most vulnerable refugees. The implementation of the project was terminated in December 2019.

▪ Mali – Protection of Children on the Move – 25 million CZK

Under the project implemented by UNICEF 7000 children on the move are provided with protection services (the capacity of 10 mobile teams will be increased, and another 5 will be set up, 100 new social workers will be trained, 30 centres for psychosocial support of children will be set up and strengthened). Government capacities for timely reaction and assistance to children will be strengthened, 200 unaccompanied minors will be ensured alternative care (in foster families or care centres), 200 children will be reunited with their families and will be given essential reintegration care, 10,000 children and youths where there is a greater risk that they will leave their family and then migrate will be informed of the risks of illegal migration via community programmes and information campaigns. The implementation of the project will terminate in June 2021.

▪ Niger – Protection and Assistance to Refugees from Nigeria – 25 million CZK

The aim of the project implemented by the UNHCR was protection and assistance to refugees from Nigeria in the Maradi region of Niger and support for the local host community. Under the project, the registration of 41,818 refugees was ensured in cooperation with the Niger Government. A total of 453 refugees were relocated to villages further from the dangerous border area. In addition, two new water sources were created, latrines were built, 264 new housing units were built, 400 packages of basic household requisites were distributed, 4884 health consultations were provided in a newly opened health centre, and 3 primary schools were reconstructed. The implementation of the project was terminated in December 2019.

- **Financial contribution to Regional Development and Protection Programme (RDPP) for North Africa – 10 million CZK**

Contribution to 4th phase of RDPP programme North Africa, which will be implemented in the years 2019–2021 in Algeria, Chad, Egypt, Libya, Morocco, Mauritania, Niger and Tunisia. The programme is coordinated by the Italian ministry of the interior. Implementation of activities within the programme will be terminated in 2021.

Priority No. 2 – Near East region

- **Jordan – Support of Healthcare and Special Education for Syrian Refugees – 25 million CZK**

The project for support of healthcare and special education for Syrian refugees in Jordan implemented by the UNHCR gave more than 4000 people access to healthcare outside of refugee camps. Special education was also provided to more than 60 Syrian children. This project was also followed up by cooperation of the UNHCR and MEDEVAC Programme in the preselection of patients for surgery by Czech doctors in Jordan. The implementation of the project was terminated in December 2019. Cooperation with the UNHCR on the preselection of patients is still ongoing.

- **Improvement in economic situation of Syrian refugees and Jordanian host community – 8 million CZK**

The aim of the project **Improving the Economic Situation of Syrian Refugees and Jordanian Host Community in Irbid and Refugee Camp Zaatari in Jordan via Support for Small Business** implemented by the Lutheran World Federation (LWF) is to provide 150 Syrian refugees (women and youths) with training in the area of small business and help them register their business. The grant necessary to start up this business

will then be provided to 15 women and 5 youths. The implementation of the project will be terminated in September 2020.

- **Protection and support for children's education – 7 million CZK**

The aim of the project **Protection of Children of Refugees and their Families Through Conditional Cash Assistance in Support of Education** implemented by Care International is to ensure the basic education of Syrian children in Jordan whose parents could not otherwise afford to send them to school for economic reasons. 273 children aged from 8 to 17 and their families (outside of camps) receive conditional cash assistance so that their children can return to school. The implementation of the project will be terminated in October 2020.

Priority No. 3 – Balkan region

- **North Macedonia – Strengthening the Asylum and Migration System and Combating Illegal Migration – 25 million CZK**

Financial donation to the Ministry of the Interior of the Republic of North Macedonia for the purchase of the necessary technical equipment for police units protecting and supervising the borders, and specialised police body focussing on combating smuggling of migrants and human trafficking (for example, purchase of boats and inflatable craft, thermal vision equipment, binoculars, special video cameras and other technical equipment for border protection). The termination of the project is expected in the second half of 2020.

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

The **MEDEVAC** Programme is a governmental health-humanitarian programme of the CR focussing on provision of healthcare to vulnerable

groups of inhabitants in regions impacted by migration or burdened by a large number of refugees, or where specialised expert care is not available. Treatment is provided free of charge, and only to civilians (mainly to women, children and older people) with a serious medical condition or whose state of health prevents them from leading a dignified life. In 2019, the programme was implemented on the Czech Government Resolution No. 956 of 20 November 2015 by deploying Czech medical teams abroad, training of medical staff and supporting projects to build and reinforce medical infrastructure.

In 2019, the MEDEVAC Programme was implemented in 7 priority countries in the Middle East (Jordan, Lebanon, Iraq), in Africa (Senegal, Ethiopia, Morocco, Ghana) and in eastern Europe (Ukraine). Moreover two projects to reinforce medical infrastructure were supported in Burkina Faso and Mauritania.

Summary of implementation of MEDEVAC Programme in 2019:

- **21 medical teams deployed abroad** with the participation of 8 Czech hospitals (Hradec Králové FN, Královské Vinohrady FN, Motol FN, Olomouc FN, ICEM, Bulovka Hospital, MFN, GFN)
- **774 operations carried out abroad** (paediatric cardiothoracic surgery, gynaecology, ophthalmology, ENT, orthopaedics, traumatology, reconstructive and plastic surgery)
- more than **1000 expert examinations** with diagnostics
- **208 non-invasive interventions** such a knee replacement operations
- **3 reconnaissance trips abroad** for the purposes of preparing future missions of the MEDEVAC Programme in the given country (Ethiopia, Ghana, Morocco)

- 1 pre-selection mission to configure selection of patients (Lebanon)
- **4 professional traineeships for foreign medical staff** in the area of paediatric cardiothoracic surgery, physiotherapy, orthopaedics and plastic surgery in Czech hospitals for a total of 16 professionals (Ethiopia, Morocco, Ukraine)
- **5 training missions for foreign staff** in Ethiopia, Iraq and Ukraine (176 participants)
- **2 projects to reinforce health infrastructure** at a total level of 10 million CZK for the renovation of health centres, hospital equipment and training of medical staff in Burkina Faso and Mauritania (Light for the World, Lutheran World Federation)
- participation of MEDEVAC programme at European Development Days in Brussels and Europe Days in Prague
- 7× **Flying Doctors exhibition** in CR, 1× abroad (NYC)

Since 2016 the programme has had a fixed budget **of 60 million CZK**.

7.3 ASSISTANCE TO COMPATRIOTS

The Programme for Providing Assistance with the Resettlement of Czech Compatriots continued in 2019. 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.

For the participants, inclusion 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 336 persons who were members of Czech compatriot communities in Ukraine and Venezuela were resettled to the CR during the year 2019. 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, 231 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 2020. The highest number of compatriots resettled in Prague and in the Region of Pilsen, Region of South Bohemia and the Region of Central Bohemia. 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 2019.

A **total of 1,516 persons** have been resettled to the CR from the launch of the programme in 2015 to 31 December 2019. 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 2020 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

Staff from the Directorate of the Foreign Police Service regularly participate in quarterly discussions of the Frontex Agency and special training sessions as part of a **working group dealing with joint return operations (Direct Contact Points)**. In general, the number of return operations organised by the Frontex Agency grew once again in 2019 in view of the fact that contracts were concluded with airlines and Member States could get tickets on scheduled flights to various destinations via the Frontex Agency. The Czech Republic utilises this possibility. The destinations of the group returns remain the same – the Balkans, in particular Serbia, Kosovo, North Macedonia and Albania. The Czech Republic contributes to the activities in accordance with the number of returned foreign nationals and suitability of the return destination. Most returns were overland (for example Ukraine). In 2019, the Czech Republic did not organise any joint return operations mediated by the Frontex Agency. In May 2019, 3 persons were returned to Nigeria as part of cooperation under a joint return operation organised by Austria. Based on a request from the Frontex Agency, the DFPS provided a three-man police escort to the aircraft escort department during a joint return operation to Afghanistan (the relevant return operation was organised by Sweden).

Amongst other things, officers of the foreign police, mainly from the teams of the DFPS mobile unit and the Frontex Agency, also contributed to **joint events at various sections of the European external borders** (Italy, Greece, North Macedonia, Serbia). They regularly participate in missions in North Macedonia and Serbia. They are deployed on the basis of bilateral agreements. As part of activities of the Frontex Agency, foreign police officers were sent to airports, which are key points for illegal migration (Italy and Greece). Foreign police officers were deployed at the Václav Havel Airport Prague.⁴⁶

In November 2019, representatives of the DFPS **Aircraft Escort department** participated in an event of the Frontex Agency in Warsaw called *Trainers annual meeting*, at which, amongst other things, plans for the future were presented, as were the possibilities of the FAR system, which is used by Member States during return operations. In order to carry out readmissions from Greece to Turkey, the training of police officers will continue on Lesbos, where 13 training sessions are planned for 2020. In 2019, police officers of the aircraft escort department also participated at two meetings of the International Steering Committee of Civilian Aircraft Security Escort Units (May – the Netherlands and October – Switzerland). The subject of the discussions was in particular areas associated with performing security escorts of civilian passenger aircraft and area associated with analysis of incidents that had occurred in civil aviation and reaction to it.

The DFPS also participated in an **exchange of information about documents** at the platform of the working group of the EU Council Borders/False Documents, the Committee of Document Specialists within the context of the Frontex Agency and other organisations. Information about documents is also exchanged via information systems – the international system FADO (iFADO, PRADO). Nevertheless, as part

⁴⁶ The Police Presidium, whose competence includes the deployment of officers, has a detailed overview of deployments of officers.

of international cooperation in the area of documents, the DFPS also makes and maintains contacts on an ongoing basis with experts outside the EU (Canada, United States of America, Australia, Korean Republic).

The Frontex Agency receives **data** from the area of irregular travel documents, from the area of illegal migration, deportation, persons processed at the external Schengen border etc. The DFPS is also involved in the EUROSUR system (European Border Surveillance System), which serves for information exchange and for cooperation mechanisms.

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, the border-area Regional Headquarters of the Police of the Czech Republic conducted **joint patrols** used for standard police work. The joint patrols focused on monitoring of illegal migration, the implementation of Schengen domestic searches, monitoring the movement of vehicles, cross-border crime, searching for stolen vehicles, people who had committed crimes, checking the residence status of foreign nationals, including residence checks in night clubs, the checking of 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 have received special training are assigned to the joint patrols.

In total, there were **765 joint patrols**⁴⁷ by officers from the foreign police departments of the RDP with units from neighbouring states. In comparison with the year 2018, there were 9 more patrols.

A fundamental role in cooperation with neighbouring states is played by the **common centres of police and customs cooperation**, where cooperation is generally performed in the area of gaining information about specific foreign nationals against whom proceedings are being conducted (checking in the records of the given state in order to verify identity), when mediating offers for the handover and receipt of persons and coordination of joint patrols.

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.

Direct operative cooperation with the authorities of neighbouring states is an important area in the fight against illegal migration. The Criminal Investigation and Documentation Department of the DFPS cooperates in particular with colleagues in Slovakia⁴⁸, with a liaison officer of the Federal Police in the Czech Republic⁴⁹ and with investigation units directly in Germany and Austria. Other cooperation is carried out on an ad hoc basis as needed.

⁴⁷ Based on evaluation of the monthly reports sent by each RDP.

⁴⁸ Office of Border and Foreign Police, Presidium of Corps of Police, National Unit for the Fight Against Illegal Migration.

⁴⁹ Embassy of the Federal Republic of Germany in Prague.

Cooperation with other States

In addition to neighbouring states, there is also close cooperation with states through which the main migration routes via the CR run, specifically Hungary and Serbia.

ILLEGAL MIGRATION, HUMAN SMUGGLING

In 2019, there were **5,677 persons identified as perpetrators of illegal migration** into the territory of the Czech Republic. Among them, 5,174 persons (i.e. 91.1 %) were detected as illegally staying and 503 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, Ukraine and Albania. The detected illegally staying persons were most often from Ukraine, Moldova and Vietnam.

When illegally migrating across the external Schengen border, **117 persons used irregular travel documents** and, in terms of citizenship, the largest group among them were the citizens of Albania. In the context of illegal stay, 188 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, 26 persons** were registered in 2019.

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 subcategory 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 was manifested in the territory of the CR in late 2014 and culminated in 2015. During that time, the CR was extensively 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 abused 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 since 2008 was registered in 2015. 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. **In 2019, the increase continued, and year-on-year growth of 13.7 % was recorded. In an evaluation of the annual figures since 2008 (i.e., for a period of 12 years), the figure for 2019 is the second highest.**

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 2019 (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. 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 2019, the total of 266 persons were detected as perpetrators of transit illegal migration, which represents a year-on-year increase by 75 persons (i.e.+39.3 %). However, if we take a look at the number of cases, there were 64 cases detected in 2018 (of which in three large

groups – 35, 21 and 11 people), whereas in 2019 twice as many cases, i.e., 131 cases, were detected (they tended to be individuals and small groups of people, only three larger groups of 13, 8 and 7 people). In terms of the direction in which illegal migrants were intercepted, entry from Slovakia (114 persons) predominated over entry from Austria (46 persons).

Germany was the stated destination for the vast majority of them.

They mainly used trucks (97 people), then aircraft (71), trains (49) and buses (26). The largest nationality group were citizens of Afghanistan (84 people), where the highest year-on-year increase was detected, by 64 persons. Second place in the statistics was held by citizens of **Iraq** (43 people), then **Syria** (35 people) and **Iran** (24 people).

The main modus operandi of transit illegal migration is the abuse of migration procedures of the EU Member States/Schengen area, use in particular of lorries and vans (and associated hiding places in vehicles) when moving across the territory, use of smuggling networks and on the air border the use of Greek flights in particular and irregular travel documents.

Statistics

In the period from 1 January to 31 December 2019, there were a total of **5,677 persons detected⁵⁰ when illegally migrating into the territory of the CR** (a year-on-year increase of 13.7 %). In comparison with the year 2018, **there was a slight increase by 685 persons.** Among them, **5,174 persons (i.e., 91.1 %) were detected as illegally staying and 503 persons were detected when they were perpetrating illegal migration** across the external Schengen border of the CR⁵¹.

⁵⁰ Based on the reports entered into the Event IS by the units of the PCR.

⁵¹ 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 Foreign Police Service“, which was organisationally expanded in 2008 by including 5 Foreign Police Inspectorates at international airports.

There were **465 persons** (i.e., 8.2 % of the total number of persons detected during illegal migration) **repeatedly⁵² detected as perpetrators of illegal migration**. On a year-on-year basis, there was a slight increase by 54 persons (i.e., +13.1 %). The top position was held by citizens of **Ukraine** (156 persons, i.e., 33.5 %), **Vietnam** (55, i.e., 11.8 %) and **Moldova** (53, i.e., 11.4 %).

Table 7: Illegal migration in CR in 2019 – TOP 10 by category

Illegal migration in the CR					
Illegal stay	Persons detected	i.e. %	Illegal migration across the external Schengen border	Persons detected	i.e. %
Total	5,174	100.0	Total	503	100.0
of this EU citizens	179	3.5	of this EU citizens	2	0.4
third-country nationals	4,995	96.5	third-country nationals	501	99.6
of which top 10 citizenships			of which top 10 citizenships		
Ukraine	1,456	28.1	Georgia	133	26.4
Moldova	825	15.9	Ukraine	48	9.5
Vietnam	353	6.8	Albania	47	9.3
the Russian Federation	237	4.6	the Russian Federation	34	6.8
Uzbekistan	199	3.8	China	28	5.6
Georgia	190	3.7	India	22	4.4
Kazakhstan	155	3.0	Iran	17	3.4
Saudi Arabia	121	2.3	1951 Convention	15	3.0
Afghanistan	102	2.0	USA	13	2.6
Slovakia	92	1.8	Armenia	12	2.4

Source: DFPS

As regards **citizenship**, the citizens of Ukraine have traditionally been 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

⁵² The persons are checked in the „Illegal Entry and Residence of Persons“ database for the current year and for the previous year.

total of **1,504 citizens of Ukraine (i.e., 26.5 %)** were detected in 2019. The following positions based on the statistics were occupied by citizens of **Moldova** (831 persons, i.e., 14.6 %), **Vietnam** (356, i.e., 6.3 %), **Georgia** (323, i.e., 5.7 %) and **the Russian Federation** (271, i.e., 4.8 %). Compared with 2018, the same three nationalities occupy the first three positions, and the nationalities in 4th and 5th place just switched places. These 5 nationalities represent approximately 60 % of all the persons detected when illegally migrating. 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 only 3.6 % in 2019 (186 children).

With respect to structure by gender, the share of illegally staying men (78 %) was higher in comparison with women. With respect to structure by age, persons aged 26–35 years (33 %) predominated, the other highly represented categories were persons aged 36–45 years (24 %) and persons aged 19–25 years (19 %).

8.2 FACILITATION OF ILLEGAL MIGRATION

After the CR joined the Schengen Area (December 2007), the facilitation of illegal migration over the state border (human smuggling) tended to shift to facilitation of illegal stay in the territory of the CR (through sham marriages, abuse of institute of consensual declaration of parents about paternity, obtaining counterfeits of various confirmations necessary for

residence etc.). In 2015, in connection with transit illegal migration, there was a change in the trend, facilitation of illegal migration over the state border came to predominate, i.e., facilitation for crossing the border into the CR and then movement over our territory to western Europe and Scandinavia. After the year 2015, in which the transit illegal migration culminated, the pressure gradually subsided (the period of June through December 2015⁵³: 3,294 people, year 2016: 511, year 2017: 172, year 2018: 191, year 2019: 266), but this type of illegal migration should still be seen as highly risky with regard to the persons facilitating the illegal crossing of the state border of the Czech Republic.

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 on a certain section of their journey. The overall lower numbers of detained people smugglers has 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. Smuggling groups operated in the home states of foreign nationals, where they are given instructions in advance for the further journey over the external Schengen border. It is clear from the information of Europol, Frontex, the Schengen states and Czech authorities that in the second half of 2019 there was an increase in the number cases of illegal migration where **hiding places in containers** were used. This method was employed especially by organisers/smugglers of large groups of illegal migrants. One specific feature of the smugglers – passenger car drivers is that they are generally relatives of one of the transported migrants who already live legally in Germany, Norway, Sweden, Great Britain etc. In 2019, passenger cars were used to a lesser extent for transport across the CR (but the findings from the start of 2020 illustrate a growth in this type of transport).

⁵³ As a sub-category of illegal migration, this has been reported separately since 17 June 2015.

The trend of recent years also continued in 2019, where indications were discovered about migrants from Vietnam who are using the route via the Russian Federation and other eastern European states. Vietnamese migrants abuse in particular tourist visas for legal air travel from Vietnam to the Russian Federation, where after the visa has expired they use networks of smugglers to travel to the target destinations, which are in particular Germany, France, Norway, Sweden and other Scandinavian countries where there is an established Vietnamese community.

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**. In the case of illegal migration, this involved in particular the entry of citizens of Syria (to a lesser extent Iraq, Iran, Egypt and Turkey) and these being persons discovered on arrivals of internal Schengen flights from Greece-Athens.

In 2019, there was confirmation of information about the activities of international foreign-speaking criminal groups in the CR who participate in arranging forged or changed personal documents serving to legalise the stay of migrants (and their unauthorised employment), who are already in the territories of European states, including the CR, or who are trying to reach Europe with their help. This activity is the domain of the Romanian community in particular. The most commonly abused documents were Romania identity documents, which were primarily abused by citizens of Ukraine (for the purposes of unauthorised employment).

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 short-stay visa, on the basis of which they travel to the CR and apply for a permit for temporary residence of a family member of an EU citizen. Subsequently, the foreign national is issued with a short-stay visa for a family purpose and the foreign national arrives in the CR with this visa. 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, Spain, Vietnam, Ukraine and others.

To a lesser extent there were also investigations into those persons who facilitated residence through **false paternity** (institution of parents' concurrent declaration), i.e., registering a EU citizen/a foreign national as a parent in a child's birth certificate against payment or organising such operations. The identified forms of abuse 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 family 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 a suppression of 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 present a genetic test in the form of a forensic expert's report to a register office.

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 receipt 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).

There is an increasing number of cases where foreign **nationals share a household with citizens of the Czech Republic or the EU on false pretences** with the aim of obtaining residence status⁵⁴. It is

⁵⁴ According to the provision of Section 15a of Act No. 326/1999 Coll., a family member of an EU citizen has a permanent partnership with the EU citizen, which is not a marriage if that family member lives in a common household with the EU citizen.

more difficult to issue a decision on administrative expulsion to these foreign nationals due to excessive interference with private and family life. It is necessary to emphasise how difficult it is to gather evidence to prove that a household is shared on false pretences.

The **language examinations** in the Czech language taken by foreign nationals were also monitored by the foreign police departments. In the previous years, there had been a large number of cases of persons posing as other persons, fraud during the examinations or circumvention of the system of examinations based on corruption of the examiners. But even in 2019 individual cases were discovered.

There was also an investigation of findings relating to the activities of groups organising **facilitation of illegal employment**. These are mainly cases where persons arrange jobs for 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.

Statistics

There were 26 persons registered in connection with facilitation of **illegal or crossing of the border** in 2019. This is the lowest annual number since 2008. In comparison with last year, there was a decrease by 10 persons (-27.8 %). As far as the form of facilitation was concerned, there were 9 cases of sham marriage, 8 cases of smuggling over a border, 5 cases of sham paternity, and 4 cases concerned the facilitation of residence, for example by the use of irregular confirmations in residency proceedings. The greatest drop was in the case of sham marriages (17 people, i.e., -65.4 %).

Table 8: Facilitation of an illegal stay or a crossing of a border – com-parison between the years 2018 and 2019

Year	2018	i.e. %	2019	i.e. %	Change as compared to the preceding period	
					in %	absolute figure
Total number of persons detected by FPD RDP	36	100.0	26	100.0	-27.8	-10
persons who facilitated illegal migration						
sham marriage and organisation thereof	26	72.2	9	34.6	-65.4	-17
sham paternity and organisation thereof	2	5.6	5	19.2	150.0	3
facilitation of illegal crossing of state border	5	13.9	8	30.8	60.0	3
other facilitation of illegal residence	3	8.3	4	15.4	33.3	1

Source: DFPS

9 RETURNS

In 2019, a total of **8,010 administrative return decisions were registered**. Out of this number, a total of **7,117** enforceable decisions on administrative expulsion were registered, which represented an increase by 1,343 in comparison with the previous year. There were also **893** decisions on imposition of the obligation to leave the country issued in 2019, which meant there was a year-on-year increase by 12.5 %.

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 on the basis of enforceable decision on administrative expulsion against 394 foreign nationals, which is a decrease of 50 persons (i.e., -11.3 %) in comparison with the previous year.

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 2019, a total of 487 voluntary returns of third-country nationals were implemented, there were 399 assisted voluntary returns of foreign nationals with an administrative expulsion decision against them, and there were 88 assisted voluntary returns of applicants for international protection. The largest numbers of these returnees were represented by nationals of Ukraine, Moldova and Uzbekistan.

The returns policy 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 2019, a total of **8,010 administrative return decisions were registered**. 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 against some of these persons. In 2019, there were 893 decisions on imposition of an obligation to leave the country issued. Year on year there was an increase by 99 decisions (i.e., +12.5 %).

In 2019, a decision was made in 98 cases on an appeal against a decision on an obligation to leave the country, which represents a slight decrease by 10 decisions (i.e. -9.3 %) according to a year-on-year comparison. In 48 cases the appeal was dismissed, in 30 cases the appeal was granted, in 20 cases the decision was overturned and returned.

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 2019, a total of **7,067 foreign nationals against whom an enforceable decision on administrative expulsion had been issued** were registered, which compared with the previous year was an increase by 1,354 persons (i.e., +23.7 %). The largest group of foreign nationals who were issued with an enforceable decision on administrative expulsion in 2019 were citizens of **Ukraine** (4,631 persons). After a large gap, they were followed by citizens of **Moldova** (1,171 persons, i.e., 16.6 %) and **Vietnam** (157 persons, i.e., 2.2 %).

In 2019, **7,117 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 8,372 reasons), breach of the residence conditions had predominated for a long time⁵⁵. There was a change in 2017 **and the reason that the foreign national was employed without a residence permit or without a work permit started to predominate**⁵⁶, and the same trend continued in 2019. With this reason (3,940 reasons, i.e., 47.1 %), there was a year-on-year increase by 445 reasons (i.e., +12.7 %). In terms of citizenships, citizens of **Ukraine** (3,466 reasons, +456, i.e., +15.1 %) and citizens of **Moldova** (392, -26, i.e., -6.2 %) were the largest groups where breach of the Employment Act was detected.

⁵⁵ Residence without a visa or a residence permit, without a travel document, etc.

⁵⁶ pursuant to Section 119(l)(b)(3) of Act No. 326/1999 Coll.

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. On 31 July 2019, the amendment to Act No. 326/1999 Coll., on the Residence of Foreign Nationals, came into force, and provision of Section 123a was expanded to include new groups of foreign nationals who could ask the ministry to cover the costs associated with voluntary return. So following this amendment the ministry can now bear the costs associated with the voluntary return of a foreign national for whom a departure date has been set by a decision on an obligation to leave the territory or territory of EU Member States, and it can also return a foreign national whose long-stay visa has been cancelled or expired, whose request for permanent or long-term residency has been rejected, or whose residence has been cancelled, who is incarcerated, or against whom an expulsion punishment has been imposed. Pursuant to this provision, the Ministry of the Interior, specifically the DAMP, is competent to rule on an application filed by a foreign national and to approve and implement his request as the case may be. The execution of a forced return after a foreign national who is detained and located in an IRC has filed a request for a voluntary return is then performed by the DFPS.

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 programme, the MoI and IOM focus primarily on foreign nationals against whom an administrative expulsion decision had been issued. Under its programme, the SUZ provides assistance with voluntary travel to the country of origin for former applicants for international protection.

Under all these programmes of assisted voluntary returns, the Ministry of the Interior, SUZ and 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 and facilities for detention of foreign nationals. Return consultancy is also 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.

In 2019, there were **a total of 487 voluntary returns of foreign nationals from third countries**. This included **399 assisted voluntary returns** of foreign nationals implemented by the MoI and IOM – **88 assisted voluntary returns** of applicants for international protection were implemented by the SUZ. In terms of citizenship, the largest groups among these returnees consisted of citizens of **Ukraine, Moldova** and **Uzbekistan, Georgia** and **Vietnam**.

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 have been issued with a decision on administrative expulsion.

As part of implementation of the programme of assisted voluntary return the MOI ensures not only the actual implementation of the voluntary return, but also all the associated advice and assistance essential for effective, speedy and successful return. The provided services include in particular the provision of information on voluntary returns to foreign nationals placed in the facilities for detention of foreign nationals in Balková, Bělá-Jezová and Vyšní Lhoty. Return consultancy is also provided to foreign nationals who have been issued with a decision on administrative expulsion or decision about obligation to leave the territory and 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 a foreign national decides to take advantage

of the assisted voluntary return option, the MoI ensures implementation of the return and looks after the needs and preferences of the individual foreign nationals, for example with regard to requirements for target destination.

For foreign nationals who have 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 level of the costs associated with the administrative expulsion.

In 2019, the MoI carried out a total of 338 voluntary returns.

This number included 317 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** (161 persons), **Moldova** (80 persons), followed by **Georgia** (22 persons) after a large gap.

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.

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 in the following cases in particular:

- 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 2019, a total of **106** applications for voluntary returns of applicants (after withdrawal of an application/failed applicants for international protection) were dealt with by the SUZ, of which a total of **88 persons** were returned to the requested countries. The most frequent destination country of return was **Kazakhstan** (20 persons), **Armenia** (8 persons), **Azerbaijan** and **Iraq** (7 persons each), and **Georgia** and **the Russian Federation** (6 persons).

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 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.

The IOM carried out a total of 61 voluntary returns, with Uzbekistan (16 persons) and Vietnam (15 persons) being the most frequent destinations.

Table 9: Voluntarily returned persons according to nationality under the assisted voluntary returns programme in 2019

Nationality	The total number of foreign nationals returned under voluntary returns programme		
	Implemented by MoI	Implemented by IOM	Implemented by SUZ
Ukraine	161	9	4
Moldova	80	1	
Georgia	22	2	6
Uzbekistan	13	16	
Serbia	13	1	4
Albania	10		
Vietnam	9	15	
Kazakhstan	4	2	21
Turkey	3		3
Belarus	3		
Mongolia	4	4	3
Kyrgyzstan	2	6	2
North Macedonia	2		
Romania	2		
Bulgaria	1	1	
Brazil	1		
Azerbaijan	1		7
Iraq	1		7
Nigeria	1		
Bolivia	1		
Afghanistan	1		1
Iran	1		4
the Russian Federation	1	1	8
South Korea	1		
Venezuela			3
Armenia		1	8
Lebanon			1
Libya			4
Ghana		1	1
Kenya			1
Philippines		1	
Total	338	61	88

Source: MoI

Forced Returns

Based on a final and enforceable decision on administrative expulsion, “forced implementation” of returns⁵⁷ was carried out for **67 foreign nationals** in 2019. In total implementation was carried out against 394 foreign nationals, but out of this number most (327, i.e., 82.9 %) were expelled voluntarily, so the return was ensured by the MoI or International Organisation for Migration (IOM).

When it comes to the implementation of voluntary returns programmes by DAMP for foreign nationals detained in an IRC who apply for a voluntary return from the IRC, 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 DFPS. 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 2019, rulings were made on **appeals against a decision on administrative expulsion in 1,225 cases**, which is 272 (i.e. +28.5 %) appeals more than in the year 2018. This number includes 938 cases in which an appeal was dismissed, 43 cases in which the decision was overturned, 197 cases in which the decision was overturned and returned for a new hearing, 43 cases in which the decision statement was changed, and 4 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

⁵⁷ This is the implementation of administrative expulsion in which the returns with the assistance of the MoI of the CR or IOM are not counted.

readmission agreements and also participates in the work of the European Commission in the negotiations of EU readmission agreements with selected third countries.

In 2019, in the area of **bilateral agreements**, the Czech Republic arranged an Agreement between the Government of the Czech Republic and the Government of Mongolia about readmission of persons with unauthorised residence and the implementing protocol for this agreement (both documents were signed on 20 May 2019). The agreement applies only to the transfer of citizens of the parties to the agreement. Even so the agreement can be considered a success, because Mongolia had long opposed the conclusion of a readmission agreement. The agreement was submitted to both chambers of the Parliament of the Czech Republic for consent and ratification, and it will be submitted to the president of the Republic for ratification.

On 1 June 2019, the implementing protocol for the union readmission agreement with Macedonia came into force (signed on 30 November 2018). The Czech Republic also signed the protocol for the union readmission agreement with Georgia (signed on 10 July 2019) and Armenia (signed on 21 October 2019). They have not yet come into force. An agreement has also been prepared between the Government of the Czech Republic and the Government of the Republic of Uzbekistan about readmission and transit of persons and protocol for its implementation (Protocol Concerning Implementation of Agreement Between the Government of the Czech Republic and Government of the Republic of Uzbekistan about Readmission and Transit of Persons). Texts are currently being compared and suitable date for signature is being sought.

The CR currently has **bilateral readmission agreements in effect with a total of 17 states: Austria, Poland, Germany, Slovakia, Romania, Hungary, Canada, Croatia, Bulgaria, Slovenia, Moldova,**

Vietnam, Switzerland, Armenia, Kazakhstan, Kosovo and Mongolia (the agreement with Mongolia has not yet come into force).

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 2019. In 2019, there were discussions on readmission agreements with Tunisia, Morocco and China (under the agreement about the suppression of illegal migration). There has been no progress in negotiations with other states (Jordan, Algeria, Nigeria). Consensus was reached with Belarus as far as concerns agreement on simplification of the visa process, and at the same time Belarus confirmed the already agreed text of the readmission agreement. At the end of the year, documents were prepared for the Council for signature and agreement of the readmission agreement and visa facilitation agreement with Belarus. The Council decided on the signature of the readmission agreement on 19 December 2019⁵⁸ and visa facilitation agreement on 14 October 2019⁵⁹.

The EU continues its efforts to negotiate documents such as *Standard Operating Procedure* or *Best Practices* with third countries. Draft documents have been presented to certain third countries, some of which have already been agreed on and cooperation has started (Bangladesh, Afghanistan, Guinea, Gambia, Côte d'Ivoire, Ethiopia) while negotiations between the EU, and some other countries (Ghana, Egypt) are still under way. The Commission is also engaged in activities in relation to eastern countries – as part of discussions about migration and mobility it is negotiating with India a potential readmission and visa facilitation agreement (so far without a mandate to negotiate agreements), and it is also engaged in discussions with Iraq as part of a migration dialogue. An Agreement on Partnership and Cooperation⁶⁰ has been

⁵⁸ CD 2019/2228.

⁵⁹ CD 2019/1915.

⁶⁰ Partnership and cooperation agreements (PCA).

negotiated with Iraq containing a readmission clause, but there has been no success in implementing forced returns. The Commission also wants to negotiate about readmission with Mali and Senegal as part of a migration dialogue. As part of the negotiations about the Enhanced Partnership and Cooperation Agreement⁶¹ with Uzbekistan, the part dealing with the readmission clause is being covered. Discussions about readmission were conducted with Vietnam in the context of the meeting of the first joint committee for implementing the Partnership and Cooperation Agreements.

The EU has a total of 17 readmission agreements: **Hong Kong, Macao, Sri Lanka, Albania, Russian Federation, Ukraine, Moldova, Serbia, Montenegro, North Macedonia, Bosnia and Herzegovina, Pakistan, Georgia, Turkey, Cape Verde, Armenia and Azerbaijan.**

9.3 EXPULSION SENTENCE IMPOSED BY COURTS

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.

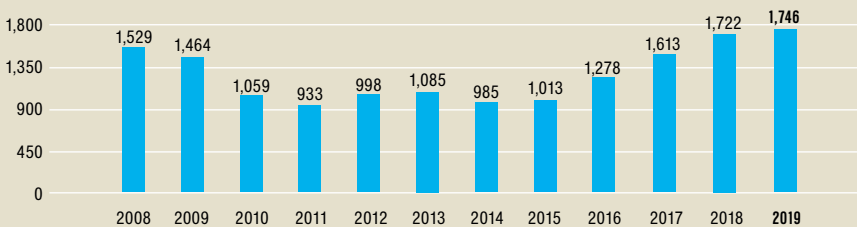
A sentence of expulsion from the territory of the CR is imposed by courts on those perpetrators who are not citizens of the Czech Republic as a standalone sentence or alongside another sentence pursuant to Act No. 40/2009 Coll., the Criminal Code, as amended, if so required by the security of people or property or another public interest. 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

⁶¹ Enhanced partnership and cooperation agreement (EPCA).

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.

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

Chart 6: The Numbers of persons who were sentenced to expulsion in the period 2008–2019



Source: The Ministry of Justice

In 2019, there was a total of **1,746 persons on whom courts imposed expulsion sentences in criminal proceedings**⁶², which represents a slight year-on-year increase by 24 persons (i.e. +1.4 %). As in the

⁶² 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. A court can impose an expulsion sentence for one through ten years or for an indefinite period of time. The courts do not impose a sentence of expulsion on every foreign national who is convicted of a crime.

preceding year, this category was dominated by citizens of **Ukraine** (510 persons, i.e., 29.2 %), **Romania** (224 persons, i.e., 12.8 %) and **Moldova** (186 persons, i.e., 10.7%). 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 for citizens of Nigeria (+49 persons, i.e. +245.0 %) and Georgia (+37 persons, i.e. +185.0 %), conversely, there was a year-on-year decrease in the number of citizens of Bulgaria (-34 persons, i.e. -32.4 %) and Romania (-34, i.e. -13.2 %). 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 2,271 criminal acts) were **theft** (437 criminal acts, i.e. 19.2 %), **obstruction of execution of an official decision and expulsion** (336 criminal acts, i.e. 14.8 %), **forgery and alteration of a public document** (310 criminal acts, i.e. 13.7 %), **endangerment under the influence of an addictive substance** (176 criminal acts, i.e. 7.7 %) and **unlicensed production and other management of intoxicating and psychotropic substances and poisons** (169 criminal acts, i.e. 7.4 %). The largest year-on-year increase was seen with obstruction of execution of an official decision and expulsion (+52 criminal acts, i.e., +18.3 %).

Court-imposed expulsion was carried out on 281 foreign nationals during the reference period, which represents a slight decrease on the preceding year by 17 persons (i.e., -5.7 %). Out of this number implementation was ensured by the voluntary returns department of the DAMP MoI, and for 1 person by the IOM. In terms of citizenships, the largest groups consisted of citizens of **Slovakia** (76 persons, i.e., 27 %),

Ukraine (48 persons, i.e. 17.1 %) and **Romania** (32 persons, i.e., 11.4 %). According to a year-on-year comparison, the highest increase occurred among citizens of Moldova (18 persons +12 persons, i.e. +200.0 %), and in contrast the greatest year-on-year decrease was recorded in particular amongst Romanian nationals (-19 persons, i.e., -37.3 %).

ANNEXES

Annex 1: Methodology and Definitions

This report was prepared mainly using the source materials of institutions engaged in asylum, migration and integration. The area covered mainly comes within the purview of the Ministry of the Interior. Furthermore, source materials from the following entities were used in preparation of the report: the Foreign Police Service Directorate, 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 make up most of the content of this report. The other source was information in the public domain.

Statistical data were taken in particular 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 2019⁶³ and from the

⁶³ The 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. In particular the national contribution (Technical Part 1) to the synthesis EMN Annual Report on Migration and Asylum 2019, which the Czech National Contact Point of the EMN prepared in early 2020, was used.

For the purposes of this report an analysis of press articles concerned with asylum and migration in 2019 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

RESOURCES

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 Foreign 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 2019

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

EMN, Specification of Requirements for the 2019 EMN

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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